

By: Madla

S.B. No. 1892

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Espada Development District;
providing authority to provide water and wastewater services and to
impose assessments and taxes and to issue bonds.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws
Code, is amended by adding Chapter 3833 to read as follows:

CHAPTER 3833. ESPADA DEVELOPMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3833.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of San Antonio.

(3) "District" means the Espada Development District.

Sec. 3833.002. ESPADA DEVELOPMENT DISTRICT. The Espada
Development District is a special district created under Sections
52 and 52-a, Article III, Section 1-g, Article VIII, and Section 59,
Article XVI, Texas Constitution.

Sec. 3833.003. MUNICIPAL CONSENT REQUIRED. Unless the
governing body of the city by resolution consents to the creation of
the district before January 1, 2007:

(1) the board may not hold an election to confirm the
creation of the district and to elect directors under Section
3833.024;

1 (2) the district is dissolved on that date; and

2 (3) this chapter expires September 1, 2008.

3 Sec. 3833.004. CONFIRMATION ELECTION REQUIRED. If the
4 creation of the district is not confirmed at a confirmation
5 election held under Section 3833.024 before September 1, 2009:

6 (1) the district is dissolved September 1, 2009,
7 except that:

8 (A) the district shall pay any debts incurred;

9 (B) the district shall transfer any assets that
10 remain after the payment of debts to the city; and

11 (C) the organization of the district is
12 maintained until all debts are paid and remaining assets are
13 transferred; and

14 (2) this chapter expires September 1, 2012.

15 Sec. 3833.005. PURPOSE; DECLARATION OF INTENT. (a) The
16 creation of the district is essential to accomplish the purposes of
17 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
18 Texas Constitution, and other public purposes stated in this
19 chapter.

20 (b) The creation of the district is necessary to develop,
21 encourage, and maintain employment, commerce, economic
22 development, and the public welfare of residents, employers,
23 employees, and consumers in the district and adjacent areas.

24 (c) Except as provided by this chapter, the creation of the
25 district may not be interpreted to relieve the city from providing
26 services to the area of the district. The district is created to
27 supplement and not to supplant the city services provided in the

1 area of the district.

2 Sec. 3833.006. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

4 (b) The creation of the district is in the public interest
5 and is essential to:

6 (1) further the public purposes of developing and
7 diversifying the economy of the state;

8 (2) eliminate unemployment and underemployment; and

9 (3) develop or expand transportation and commerce.

10 (c) The district will provide needed funding for the
11 district to maintain and enhance the economic health and vitality
12 of the district territory as a community and business center.

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

16 Sec. 3833.007. DISTRICT TERRITORY. (a) The district is
17 composed of the territory described by Section 2 of the Act enacting
18 this chapter, as that territory may have been modified under:

19 (1) Subchapter J, Chapter 49, Water Code; or

20 (2) other law.

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

25 (1) organization, existence, or validity;

26 (2) right to impose taxes;

27 (3) right to issue or pay bonds; or

1 (4) legality or operation.

2 Sec. 3833.008. COMPLIANCE WITH MUNICIPAL CONSENT
3 RESOLUTIONS. The district shall comply with all applicable
4 requirements of any resolution adopted by the governing body of the
5 city that consents to the creation of the district or to the
6 inclusion of territory in the district.

7 Sec. 3833.009. APPLICABILITY OF OTHER WATER DISTRICTS LAW.
8 Except as otherwise provided by this chapter, Chapter 49, Water
9 Code, does not apply to the district.

10 Sec. 3833.010. LIBERAL CONSTRUCTION OF CHAPTER. This
11 chapter shall be liberally construed in conformity with the
12 findings and purposes stated in this chapter.

13 [Sections 3833.011-3833.020 reserved for expansion]

14 SUBCHAPTER A1. TEMPORARY PROVISIONS

15 Sec. 3833.021. INITIAL DIRECTORS. (a) If the governing
16 body of the city consents to the creation of the district under
17 Section 3833.003, the governing body shall appoint a board of five
18 initial voting directors.

19 (b) The governing body of the city shall appoint the initial
20 directors with:

21 (1) two initial directors' terms expiring on June 1,
22 2008; and

23 (2) three directors' terms expiring on June 1, 2010.

24 (c) This section expires September 1, 2011.

25 Sec. 3833.022. ORGANIZATIONAL MEETING OF INITIAL
26 DIRECTORS. As soon as practicable after the appointment of all the
27 initial directors, the initial directors shall meet at a location

1 in the district agreeable to a majority of the directors. At the
2 meeting, the initial directors shall elect officers from among the
3 initial directors and conduct any other district business.

4 Sec. 3833.023. CHANGE IN DISTRICT TERRITORY BEFORE
5 CONFIRMATION ELECTION. (a) Except as provided by Subsection (b),
6 Section 49.315, Water Code, applies to the district.

7 (b) The governing body of the city must approve by
8 resolution the addition or exclusion of any territory in the
9 district. The governing body may include conditions in the
10 resolution, including a condition that certain territory be added
11 to or excluded from the district.

12 Sec. 3833.024. CONFIRMATION ELECTION. (a) The initial
13 board shall hold an election to confirm the district's creation.

14 (b) The ballots for a confirmation election must provide for
15 voting "For District" and "Against District."

16 (c) If a majority of the votes cast in the election favor the
17 creation of the district, then the initial board shall declare that
18 the district is created and enter the result in its minutes. If
19 less than a majority of the votes cast in the election are against
20 the creation of the district, the initial board shall declare that
21 the district was defeated and enter the result in its minutes. The
22 board shall file a copy of the order with the governing body of the
23 city.

24 (d) The order canvassing the results of the confirmation
25 election must contain a description of the district's boundaries.
26 The initial board shall file the order in the district's records and
27 in the deed records of the county or counties in which the district

1 is located.

2 Sec. 3833.025. EXPIRATION OF SUBCHAPTER. This subchapter
3 expires September 1, 2012.

4 [Sections 3833.026-3833.050 reserved for expansion]

5 SUBCHAPTER B. BOARD OF DIRECTORS

6 Sec. 3833.051. BOARD OF DIRECTORS; TERMS. The district is
7 governed by a board of five directors who serve staggered four-year
8 terms, with two or three directors' terms expiring June 1 of each
9 even-numbered year.

10 Sec. 3833.052. QUALIFICATIONS. (a) To be qualified to
11 serve as a director, a person must be at least 18 years of age and be
12 eligible to vote in the:

13 (1) city, if fewer than 1,000 individuals reside in
14 the district; or

15 (2) district, if 1,000 or more individuals reside in
16 the district.

17 (b) A change in the number of individuals who reside in the
18 district does not affect a director's entitlement to serve out the
19 remainder of the director's term.

20 Sec. 3833.053. APPOINTMENT OF DIRECTORS. The governing
21 body of the city shall appoint the district's directors.

22 Sec. 3833.054. NONVOTING DIRECTORS. (a) The following
23 persons serve as nonvoting directors:

24 (1) the directors of the following departments of the
25 city or a person designated by that director:

26 (A) finance; and

27 (B) public works; and

1 (2) the city manager of the city.

2 (b) If a department described by Subsection (a) is
3 consolidated, renamed, or changed, the board may appoint a director
4 of the consolidated, renamed, or changed department as a nonvoting
5 director. If a department described by Subsection (a) is
6 abolished, the board may appoint a representative of another
7 department that performs duties comparable to those performed by
8 the abolished department.

9 Sec. 3833.055. QUORUM. Nonvoting directors are not counted
10 for purposes of determining whether a quorum is present.

11 Sec. 3833.056. VACANCY. A vacancy on the board is filled
12 for the remainder of the unexpired term in the same manner as the
13 original appointment.

14 Sec. 3833.057. GENERAL VOTING REQUIREMENTS. Except as
15 provided by Section 3833.251, three directors must approve any
16 official district action.

17 Sec. 3833.058. COMPENSATION. A director is not entitled to
18 compensation for service on the board but is entitled to
19 reimbursement for necessary and reasonable expenses incurred in
20 carrying out the duties and responsibilities of a director.

21 Sec. 3833.059. REMOVAL OF DIRECTORS. A board majority may
22 petition the city's governing body to remove a director for
23 misconduct or failure to carry out the director's duties. The
24 governing body, after notice and hearing, may remove the director
25 for the misconduct or failure.

26 Sec. 3833.060. APPLICABILITY OF OTHER WATER DISTRICTS LAW.
27 Subchapter C, Chapter 49, Water Code, applies to the district,

1 except for Sections 49.053, 49.055, and 49.060.

2 [Sections 3833.061-3833.100 reserved for expansion]

3 SUBCHAPTER C. PUBLIC IMPROVEMENTS

4 Sec. 3833.101. GENERAL IMPROVEMENTS POWERS. The district
5 has all powers necessary to acquire, construct, and maintain
6 improvements specified by this subchapter.

7 Sec. 3833.102. WATER-RELATED IMPROVEMENTS. The district
8 may acquire, construct, or maintain stormwater, drainage and
9 detention facilities, sanitary sewer lines and pump stations, and
10 water lines and pump stations.

11 Sec. 3833.103. ROAD-RELATED IMPROVEMENTS; REIMBURSEMENT TO
12 PRIVATE PARTY. (a) The district may acquire, construct, or
13 maintain streets, including sidewalks, streetscapes, street signs,
14 traffic signals, and street lights.

15 (b) For construction that occurs after the district's
16 creation, the district may pay a private person for money spent to
17 construct a road or related improvement that will be transferred
18 under Subchapter D or to purchase a road or improvement constructed
19 by the private person.

20 Sec. 3833.104. TRANSIT FACILITIES. The district may
21 acquire, construct, or maintain transit facilities.

22 Sec. 3833.105. PUBLIC PARKING FACILITIES. The district may
23 acquire, construct, or maintain public parking facilities.

24 Sec. 3833.106. PUBLIC ART. The district may acquire,
25 construct, or maintain public art.

26 Sec. 3833.107. PARKS AND OPEN SPACES. The district may
27 acquire, construct, or maintain parks and open spaces.

1 Sec. 3833.108. PEDESTRIAN LINKAGES. The district may
2 acquire, construct, or maintain pedestrian linkages.

3 Sec. 3833.109. LIBRARY, POLICE STATION, FIRE STATION; CITY
4 CONSENT REQUIRED. After obtaining the city's consent by
5 resolution, the district may acquire, construct, and maintain a
6 library, police station, or a fire station.

7 Sec. 3833.110. CITY CONSENT REQUIRED FOR CERTAIN ROADS AND
8 CITY PROPERTY. Before the district begins a project that involves
9 the use of the rights-of-way of streets, roads, or highways or the
10 use of municipal land or any easements granted by the city, the
11 district must obtain the approval of the city's governing body in
12 the form of a resolution approving the plans and specifications of
13 the project, including a substantial alteration to a plan or
14 specification.

15 Sec. 3833.111. APPLICATION OF INTERLOCAL COOPERATION ACT.
16 For purposes of Chapter 791, Government Code, the implementation of
17 an improvement under this subchapter is a governmental function or
18 service.

19 Sec. 3833.112. ACQUISITION OF CERTAIN ENCUMBERED PROPERTY
20 PROHIBITED. The district may not acquire an improvement under this
21 subchapter that has a lien on it or is otherwise encumbered.

22 [Sections 3833.113-3833.150 reserved for expansion]

23 SUBCHAPTER D. TRANSFER OF PUBLIC IMPROVEMENTS

24 Sec. 3833.151. TRANSFER OF CERTAIN IMPROVEMENTS REQUIRED.
25 (a) Subject to Section 3833.155, the district shall transfer an
26 improvement as provided by this section when the district acquires
27 or completes the improvement and the receiving entity approves the

1 transfer.

2 (b) The district shall transfer a:

3 (1) water line or system, including a pump station or
4 other ancillary improvement, that is located in a portion of the
5 district that is in the certificated service area of the:

6 (A) San Antonio Water System, to that system; and

7 (B) Bexar Metropolitan Water District, to that
8 district;

9 (2) wastewater line or system, including a pump
10 station or other ancillary improvement, to the San Antonio Water
11 System;

12 (3) library, police station, or fire station to the
13 city;

14 (4) stormwater, drainage, or detention line or
15 detention facility, to the city;

16 (5) road or street, to the city;

17 (6) sidewalk, to the city;

18 (7) streetscape, to the city;

19 (8) street light, to the city;

20 (9) street sign, to the city;

21 (10) traffic signal, to the city; and

22 (11) pedestrian linkage, to the city.

23 (c) The district is not required to transfer an improvement
24 described by Subsections (b)(4)-(11) if the district and city enter
25 into a written agreement that the transfer is not required. The
26 district and the city may agree on other terms under this
27 subsection.

1 Sec. 3833.152. CONSTRUCTION STANDARDS. A public
2 improvement required to be transferred under this subchapter must
3 be constructed in compliance with the requirements and
4 specifications established by the appropriate receiving entity at
5 the time construction of the improvement begins.

6 Sec. 3833.153. OPTIONAL TRANSFER FOR CERTAIN IMPROVEMENTS.

7 (a) The district may retain bus terminals or may transfer the bus
8 terminals to the VIA Metropolitan Transit Authority or any
9 successor regional transportation authority or district with the
10 agreement of the authority.

11 (b) The district may retain public parking areas, parks and
12 open space improvements and public art, or may transfer these to the
13 city with the agreement of the city.

14 Sec. 3833.154. PARTIAL TRANSFER IN STAGES. The district
15 may transfer part of an improvement as provided by this subchapter
16 if the district constructs the improvement in stages.

17 Sec. 3833.155. TRANSFER WITHOUT DEBT REQUIRED. The
18 district shall convey all improvements that it is required to
19 transfer under this subchapter without debt or other encumbrance.

20 Sec. 3833.156. OWNERSHIP AND RESPONSIBILITY AFTER
21 TRANSFER. (a) After a transfer under this subchapter, the
22 receiving entity owns the improvement and has sole jurisdiction and
23 control over the improvement. The receiving entity is responsible
24 for all maintenance of the public improvement and the district is
25 not responsible for the public improvement or its maintenance.

26 (b) This section does not affect any authority of the
27 receiving entity to alter, relocate, close, or discontinue

1 maintenance of an improvement.

2 Sec. 3833.157. CONTRACT WITH DISTRICT TO MAINTAIN
3 IMPROVEMENT AFTER TRANSFER. The district may contract with the
4 receiving entity to provide a higher level of maintenance to an
5 improvement transferred under this subchapter. The district shall
6 pay the receiving entity for the higher level of maintenance.

7 Sec. 3833.158. EFFECT OF CONVEYANCE ON DISTRICT DEBT.
8 Conveyance of a public improvement to the appropriate entity under
9 this subchapter does not affect:

10 (1) the sole responsibility of the district to pay in
11 full the principal of and interest and any premium on any
12 outstanding district bonds or other debt; or

13 (2) the district's responsibility to perform the
14 obligations provided by the orders or resolutions authorizing the
15 bonds or other debt.

16 [Sections 3833.159-3833.200 reserved for expansion]

17 SUBCHAPTER E. OTHER GENERAL POWERS AND DUTIES

18 Sec. 3833.201. CONTRACTS. In addition to the powers
19 granted by Section 49.057, Water Code, the district may contract
20 with any person for any district purpose, including governmental
21 entities, under terms and conditions the board considers advisable.

22 Sec. 3833.202. CONTRACT ELECTIONS. Section 49.108, Water
23 Code, applies to the district.

24 Sec. 3833.203. GRANTS; LOANS. The district may accept a
25 grant or loan from any person for any district purpose.

26 Sec. 3833.204. PROPERTY. The district may acquire or
27 dispose of any property right in any manner necessary, convenient,

1 or useful to exercise a district power.

2 Sec. 3833.205. SURPLUS PROPERTY. (a) The district may
3 sell, lease, or otherwise dispose of any property right that is not
4 necessary for or, if the property right is a lease, that is
5 inconsistent with the efficient operation and maintenance of the
6 district's improvements.

7 (b) The district may sell, lease, or otherwise dispose of
8 any surplus property that is not necessary to implement a district
9 purpose.

10 Sec. 3833.206. RECREATIONAL FACILITIES. (a) In addition
11 to the district's powers under Section 3833.106 or 3833.107,
12 Subchapter N, Chapter 49, Water Code, applies to the district.

13 (b) Section 49.454, Water Code, does not apply to the
14 district.

15 Sec. 3833.207. HEARINGS. The district may conduct hearings
16 and take testimony and proof, under oath or affirmation, at public
17 hearings, on any matter necessary to implement a district purpose.

18 Sec. 3833.208. NOTICES, REPORTS, AND BANKRUPTCY.
19 (a) Except as provided by Subsection (b), Subchapter M, Chapter
20 49, Water Code, applies to the district.

21 (b) Section 49.454, Water Code, does not apply to the
22 district.

23 Sec. 3833.209. ANNEXATION OF DEVELOPER'S PROPERTY; TAX
24 INCREMENT REINVESTMENT ZONE; SERVICES. (a) In this section,
25 "developer" means a person who owns a tract of land in the district
26 and who has divided or proposes to divide the tract into two or more
27 parts to lay out a subdivision of the tract, including an addition

1 to a municipality, or to lay out suburban, building, or other lots,
2 and to lay out streets, alleys, squares, parks, or other parts of
3 the tract intended to be dedicated to public use or for the use of
4 purchasers or owners of lots fronting on or adjacent to the streets,
5 alleys, squares, parks, or other parts.

6 (b) The developer may petition the city to annex the
7 developer's property in the district and for the formation of a tax
8 increment reinvestment zone in the annexed property under Chapter
9 311, Tax Code.

10 (c) The developer and the city may negotiate the terms and
11 levels of services to be provided in the annexed area based on the
12 developer's projected development plan. The plan may provide that
13 one or more city services is not required unless and until the
14 property actually develops sufficiently to justify the service.

15 (d) In negotiating an agreement for services under this
16 section, the parties may agree to:

17 (1) any term allowed under Section 42.044 or 43.0751,
18 Local Government Code, regardless of whether the city or the area
19 proposed for annexation would have otherwise been able to agree to
20 the term under those sections; and

21 (2) any other provision to which both parties agree to
22 satisfactorily resolve any dispute between the parties.

23 (e) The terms and conditions of the negotiated service plan
24 bind the city for the period provided by Section 43.056(1), Local
25 Government Code, and the developer, the developer's heirs,
26 successors, and assigns, and any person taking title to all or a
27 portion of the property annexed under the annexation petition for

1 that period.

2 (f) The developer and the city may amend the negotiated
3 service plan. An amendment binds only the property owned or
4 controlled by the developer at the time of the approval of the
5 amendment by the developer and the city.

6 (g) The developer and the city shall forward the negotiated
7 service plan and any later amendments to the board.

8 Sec. 3833.210. PROHIBITION ON UTILITY SERVICES. The
9 district may not provide water, sewer, drainage, or flood control
10 services to residential, retail, or commercial customers in or
11 outside the district.

12 Sec. 3833.211. USE AND ALTERATION OF PUBLIC WAYS. (a) The
13 district may not change, alter, or damage the property, including
14 facilities, of the state or any other governmental entity or of
15 owners providing public services, or disrupt those services being
16 provided by others, or otherwise inconvenience the owners of that
17 property or those facilities without having first obtained the
18 written consent of those owners.

19 (b) If the owners of the property, including facilities,
20 desire to handle the change, alteration, or damage of the property,
21 including facilities, with their own personnel or to have the work
22 done by contractors of their own choosing, the district may agree
23 with the owners to provide for the necessary changes, alterations,
24 or damage of the property, including facilities, by the owners or
25 contractors and the reimbursement by the district to those owners
26 of the costs incurred by the owners in making those changes,
27 alterations, or damages or having them accomplished by contractors.

1 Sec. 3833.212. NO EMINENT DOMAIN POWER. The district may
2 not exercise the power of eminent domain.

3 [Sections 3833.213-3833.250 reserved for expansion]

4 SUBCHAPTER F. GENERAL FINANCIAL PROVISIONS

5 Sec. 3833.251. BOARD VOTE REQUIRED TO IMPOSE ASSESSMENTS,
6 TAXES, OR BONDS. The district may not impose an assessment or tax,
7 or issue bonds, unless four directors vote in favor of the
8 assessment, tax, or issuance of bonds.

9 Sec. 3833.252. BORROWING MONEY. The district may borrow
10 money on terms and conditions the board determines.

11 Sec. 3833.253. APPLICABILITY OF WATER DISTRICTS LAW ON
12 GENERAL FISCAL PROVISIONS. (a) Except as provided by Subsection
13 (b), Subchapter E, Chapter 49, Water Code, applies to the district.

14 (b) Section 49.153, Water Code, does not apply to the
15 district.

16 Sec. 3833.254. INSURANCE. The district may obtain
17 insurance and pay premiums to insurers for insurance of any type in
18 amounts considered necessary or advisable by the board.

19 Sec. 3833.255. DISADVANTAGED BUSINESSES. Section 375.222,
20 Local Government Code, applies to the district.

21 Sec. 3833.256. AUDIT. (a) The board shall have the
22 district's fiscal accounts and records audited annually. The audit
23 must be completed not later than the 120th day after the date on
24 which the district's fiscal year ends.

25 (b) The person who performs the audit must hold a license
26 issued under Chapter 901, Occupations Code.

27 (c) The audit must be performed according to generally

1 accepted auditing standards.

2 Sec. 3833.257. STATE AUDITOR. The state auditor may audit
3 the financial transactions of the district if the state auditor
4 determines the audit is necessary.

5 Sec. 3833.258. FINANCIAL REPORTS. (a) The district shall
6 keep a full and itemized account of district money. These accounts
7 must be available for audit.

8 (b) Financial statements must be prepared in accordance
9 with generally accepted accounting principles.

10 Sec. 3833.259. APPLICABILITY OF WATER DISTRICTS LAW ON
11 CONSTRUCTION, EQUIPMENT, MATERIALS, AND MACHINERY CONTRACTS.

12 (a) Except as provided by Subsection (b), Subchapter I, Chapter
13 49, Water Code, applies to the district.

14 (b) Section 49.279, Water Code, does not apply to the
15 district.

16 Sec. 3833.260. PREVAILING WAGE RATES; CITY. The district
17 shall use the prevailing wage rate in the city for purposes of
18 complying with Section 2258.022, Government Code.

19 Sec. 3833.261. HIGH TECHNOLOGY PROCUREMENT. In making a
20 high technology procurement, the district must comply with Sections
21 252.021(a) and 252.042, Local Government Code, in the same manner
22 as a municipality governed by that subsection.

23 Sec. 3833.262. ASSESSMENT ELECTION NOT REQUIRED. The
24 district may impose an assessment without approval at an election.

25 [Sections 3833.263-3833.300 reserved for expansion]

26 SUBCHAPTER G. TAXES

27 Sec. 3833.301. AD VALOREM TAXES FOR MAINTENANCE AND

1 OPERATION OR TO PAY BONDS. The district may impose ad valorem taxes
2 for maintenance and operation or to pay bonds in accordance with
3 Section 49.107, Water Code, and Subchapter G, Chapter 54, Water
4 Code.

5 Sec. 3833.302. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

6 (a) All or any part of the area of the district is eligible to be
7 included in a tax increment reinvestment zone created by the city
8 under Chapter 311, Tax Code.

9 (b) If the city includes all or part of the district in a tax
10 increment reinvestment zone, the city may, for the area in the
11 district, delegate to the district:

12 (1) all powers provided to the city under Chapter 311,
13 Tax Code; or

14 (2) the power to enter into an interlocal agreement
15 with an overlapping taxing unit for payment of all or a portion of
16 the tax increment of the unit to the district.

17 Sec. 3833.303. NO SALES TAX. The district may not impose a
18 sales tax.

19 Sec. 3833.304. NO TAX PHASE-INS AND ABATEMENTS. The
20 district may not grant a tax abatement or phase-in under Chapter 311
21 or 312, Tax Code, or any other law.

22 [Sections 3833.305-3833.350 reserved for expansion]

23 SUBCHAPTER H. BONDS

24 Sec. 3833.351. BONDS AND OTHER OBLIGATIONS. (a) The
25 district may issue bonds payable wholly or partly from ad valorem
26 taxes, assessments, impact fees, revenue, grants, or other money of
27 the district, or any combination of those sources of money, to pay

1 for any authorized purpose of the district.

2 (b) The district may issue a bond or other obligation in the
3 form of a bond, note, certificate of participation, or other
4 instrument evidencing a proportionate interest in payments to be
5 made by the district, or other type of obligation.

6 Sec. 3833.352. CITY CONSENT FOR PUBLIC IMPROVEMENTS BONDS.
7 Before issuing any bonds in connection with an improvement under
8 Subchapter C, the district must obtain the approval of the city's
9 governing body by a resolution approving:

10 (1) the issuance of the bonds; and

11 (2) the plans and specifications of the improvement,
12 including any substantial alteration to a plan or specification.

13 Sec. 3833.353. CITY NOT REQUIRED TO PAY DISTRICT
14 OBLIGATIONS. Except as provided by Section 3833.452, the city is
15 not required to pay a bond, note, or other obligation of the
16 district.

17 Sec. 3833.354. APPLICABILITY OF MUNICIPAL UTILITY
18 DISTRICTS BONDS LAW. Sections 54.510, 54.512, 54.518, 54.520, and
19 54.521, Water Code, apply to the district.

20 Sec. 3833.355. BOND SALES. Section 49.183, Water Code,
21 applies to the district.

22 Sec. 3833.356. BOND ELECTIONS; GENERAL. Section 49.106,
23 Water Code, applies to the district.

24 Sec. 3833.357. BOND ELECTION REQUIRED. The district may
25 not issue bonds payable in whole or in part from taxes unless the
26 issuance is approved by a majority of the registered voters in the
27 district voting at an election held for that purpose.

1 Sec. 3833.358. BOND ELECTION NOT REQUIRED. The district
2 may issue bonds payable only from sources other than taxes without
3 an election.

4 [Sections 3833.359-3833.400 reserved for expansion]

5 SUBCHAPTER I. ADDITIONAL ELECTION PROVISIONS

6 Sec. 3833.401. TIME OF ELECTION. An election held under
7 this chapter may be held at the same time and in conjunction with
8 any other election.

9 Sec. 3833.402. ELECTION CALLED BY BOARD. The board may call
10 an election for the purpose of voting on any measure.

11 [Sections 3833.403-3833.450 reserved for expansion]

12 SUBCHAPTER J. DISSOLUTION

13 Sec. 3833.451. DISSOLUTION BY CITY VOTE. The governing
14 body of the city, by a vote of not less than two-thirds of its
15 membership, may by resolution dissolve the district.

16 Sec. 3833.452. ASSETS AND LIABILITIES TO CITY. After a
17 dissolution under this subchapter, the city assumes all debts and
18 assets of the district.

19 SECTION 2. Except as provided by Section 3833.023, Special
20 District Local Laws Code, as added by this Act, as of the effective
21 date of this Act, the Espada Development District includes all the
22 territory contained in the following described area:

23 Tract 1:

24 A 740.59 acre, or 32,260,018 square foot more or less, tract
25 of land being a portion of that remaining portion of a 1115.024 acre
26 tract as recorded and conveyed to Donald R. Vestal in Warranty Deed
27 recorded in Volume 5716, Page 396-412 of the Official Public

1 Records of Real Property of Bexar County, Texas, a portion of that
2 672.567 acre tract as recorded and conveyed to Bexar Metropolitan
3 Water in Warranty Deed recorded in Volume 7057, Page 1327-1336 of
4 the Official Public Records of Real Property of Bexar County,
5 Texas, being out of the Juan M. Uriegas Survey No. 32, Abstract 769,
6 County Block 4283 of Bexar County, Texas, situated in New City Block
7 (N.C.B.) 15647 of the City of San Antonio, Bexar County, Texas.
8 Said 740.59 acre tract being more fully described as follows:

9 BEGINNING: At a found 1/2" iron rod on the east right-of-way
10 line of South Flores Street (F.M. 1937), a 40-foot right-of-way,
11 the southeast corner of said 672.567 acre tract, the west line of
12 said remaining portion of said 1115.024 acre tract;

13 THENCE: Along and with the east line of said South Flores
14 Street (F.M. 1937), the west line of said remaining portion of said
15 1115.024 acre tract, the following calls and distances:

16 N 14°09'09"W, a distance of 117.47 feet to a found 1/2" iron
17 rod;

18 N 14°52'33"W, a distance of 21.07 feet to a Texas Department
19 of Transportation Monument;

20 N 15°30'04"W, a distance of 1409.70 feet to a Texas Department
21 of Transportation Monument;

22 N 15°57'21"W, a distance of 2007.89 feet to a Texas Department
23 of Transportation Monument on the east right-of-way line of U.S.
24 Highway 281, a variable width right-of-way;

25 THENCE: N 13°16'45"W, along and with the east right-of-way
26 line of said U.S. Highway 281, a distance of 485.43 feet to a Texas
27 Department of Transportation Monument;

1 THENCE: N 16°07'55"W, continuing along and with the east
2 right-of-way line of said U.S. Highway 281, a distance of 905.55
3 feet to a found 1/2" iron rod;

4 THENCE: N 72°56'55"E, departing the east right-of-way line of
5 said U.S. Highway 281, the west line of the remaining portion of
6 said 1115.024 acre tract, a distance of 888.02 feet to a point on
7 the south line of said 35.80 acre tract, the north line of the
8 remaining portion of said 1115.024 acre tract;

9 THENCE: S 89°57'22"E, along and with the north line of the
10 remaining portion of said 1115.024 acre tract, a distance of
11 4361.85 feet to a point on the south line of a 2.090 acre tract
12 recorded in Volume 6749, Page 121-125 of the Deed Records of Bexar
13 County, Texas;

14 THENCE: S 00°00'00"W, departing the south line of said 2.090
15 acre tract, the north line of the remaining portion of said 1115.024
16 acre tract, a distance of 317.01 feet to a point;

17 THENCE: S 08°10'26"E, a distance of 1574.05 feet to a point;

18 THENCE: N 81°10'44"E, a distance of 586.75 feet to a point;

19 THENCE: N 78°26'10"E, a distance of 816.04 feet to a point on
20 the west line of said 672.567 acre tract;

21 THENCE: Along and with the west line of said 672.567 acre
22 tract. the following calls and distances:

23 S 13°56'24"E, a distance of 116.96 feet to a found 1/2" iron
24 rod;

25 S 33°07'16"E, a distance of 530.97 feet to a Texas Department
26 of Transportation Monument with a brass plate;

27 S 55°27'49"E, a distance of 144.31 feet to a Texas Department

1 of Transportation Monument with a brass plate;

2 S 60°34'06"E, a distance of 339.63 feet to a Texas Department
3 of Transportation Monument with a brass plate;

4 S 40°22'42"W, a distance of 217.12 feet to a found 1/2" iron
5 rod on the north line of said 672.567 acre tract;

6 THENCE: Along and with the north line of said 672.567 acre
7 tract, the following calls and distances:

8 N 75°06'48"W, a distance of 299.40 feet to a found 1/2" iron
9 rod;

10 N 63°23'14"W, a distance of 259.33 feet to a found 1/2" iron
11 rod;

12 N 37°10'46"W, a distance of 334.69 feet to a point;

13 THENCE: Departing the north line of said 672.567 acre tract,
14 the following calls and distances:

15 S 06°38'09"W, a distance of 275.92 feet to a point;

16 N 66°24'27"W, a distance of 140.04 feet to a point;

17 N 63°12'53"W, a distance of 118.33 feet to a point;

18 S 79°06'43"W, a distance of 113.52 feet to a point;

19 S 49°34'25"W, a distance of 80.15 feet to a point;

20 N 87°18'21"W, a distance of 110.18 feet to a point;

21 S 88°22'14"W, a distance of 170.33 feet to a point;

22 S 58°19'38"W, a distance of 165.81 feet to a point;

23 S 37°26'15"W, a distance of 188.04 feet to a point;

24 S 16°24'37"W, a distance of 140.40 feet to a point;

25 S 41°27'25"W, a distance of 263.61 feet to a point;

26 S 37°35'31"W, a distance of 243.33 feet to a point;

27 S 36°10'37"W, a distance of 108.98 feet to a point;

1 S 67°06'23"W, a distance of 117.23 feet to a point;
2 S 80°09'09"W, a distance of 334.62 feet to a point;
3 S 73°27'54"W, a distance of 230.48 feet to a point;
4 N 54°19'25"W, a distance of 163.98 feet to a point;
5 N 17°35'33"W, a distance of 430.18 feet to a point;
6 N 54°27'44"W, a distance of 172.07 feet to a point;
7 N 21°48'05"W, a distance of 188.51 feet to a point;
8 N 37°15'59"W, a distance of 289.05 feet to a point;
9 N 14°49'35"W, a distance of 351.76 feet to a point;
10 N 34°46'40"W, a distance of 219.18 feet to a point;
11 N 50°42'38"W, a distance of 142.15 feet to a point;
12 N 37°18'14"W, a distance of 132.02 feet to a point;
13 N 20°07'11"W, a distance of 537.89 feet to a point;
14 N 22°31'14"W, a distance of 221.95 feet to a point;
15 N 12°01'50"W, a distance of 311.89 feet to a point;
16 N 02°56'08"W, a distance of 195.28 feet to a point;
17 N 19°46'52"W, a distance of 111.22 feet to a found 1/2" iron
18 rod on the north line of said 672.567 acre tract;
19 N 89°53'20"W, a distance of 259.68 feet to a point;
20 THENCE: Departing the north line of said 672.567 acre tract,
21 the following calls and distances:
22 S 09°56'21"E, a distance of 530.36 feet to a point;
23 S 17°50'25"E, a distance of 228.49 feet to a point;
24 S 21°17'50"E, a distance of 316.62 feet to a point;
25 S 16°00'40"E, a distance of 598.20 feet to a point;
26 S 45°39'31"E, a distance of 307.61 feet to a point;
27 S 34°06'52"E, a distance of 187.22 feet to a point;

- 1 S 19°17'24"E, a distance of 402.60 feet to a point;
- 2 S 61°28'37"E, a distance of 104.71 feet to a point;
- 3 S 28°08'30"E, a distance of 243.82 feet to a point;
- 4 S 01°14'01"E, a distance of 232.25 feet to a point;
- 5 S 75°55'09"W, a distance of 22.99 feet to a point;
- 6 S 44°37'47"W, a distance of 83.38 feet to a point;
- 7 S 18°40'42"W, a distance of 205.95 feet to a point;
- 8 S 08°00'07"W, a distance of 133.57 feet to a point;
- 9 S 04°21'40"E, a distance of 153.65 feet to a point;
- 10 S 22°18'37"E, a distance of 115.10 feet to a point;
- 11 S 37°18'31"E, a distance of 112.15 feet to a point;
- 12 S 50°24'55"E, a distance of 186.70 feet to a point;
- 13 S 63°38'21"E, a distance of 108.62 feet to a point;
- 14 S 80°06'26"E, a distance of 191.33 feet to a point;
- 15 S 89°00'59"E, a distance of 115.96 feet to a point;
- 16 N 86°28'43"E, a distance of 179.35 feet to a point;
- 17 N 88°19'30"E, a distance of 78.78 feet to a point;
- 18 N 82°38'44"E, a distance of 129.80 feet to a point;
- 19 N 84°00'13"E, a distance of 197.49 feet to a point;
- 20 N 75°54'18"E, a distance of 208.41 feet to a point;
- 21 N 78°38'32"E, a distance of 193.76 feet to a point;
- 22 N 71°13'44"E, a distance of 231.05 feet to a point;
- 23 N 62°44'11"E, a distance of 123.08 feet to a point;
- 24 N 50°15'54"E, a distance of 149.00 feet to a point;
- 25 N 63°06'59"E, a distance of 166.38 feet to a point;
- 26 N 71°41'34"E, a distance of 64.52 feet to a point;
- 27 N 89°42'47"E, a distance of 27.62 feet to a point;

- 1 N 75°23'41"E, a distance of 76.58 feet to a point;
- 2 N 59°52'07"E, a distance of 124.83 feet to a point;
- 3 N 48°19'11"E, a distance of 54.41 feet to a point;
- 4 N 81°03'14"E, a distance of 175.20 feet to a point;
- 5 N 75°58'25"E, a distance of 154.24 feet to a point;
- 6 N 63°27'07"E, a distance of 132.46 feet to a point;
- 7 N 45°01'16"E, a distance of 111.58 feet to a point;
- 8 N 37°25'33"E, a distance of 49.74 feet to a point;
- 9 N 67°00'04"E, a distance of 76.76 feet to a point;
- 10 S 85°04'33"E, a distance of 99.44 feet to a point;
- 11 S 67°31'46"E, a distance of 122.13 feet to a point;
- 12 S 41°52'34"E, a distance of 62.30 feet to a point;
- 13 S 22°52'47"E, a distance of 87.06 feet to a point;
- 14 S 13°27'16"E, a distance of 120.82 feet to a point;
- 15 S 00°00'00"W, a distance of 112.66 feet to a point;
- 16 S 21°43'58"W, a distance of 123.92 feet to a point;
- 17 S 25°52'55"W, a distance of 161.82 feet to a point;
- 18 S 03°39'18"E, a distance of 104.10 feet to a point;
- 19 S 10°18'09"E, a distance of 292.00 feet to a point;
- 20 S 49°51'53"E, a distance of 66.40 feet to a point;
- 21 S 80°22'10"E, a distance of 85.28 feet to a point;
- 22 N 64°43'28"E, a distance of 159.65 feet to a point;
- 23 N 83°25'22"E, a distance of 83.04 feet to a point;
- 24 N 67°42'41"E, a distance of 124.59 feet to a point;
- 25 S 82°18'12"E, a distance of 155.12 feet to a point;
- 26 S 70°04'06"E, a distance of 90.99 feet to a point;
- 27 S 52°01'18"E, a distance of 216.61 feet to a point;

1 S 66°37'04"E, a distance of 201.52 feet to a point;
2 S 76°19'46"E, a distance of 197.81 feet to a point;
3 S 70°55'51"E, a distance of 84.60 feet to a point;
4 S 46°29'24"E, a distance of 60.73 feet to a point;
5 S 20°17'22"E, a distance of 168.97 feet to a point;
6 S 29°45'47"E, a distance of 72.65 feet to a point;
7 S 01°20'00"W, a distance of 96.88 feet to a point;
8 S 27°29'30"E, a distance of 63.48 feet to a point;
9 S 58°15'34"E, a distance of 111.32 feet to a point;
10 S 87°30'44"E, a distance of 103.79 feet to a point;
11 N 53°09'02"E, a distance of 90.14 feet to a point;
12 N 84°48'34"E, a distance of 124.49 feet to a point;
13 N 59°11'16"E, a distance of 129.89 feet to a point;
14 N 24°32'06"E, a distance of 115.64 feet to a point;
15 N 77°40'11"E, a distance of 92.58 feet to a point;
16 S 84°17'37"E, a distance of 85.21 feet to a point;
17 S 62°08'27"E, a distance of 173.69 feet to a point;
18 N 82°41'59"E, a distance of 71.00 feet to a point;
19 S 76°18'10"E, a distance of 76.21 feet to a point;
20 S 49°55'12"E, a distance of 89.68 feet to a point;
21 S 03°41'39"E, a distance of 112.11 feet to a point;
22 S 34°42'58"E, a distance of 307.98 feet to a point;
23 S 48°33'12"E, a distance of 324.35 feet to a point;
24 S 09°52'23"E, a distance of 131.90 feet to a point;
25 S 03°49'01"W, a distance of 169.87 feet to a point;
26 S 51°25'25"W, a distance of 425.43 feet to a point on the south
27 line of said 672.567 acre tract;

1 THENCE: N 73°30'59"W, along and with the south line of said
2 672.567 acre tract, a distance of 2068.97 feet to a point;

3 THENCE: S 84°13'34"W, departing the south line of said 672.567
4 acre tract, a distance of 3741.80 feet to a point, a southeast
5 corner of said 672.567 acre tract;

6 THENCE: N 72°46'06"W, along and with the south line of said
7 672.567 acre tract, a distance of 3116.51 feet to the POINT OF
8 BEGINNING, and containing 740.59 acres in the City of San Antonio,
9 Bexar County, Texas. Said tract being described in accordance with
10 a survey made on the ground and a survey map prepared by Pape-Dawson
11 Engineers, Inc.

12 Tract 2:

13 A 219.94 acre, or 9,580,576 square foot more or less, tract of
14 land being all of that 98 acre tract as recorded and conveyed to
15 Erwin J. Ripps in Warranty Deed recorded in Volume 2423, Page
16 332-334 of the Official Public Records of Real Property of Bexar
17 County, Texas, a portion of 96.14 acre tract as recorded and
18 conveyed to Shamrock Logistics Operations in Special Warranty Deed
19 recorded in Volume 8840, Page 1936-1940 of the Official Public
20 Records of Real Property of Bexar County, Texas, a portion of 67.25
21 acre tract as recorded and conveyed to Erwin J. Ripps and Eleanor L.
22 Ripps in Warranty Deed recorded in Volume 5907, Page 639-641 of the
23 Official Public Records of Real Property of Bexar County, Texas,
24 and being out of the Juan M. Uriegas Survey No. 32, Abstract 769,
25 County Block 4283 of Bexar County, Texas, all in New City Block
26 (N.C.B.) 11166 of the City of San Antonio, Bexar County, Texas.
27 Said 219.94 acre tract being more fully described as follows:

1 BEGINNING: At a found 1/2" iron pipe on the west right-of-way
2 line of U.S. Highway 281, a variable width right-of-way, the
3 northeast corner of the remaining portion of a 692.353 acre tract
4 recorded in Volume 6609, Page 597-608 of the Official Public
5 Records of Real Property of Bexar County, Texas, the southwest
6 corner of a 98 acre tract recorded in Volume 2423, Page 332-334 of
7 the Official Public Records of Real Property of Bexar County,
8 Texas;

9 THENCE: S 89°16'24"W, departing the west right-of-way line of
10 said U.S. Highway 281, along and with north line of said remaining
11 portion of 692.353 acre tract, the south line of said 98 acre tract,
12 at a distance of 858.81 feet passing a found 1/2" iron rod marked
13 "Vickrey" at the northeast corner of the Mission Del Lago P.U.D.
14 Subdivision Unit 3 recorded in Volume 9554, Page 111 of the Deed and
15 Plat Records of Bexar County, Texas, continuing along and with the
16 south line of said 98 acre tract, the north line of said Mission Del
17 Lago P.U.D. Subdivision Unit 3 at a distance of 1423.81 feet passing
18 a found 1/2" iron rod marked "Baker" at the northwest corner of said
19 Mission Del Lago P.U.D. Subdivision Unit 3 continuing along and
20 with the south line of said 98 acre tract, the north line of said
21 remaining portion of 692.353 acre tract for a total distance of
22 2488.87 feet to a found 1" iron rod;

23 THENCE: Along and with the south line of said 98 acre tract,
24 the north line of said remaining portion of 692.353 acre tract, the
25 following calls and distances:

26 N 01°28'59"W, a distance of 130.35 feet to a found 1" iron
27 pipe;

1 N 79°32'47"W, a distance of 2396.47 feet to a found 1" iron
2 pipe, the southwest corner of said 98 acre tract, the northwest
3 corner of said remaining portion of 692.353 acre tract, on the east
4 line of said 96.14 acre tract;

5 THENCE: Along and with the east line of said 96.14 acre tract,
6 the west line of said remaining portion of 692.353 acre tract, the
7 following calls and distances:

8 S 24°49'48"W, a distance of 818.94 feet to a found 2" iron
9 pipe;

10 S 21°07'38"W, a distance of 114.18 feet to a set 1/2" iron rod
11 with a yellow cap marked "Pape-Dawson", the northeast corner of a
12 3.367 acre tract recorded in Volume 8840, Page 1936-1940 of the
13 Official Public Records of Real Property of Bexar County, Texas, a
14 southwest corner of said 96.14 acre tract;

15 THENCE: N 84°56'30"W, along and with the north line of said
16 3.367 acre tract, the south line of said 96.14 acre tract, a
17 distance of 374.08 feet to a found 3/4" iron pipe, on the east line
18 of a 307.75 acre tract recorded in Volume 7075, Page 152 of the
19 Official Public Records of Real Property of Bexar County, Texas,
20 the northwest corner of said 3.367 acre tract, the southeast corner
21 of said 96.14 acre tract;

22 THENCE: N 12°12'39"E, along and with the east line of said
23 307.75 acre tract, the west line of said 96.14 acre tract, a
24 distance of 2139.81 feet to a set 1/2" iron rod with a yellow cap
25 marked "Pape-Dawson", the northeast corner of said 307.75 acre
26 tract, the northwest corner of said 96.14 acre tract, the southwest
27 corner of said 67.25 acre tract, the southeast corner of a 36 1/2

1 acre tract recorded Volume 7659, Page 334-338 of the Deed Records of
2 Bexar County, Texas;

3 THENCE: N 89°59'06"E, along and with the north line of said
4 96.14 acre tract, the south line of said 67.25 acre tract, a
5 distance of 70.18 feet to a set 1/2" iron rod with a yellow cap
6 marked "Pape-Dawson";

7 THENCE: N 47°14'47"E, a distance of 937.60 feet to a set 1/2"
8 iron rod with a yellow cap marked "Pape-Dawson", on the north line
9 of said 67.25 acre tract;

10 THENCE: N 89°59'06"E, along and with the north line of said
11 67.25 acre tract at a distance of 492.90 feet passing the southwest
12 corner of a 12 acre tract recorded in Volume 9676, Page 1783-1785 of
13 the Official Public Records of Real Property of Bexar County, Texas
14 continuing along and with the north line of said 67.25 acre tract,
15 the south line of said 12 acre tract at a distance of 492.90 feet
16 passing the southeast corner of said 12 acre tract, the southwest
17 corner of a 13.5 acre tract recorded in Volume 2911, Page 335-337 of
18 the Official Public Records of Real Property of Bexar County, Texas
19 continuing along and with the north line of said 67.25 acre tract,
20 the south line of said 13.5 acre tract, at a distance of 1516.84
21 feet passing the southeast corner of said 13.5 acre tract, the
22 southwest corner of a 11.73 acre tract recorded in Volume 5907, Page
23 634-638 of the Official Public Records of Real Property of Bexar
24 County, Texas continuing along and with the north line of said 67.25
25 acre tract, the south line of said 11.73 acre tract for a total
26 distance of 2351.06 feet to a set 1/2" iron rod with a yellow cap
27 marked "Pape-Dawson", the southeast corner of said 11.73 acre

1 tract, the southwest corner of a 2.00 acre tract recorded in Volume
2 4743, Page 353-355 of the Official Public Records of Real Property
3 of Bexar County, Texas;

4 THENCE: S 00°00'54"E, a distance of 895.62 feet to a set 1/2"
5 iron rod with a yellow cap marked "Pape-Dawson";

6 THENCE: S 56°15'59"E, a distance of 649.04 feet to a set 1/2"
7 iron rod with a yellow cap marked "Pape-Dawson", on the south line
8 of said 96.14 acre tract, the north line of said 98 acre tract;

9 THENCE: Along and with the south line of said 96.14 acre
10 tract, the north line of said 98 acre tract, the following calls and
11 distances:

12 N 81°30'15"E, a distance of 549.66 feet to a set 1/2" iron rod
13 with a yellow cap marked "Pape-Dawson";

14 N 72°58'06"E, a distance of 411.44 feet to a set 1/2" iron rod
15 with a yellow cap marked "Pape-Dawson";

16 N 71°50'20"E, a distance of 233.25 feet to a set 1/2" iron rod
17 with a yellow cap marked "Pape-Dawson", on the west right-of-way
18 line of said Roosevelt Avenue;

19 THENCE: Along and with the west right-of-way line of said
20 U.S. Highway 281, the east line of said 98 acre tract, the following
21 calls and distances:

22 S 16°16'21"E, a distance of 561.45 feet to a Texas Department
23 of Transportation Monument, the beginning of a curve to the right;

24 Southeasterly with a curve to the right, said curve having a
25 radius of 5670.27 feet, a central angle of 9°32'47", a chord bearing
26 and distance of S 11°29'57" E, 943.67 feet, for an arc length of
27 944.76 feet to the POINT OF BEGINNING, and containing 219.94 acres

1 in the City of San Antonio, Bexar County, Texas. Said tract being
2 described in accordance with a survey made on the ground and a
3 survey map prepared by Pape-Dawson Engineers, Inc.

4 Tract 3:

5 A 149.58 acre, or 6,515,867 square foot more or less, tract of
6 land being a portion of that remaining portion of that 35.80 acre
7 tract as recorded and conveyed to Eric W. and Wanita Christensen in
8 Warranty Deed recorded in Volume 5079, Page 222-225 of the Official
9 Public Records of Real Property of Bexar County, Texas, a portion of
10 that 3.07 acre tract as recorded and conveyed to Peter L. Marshall
11 in Warranty Deed recorded in Volume 9859, Page 1413-1416 of the
12 Official Public Records of Real Property of Bexar County, Texas, a
13 portion of that 2.00 acre tract as recorded and conveyed to Yolanda
14 H. Colebank in Warranty Deed recorded in Volume 6334, Page 37-40 of
15 the Deed Records of Bexar County, Texas, a portion of that 29.5 acre
16 tract as recorded and conveyed to Cosmo F. Guido in Warranty Deed
17 recorded in Volume 5118, Page 1116-1118 of the Official Public
18 Records of Real Property of Bexar County, Texas, all of that
19 remaining portion of a 42.153 acre tract as recorded and conveyed to
20 Eric W. and Wanita Christensen in Warranty Deed recorded in Volume
21 4145, Page 1731-1732 of the Official Public Records of Real
22 Property of Bexar County, Texas, all of that 12.226 and 22.227 acre
23 tract as recorded and conveyed to Incarnate Word College in
24 Warranty Deed recorded in Volume 6344, Page 595-598 of the Official
25 Public Records of Real Property of Bexar County, Texas, all of that
26 2.00 acre tract as recorded and conveyed to Gary J. Roberts Jr. and
27 Heather N. Roberts in Warranty Deed recorded in Volume 7936, Page

1 2083-2086 of the Official Public Records of Real Property of Bexar
2 County, Texas, all of that 2.089 acre tract as recorded and conveyed
3 to Gilbert R. Jimenez and Robert D. Garza in Warranty Deed recorded
4 in Volume 5073, Page 989-990 of the Official Public Records of Real
5 Property of Bexar County, Texas, all of that 2.089 acre tract as
6 recorded and conveyed to Fred and Lydia Jimenex in Warranty Deed
7 recorded in Volume 6749, Page 105-109 of the Official Public
8 Records of Real Property of Bexar County, Texas, a portion of that
9 10.00 acre tract as recorded and conveyed to Richard G. Pulido Trust
10 in Warranty Deed recorded in Volume 9424, Page 159-161 of the
11 Official Public Records of Real Property of Bexar County, Texas, a
12 portion of that 10.00 acre tract as recorded and conveyed to Joe A.
13 De Gasperi in Warranty Deed recorded in Volume 9031, Page 2306-2307
14 of the Official Public Records of Real Property of Bexar County,
15 Texas, all of that 6.00 acre tract as recorded and conveyed to
16 Herman Roberts and Rosie Roberts in Warranty Deed recorded in
17 Volume 7139, Page 806-809 of the Official Public Records of Real
18 Property of Bexar County, Texas, all of that 6.00 acre tract as
19 recorded and conveyed to Herman Roberts and Rosie Roberts in
20 Warranty Deed recorded in Volume 6749, Page 99-104 of the Official
21 Public Records of Real Property of Bexar County, Texas, all of that
22 9.967 acre tract as recorded and conveyed to Herman Roberts and
23 Rosie Roberts in Warranty Deed recorded in Volume 6785, Page 29-32
24 of the Official Public Records of Real Property of Bexar County,
25 Texas, all of that 10.00 acre tract as recorded and conveyed to
26 Hiram Polendo in Warranty Deed recorded in Volume 5624, Page
27 1030-1034 of the Official Public Records of Real Property of Bexar

1 County, Texas, all of that 1.00 acre tract as recorded and conveyed
2 to W.J. Emick in Warranty Deed recorded in Volume 5957, Page
3 1565-1567 of the Official Public Records of Real Property of Bexar
4 County, Texas, all of that 2.00 acre tract as recorded and conveyed
5 to Wayne Bass in Warranty Deed recorded in Volume 10517, Page
6 1081-1085 of the Official Public Records of Real Property of Bexar
7 County, Texas, all of Lot 31 of the Bass Subdivision recorded in
8 Volume 9522, Page 20 of the Deed and Plat Records of Bexar County,
9 Texas, and being out of the Juan M. Uriegas Survey No. 32, Abstract
10 769, County Block 4283 of Bexar County, Texas, situated in New City
11 Block (N.C.B.) 11039 and 15647 of the City of San Antonio, Bexar
12 County, Texas. Said 149.58 acre tract being more fully described as
13 follows:

14 COMMENCING: At a found 1/2" iron rod on the east right-of-way
15 line of U.S. Highway 281, a variable width right-of-way, the
16 northwest corner of the remaining portion of a 1115.024 acre tract
17 recorded in Volume 5716, Page 396-412 of the Official Public
18 Records of Real Property of Bexar County, Texas, the southwest
19 corner of the remaining portion of a 35.80 acre tract recorded in
20 Volume 5079, Page 222-225 of the Official Public Records of Real
21 Property of Bexar County, Texas;

22 THENCE: S 89°57'22"E, departing the east right-of-way line of
23 said U.S. Highway 281, along and with the south line of the
24 remaining portion of said 35.80 acre tract, the north line of the
25 remaining portion of said 1115.024 acre tract, a distance of
26 2147.64 feet to the POINT OF BEGINNING;

27 THENCE: N 00°04'02"E, departing the south line of the

1 remaining portion of said 35.80 acre tract, the north line of the
2 remaining portion of said 1115.024 acre tract, a distance of 567.33
3 feet to the southeast corner of said 29.5 acre tract, a corner of
4 the remaining portion of said 35.80 acre tract;

5 THENCE: S 87°42'19"W, along and with the south line of said
6 29.5 acre tract, the north line of the remaining portion of said
7 35.80 acre tract, a distance of 825.21 feet to the southwest corner
8 of said 29.5 acre tract;

9 THENCE: Along and with the west line of said 29.5 acre tract,
10 the following calls and distances:

11 N 20°02'56"E, a distance of 170.77 feet to a point

12 N 20°53'56"E, a distance of 955.80 feet to a point;

13 N 00°13'56"E, a distance of 17.09 feet to a point;

14 THENCE: S 89°54'35"E, departing the west line of said 29.5
15 acre tract, a distance of 426.20 feet to a point on the east line of
16 said 29.5 acre tract, a west line of the remaining portion of said
17 35.80 acre tract;

18 THENCE: N 00°04'02"E, along and with the east line of said
19 29.5 acre tract, a west line of the remaining portion of said 35.80
20 acre tract, a distance of 238.58 feet to a point;

21 THENCE: S 89°20'08"E, departing the east line of said 29.5
22 acre tract, a west line of the remaining portion of said 35.80 acre
23 tract, a distance of 41.19 feet to a point on the west line of a
24 30.00 acre tract recorded in Volume 9859, Page 1413-1416 of the
25 Official Public Records of Real Property of Bexar County, Texas, a
26 east line of the remaining portion of said 35.80 acre tract;

27 THENCE: S 00°22'35"E, along and with the west line of said

1 30.00 acre tract, a east line of the remaining portion of said 35.80
2 acre tract, a distance of 448.92 feet to a point, the southwest
3 corner of said 30.00 acre tract;

4 THENCE: N 89°47'13"E, along and with the south line of said
5 30.00 acre tract, a distance of 630.65 feet to a found 1/2" iron rod
6 marked "Baker", the southeast corner of said 30.00 acre tract, on
7 the west line of said 22.227 acre tract;

8 THENCE: N 00°48'52"W, along and with the east line of said
9 30.00 acre tract, the west line of said 22.227 acre tract, at a
10 distance of 1959.33 feet passing the southeast corner of said 1.00
11 acre tract, a northeast corner of said 30.00 acre tract, continuing
12 along and with the east line of said 1.00 acre tract, the west line
13 of said 22.227 acre tract, at a distance of 208.72 feet on the south
14 right-of-way line of Chavaneaux Road, a 50-foot right-of-way,
15 passing the northeast corner of said 1.00 acre tract, the northwest
16 corner of said 22.227 acre tract, departing the south right-of-way
17 line of said Chavaneaux Road, at a distance of 50.00 feet passing
18 the north right-of-way line of said Chavaneaux Road, the south line
19 of said 3.07 acre tract, continuing for a total distance of 2387.38
20 feet to a point on the south right-of-way line of Loop 410, a
21 variable width right-of-way, the north line of said 3.07 acre
22 tract;

23 THENCE: N 89°51'41"E, along and with the south right-of-way
24 line of said Loop 410, a distance of 832.60 feet to a point on the
25 north line of said 2.00 acre tract;

26 THENCE: S 00°29'54"W, departing the south right-of-way line
27 of said Loop 410, the north line of said 2.00 acre tract, at a

1 distance of 186.50 feet passing the north right-of-way line of said
2 Chavaneaux Road, for a total distance of 1325.47 feet to a point,
3 the southwest corner of a 1.00 acre tract recorded in Volume 9108,
4 Page 1703-1705 of the Official Public Records of Real Property of
5 Bexar County, Texas, the northwest corner of said 6.00 acre tract;

6 THENCE: S 89°49'44"E, a distance of 775.92 feet to a point on
7 the west line of a 14.94 acre tract recorded in Volume 4616, Page
8 398-399 of the Official Public Records of Real Property of Bexar
9 County, Texas, the east line of said 10.00 acre tract;

10 THENCE: S 00°29'54"W, along and with the east line of said
11 10.00 acre tract, a distance of 2157.76 feet to a point, the
12 northwest corner of a 2.303 acre tract recorded in Volume 7192, Page
13 267-268 of the Official Public Records of Real Property of Bexar
14 County, Texas, a corner of said 10.00 acre tract;

15 THENCE: S 11°44'36"W, along and with the east line of said
16 10.00 acre tract, the west line of said 2.303 acre tract, a distance
17 of 307.41 feet to a point, the southwest corner of said 2.303 acre
18 tract, the southeast corner of said 10.00 acre tract, on the north
19 line of the remaining portion of said 1115.024 acre tract;

20 THENCE: N 89°57'22"W, along and with the north line of the
21 remaining portion of said 1115.024 acre tract, a distance of
22 2158.65 feet to the POINT OF BEGINNING, and containing 149.58 acres
23 in the City of San Antonio, Bexar County, Texas. Said tract being
24 described in accordance with a survey made on the ground and a
25 survey map prepared by Pape-Dawson Engineers, Inc.

26 SECTION 3. The legislature finds that:

27 (1) proper and legal notice of the intention to

1 introduce this Act, setting forth the general substance of this
2 Act, has been published as provided by law, and the notice and a
3 copy of this Act have been furnished to all persons, agencies,
4 officials, or entities to which they are required to be furnished by
5 the constitution and laws of this state, including the governor,
6 who has submitted the notice and Act to the Texas Commission on
7 Environmental Quality;

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

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

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

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