

By: Parker

H.B. No. 1441

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Denton County Municipal Utility District No. 7; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8190 to read as follows:

CHAPTER 8190. DENTON COUNTY MUNICIPAL UTILITY DISTRICT NO. 7

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8190.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Denton County Municipal Utility District No. 7.

Sec. 8190.002. NATURE OF DISTRICT. The district is a municipal utility district in Denton County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 8190.003. FINDING OF PUBLIC USE AND BENEFIT. The district is created to serve a public use and benefit.

Sec. 8190.004. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8190.023 before September 1, 2009:

(1) the district is dissolved September 1, 2009,

1 except that the district shall:

2 (A) pay any debts incurred;

3 (B) transfer to Denton County any assets that
4 remain after the payment of debts; and

5 (C) maintain the organization of the district
6 until all debts are paid and remaining assets are transferred; and

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

8 Sec. 8190.005. INITIAL DISTRICT TERRITORY. (a) The
9 district is initially composed of the territory described by
10 Section 2 of the Act creating this chapter.

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

15 (1) the organization, existence, or validity of the
16 district;

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

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

19 [Sections 8190.006-8190.020 reserved for expansion]

20 SUBCHAPTER A-1. TEMPORARY PROVISIONS

21 Sec. 8190.021. TEMPORARY DIRECTORS. (a) The temporary
22 board consists of:

23 (1) ___;

24 (2) ___;

25 (3) ___;

26 (4) ___; and

27 (5) ___.

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

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

8 (1) the date directors are elected under Section
9 8190.023; or

10 (2) the date this chapter expires under Section
11 8190.004.

12 Sec. 8190.022. ORGANIZATIONAL MEETING OF TEMPORARY
13 DIRECTORS. As soon as practicable after all the temporary
14 directors have qualified under Section 49.055, Water Code, the
15 temporary directors shall convene the organizational meeting of the
16 district at a location in the district agreeable to a majority of
17 the directors. If a location cannot be agreed upon, the
18 organizational meeting shall be at the Denton County Courthouse.

19 Sec. 8190.023. CONFIRMATION AND INITIAL DIRECTORS'
20 ELECTION. The temporary directors shall hold an election to
21 confirm the creation of the district and to elect five directors as
22 provided by Section 49.102, Water Code.

23 Sec. 8190.024. INITIAL ELECTED DIRECTORS; TERMS. The
24 directors elected under Section 8190.023 shall draw lots to
25 determine which two shall serve until the first regularly scheduled
26 election of directors and which three shall serve until the second
27 regularly scheduled election of directors.

1 Sec. 8190.025. EXPIRATION OF SUBCHAPTER. This subchapter
2 expires September 1, 2012.

3 [Sections 8190.026-8190.050 reserved for expansion]

4 SUBCHAPTER B. BOARD OF DIRECTORS

5 Sec. 8190.051. DIRECTORS; TERMS. (a) The district is
6 governed by a board of five directors.

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

8 [Sections 8190.052-8190.100 reserved for expansion]

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 8190.101. MUNICIPAL UTILITY DISTRICT POWERS AND
11 DUTIES. The district has the powers and duties provided by the
12 general law of this state, including Chapters 49 and 54, Water Code,
13 applicable to municipal utility districts created under Section 59,
14 Article XVI, Texas Constitution.

15 Sec. 8190.102. ROAD PROJECTS. (a) The district may
16 construct, acquire, improve, maintain, or operate macadamized,
17 graveled, or paved roads or turnpikes, or improvements in aid of
18 those roads or turnpikes.

19 (b) A road project must meet all applicable construction
20 standards, zoning and subdivision requirements, and regulations of
21 each municipality in whose corporate limits or extraterritorial
22 jurisdiction the district is located. If the district is not
23 located in the corporate limits or extraterritorial jurisdiction of
24 a municipality, a road project must meet all applicable
25 construction standards, zoning and subdivision requirements, and
26 regulations of each county in which the district is located.

27 (c) The district may not undertake a road project unless

1 each municipality in whose corporate limits or extraterritorial
2 jurisdiction the district is located consents by resolution. If
3 the district is not located in the corporate limits or
4 extraterritorial jurisdiction of a municipality, the district may
5 not undertake a road project unless each county in which the
6 district is located consents by resolution.

7 Sec. 8190.103. ROAD CONTRACTS. The district may contract
8 for a road project in the manner provided by Subchapter I, Chapter
9 49, Water Code.

10 [Sections 8190.104-8190.150 reserved for expansion]

11 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

12 Sec. 8190.151. OPERATION AND MAINTENANCE TAX. (a) The
13 district may impose a tax for any district operation and
14 maintenance purpose in the manner provided by Section 49.107, Water
15 Code.

16 (b) Section 49.107(f), Water Code, does not apply to
17 reimbursements for projects constructed or acquired under Section
18 8190.102.

19 Sec. 8190.152. TAX TO REPAY BONDS. The district may impose
20 a tax to pay the principal of and interest on bonds issued under
21 Section 8190.201.

22 Sec. 8190.153. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
23 ASSESSMENTS. The district may not impose an impact fee or
24 assessment on the property, including the equipment,
25 rights-of-way, facilities, or improvements, of:

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

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

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

5 (4) a cable operator as defined by 47 U.S.C. Section
6 522; or

7 (5) a person who provides to the public advanced
8 telecommunications services.

9 [Sections 8190.154-8190.200 reserved for expansion]

10 SUBCHAPTER E. BONDS

11 Sec. 8190.201. AUTHORITY TO ISSUE BONDS AND OTHER
12 OBLIGATIONS. (a) The district may issue bonds or other obligations
13 as provided by Chapters 49 and 54, Water Code, and to finance the
14 construction, maintenance, or operation of projects under Section
15 8190.102.

16 (b) The district may issue bonds or other obligations
17 payable wholly or partly from ad valorem taxes, impact fees,
18 revenue, grants, or other district money.

19 (c) The district may not issue bonds or other obligations
20 secured wholly or partly by ad valorem taxation to finance projects
21 authorized by Section 8190.102 unless the issuance is approved by a
22 vote of a two-thirds majority of district voters voting at an
23 election called for that purpose.

24 (d) Bonds or other obligations issued or incurred to finance
25 projects authorized by Section 8190.102 may not exceed one-fourth
26 of the assessed value of the real property in the district.

27 (e) Sections 49.181 and 49.182, Water Code, do not apply to

1 a project undertaken by the district under Section 8190.102 or to
2 bonds issued by the district to finance the project.

3 [Sections 8190.202-8190.250 reserved for expansion]

4 SUBCHAPTER F. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

5 Sec. 8190.251. DIVISION OF DISTRICT; REQUIREMENTS. (a) At
6 any time before the district issues indebtedness secured by taxes
7 or net revenue, the district, including any annexed territory, may
8 be divided into two or more new districts.

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

11 (c) The board may consider a proposal to divide the district
12 on:

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

14 (2) a motion by the board.

15 (d) If the board decides to divide the district, the board
16 shall:

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

20 (2) prepare a metes and bounds description for each
21 proposed district.

22 Sec. 8190.252. ELECTION FOR DIVISION OF DISTRICT. (a)
23 After the board has complied with Section 8190.251(d), the board
24 shall hold an election in the district to determine whether the
25 district should be divided as proposed.

26 (b) The board shall give notice of the election not later
27 than the 35th day before the date of the election. The notice must

1 state:

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

3 (2) the proposition to be voted on.

4 (c) If a majority of the votes cast are in favor of the
5 division:

6 (1) the district is divided; and

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

10 (A) the Texas Commission on Environmental
11 Quality;

12 (B) the attorney general;

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

15 (D) any municipality having extraterritorial
16 jurisdiction over territory in each new district.

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

19 Sec. 8190.253. ELECTION OF DIRECTORS OF NEW DISTRICTS. (a)
20 Not later than the 90th day after the date of an election in favor of
21 the division of the district, the board shall:

22 (1) appoint itself as the board of one of the new
23 districts; and

24 (2) appoint five directors for each of the other new
25 districts.

26 (b) Directors appointed under Subsection (a)(1) serve the
27 staggered terms to which they were elected in the original

1 district. Directors appointed under Subsection (a)(2) serve until
2 the election for directors under Subsection (c).

3 (c) On the uniform election date in May of the first
4 even-numbered year after the year in which the directors are
5 appointed, the appointed board shall hold an election to elect five
6 directors in each district for which directors were appointed under
7 Subsection (a)(2). The directors shall draw lots to determine
8 which two shall serve until the next regularly scheduled election
9 of directors and which three shall serve until the second regularly
10 scheduled election of directors.

11 Sec. 8190.254. CONTINUING POWERS AND OBLIGATIONS OF NEW
12 DISTRICTS. (a) Each new district may incur and pay debts and has
13 all powers of the original district created by this chapter.

14 (b) If the district is divided as provided by this
15 subchapter, the current obligations and any bond authorizations of
16 the district are not impaired. Debts shall be paid by revenue or by
17 taxes or assessments imposed on real property in the district as if
18 the district had not been divided or by contributions from each new
19 district as stated in the terms set by the board under Section
20 8190.251(d).

21 (c) Any other district obligation is divided pro rata among
22 the new districts on an acreage basis or on other terms that are
23 satisfactory to the new districts.

24 Sec. 8190.255. CONTRACT AUTHORITY OF NEW DISTRICTS. The
25 new districts may contract with each other for:

26 (1) water and wastewater services; or

27 (2) any other matter the boards of the new districts

1 consider appropriate.

2 SECTION 2. The Denton County Municipal Utility District No.
3 7 initially includes all the territory contained in the following
4 described area:

5 SITUATED in Denton County, Texas, in the J. Melroy Survey,
6 Abstract No. 895, the MEP &P Railroad Survey, Abstract No. 926, the
7 L. Robinson Survey, Abstract No. 1488, the McPherson Survey,
8 Abstract No. 1481, the Cowan Survey, Abstract No. 211, the T & P
9 Railroad Survey, Abstract No. 1299 and the Norwood Survey, Abstract
10 No. 969, being a resurvey of the 693.6925 acres of land described in
11 a deed from Winst, Inc. to Shiney Hiney Partners I dated Dec. 31,
12 1992, Recorded in Volume 3435, Page 478 and the 333.47 acres of land
13 described in a deed from Winst, Inc. to Shiney Hiney Partners II
14 dated Dec. 31, 1992, recorded in Volume 3435, Page 483, both deeds
15 of the Denton County Deed Records, being described by metes and
16 bounds as follows:

17 BEGINNING at an iron pin found at the northwest corner of said
18 693.6925 acre tract, in the east R.O.W. line of Farm Road No. 1385
19 and at the southwest corner of the TIGE INVESTMENTS LTD 77.880
20 acres, Ref. Doc. No. 05-45758;

21 Thence easterly with the north line of said 693.6925 acre
22 tract, with the south line of said 77.880 acre tract, with the south
23 line of the TIGE INVESTMENTS LTD 130.805 acres, Ref. Doc. No.
24 05-45758 and with an old fence as follows:

25 South 89° 04'12" East, 637.91 feet; South 89° 17'14" East,
26 426.71 feet;

27 South 89° 37'34" East, 154.91 feet; South 89° 42'47" East,

1 472.76 feet;

2 North 89° 56'39" East, 339.52 feet; South 89° 26'34" East,
3 188.6 feet;

4 South 88° 50'26" East, passing an iron pin found beside an
5 old, old post at 236.3 feet and continuing in all 254.28 feet to an
6 iron pipe set at the east, northwest corner of said 693.6925 acre
7 tract and at the south, northwest corner said 333.47 acre tract, in
8 the center of the old bed of Little Elm Creek;

9 Thence generally in a northeasterly direction with the
10 northwest line said 333.47 acre tract, with the southeast line of
11 the TIGE INVESTMENTS LTD 7.195 acres, Ref. Doc. No. 05-45758 and up
12 the center of the old bed of Little Elm Creek as follows:

13 South 68°24' East, 119.81 feet; South 45°06' East, 161.3 feet;
14 South 25°50' East, 129.17 feet; South 76°01' East, 90.54 feet;
15 North 63°34' East, 121.24 feet; North 77°53' East, 61.98 feet;
16 North 59°26' East, 101.2 feet; North 51°05' East, 125.5 feet;
17 North 89°37' East, 182.51 feet; North 50°35' East, 76.66 feet;
18 North 36°17' East, 141.61 feet; North 18°45' East, 115.12
19 feet, an iron pipe set;

20 North 16°04' West, 35.56 feet; North 60°39' West, 93.52 feet;
21 South 74°35' West, 110.19 feet; North 59°58' West, 50.23 feet;
22 North 24°08' West, 48.85 feet; North 14°34' East, 147.11 feet;
23 North 60°10' West, 57.76 feet; North 1°29' West, 55.34 feet;
24 North 22°12' East, 47.74 feet; North 63°23' East, 112.42 feet,
25 an iron pipe set;

26 South 55°13' East, 281.18 feet; South 22°14' East, 135.0 feet;
27 South 67°05' East, 56.0 feet; North 73°54' East, 40.2 feet;

1 North 35°49' East, 35.0 feet; North 12°01' East, 72.3 feet;
2 North 11°09' West, 67.0 feet; North 20°37' West, 182.3 feet, an
3 iron pipe set;
4 North 2°23' West, 49.64 feet; North 22°37' East, 120.0 feet;
5 North 13°35' East, 113.3 feet; North 38°39' East, 61.2 feet;
6 North 60°37' East, 63.0 feet; South 85°01' East, 122.2 feet;
7 North 78°01' East, 115.0 feet; North 34°40' East, 60.0 feet;
8 North 10°53' East, 109.67 feet, an iron pipe set; North 36°21'
9 East, 70.5 feet;
10 North 78°45' East, 70.0 feet; South 86°25' East, 134.8 feet;
11 North 74°24' East, 195.09 feet, an iron pipe set; South 74°44'
12 East, 96.08 feet;
13 South 88°55' East, 107.86 feet; South 78°57' East, 134.98
14 feet;
15 North 77°07' East, 46.45 feet; South 80°46' East, 50.53 feet;
16 South 53°33' East, 111.6 feet; South 80°09' East, 54.06 feet;
17 North 48°08' East, 66.4 feet; South 56°57' East, 73.7 feet;
18 North 68°01' East, 90.24 feet; North 42°56' East, 55.92 feet;
19 North 10°28' East, 112.91 feet, an iron pipe set; North 22°56'
20 West, 138.5 feet;
21 North 66°27' West, 142.4 feet; North 34°34' West, 117.0 feet;
22 North 81°20' West, 76.2 feet; South 81°46' West, 58.5 feet;
23 North 53°49' West, 140.0 feet; North 60°03' West, 31.7 feet;
24 North 89°40'58" West, 28.54 feet; North 61°10' West, 59.03
25 feet;
26 North 48°13' West, 50.2 feet to a point in said Creek from
27 which a 1/2 inch iron pin set lies North 27°34' east, 61.0 feet;

1 North 7°40' East, 89.2 feet;

2 North 25°05' East, 62.0 feet; North 53°10' East, 78.33 feet to
3 a point in said Creek from which a 1/2 inch iron pin set lies North
4 79°09' east, 59.0 feet;

5 North 65°14' East, 102.08 feet; South 79°09' East, 91.04 feet;

6 South 68°14' East, 49.56 feet; South 79°13' East, 80.58 feet to
7 a point in said Creek from which a 1/2 inch iron pin set lies South
8 64°02' east, 21.0 feet;

9 North 67°14' East, 140.87 feet; South 70°46' East, 55.18 feet;

10 North 77°22' East, 61.82 feet to a point in said Creek from
11 which a 1/2 inch iron pin set lies South 26°06' east, 27.0 feet; North
12 51°37' 43" East, 88.62 feet;

13 North 7°03' East, 37.0 feet; North 25°07' West, 43.0 feet;

14 North 48°56' West, 38.0 feet; North 73°10' West, 41.0 feet;

15 North 4°39' West, 32.0 feet; North 28°33' East, 47.4 feet;

16 North 37°15' East, 52.5 feet; North 51°21' East, 71.8 feet;

17 South 88°50' East, 48.7 feet; North 63°40' East, 71.6 feet;

18 North 77°02' East, 65.0 feet; South 71°12' East, 48.0 feet, an
19 iron pin set;

20 South 20°46' East, 130.0 feet to a point in said Creek where
21 the man-made channel of said Creek takes the waters of Little Elm
22 Creek to the south and at the southeast corner of the Talley Ranch
23 Management 113.75 acres, Ref. Doc. No. 96-0089522;

24 Thence continuing up the center of Little Elm Creek and with
25 the northwest line said 333.47 acre tract and with the southeast
26 line of said 113.75 acre tract as follows:

27 South 89°00' East, 64.5 feet;

1 South 60°27' East, 56.2 feet; South 73°16' East, 53.0 feet;
2 North 84°45' East, 47.0 feet; North 78°45' East, 69.0 feet;
3 North 1°44' East, 225.0 feet; North 45°00' East, 98.0 feet;
4 North 63°50' East, 139.3 feet; North 74°27' East, 44.5 feet;
5 North 59°00' East, 80.5 feet; South 82°10' East, 57.2 feet;
6 North 69°32' East, 112.4 feet; North 80°09' East, 96.0 feet;
7 South 71°12'45"East, 83.84 feet to a point in said Creek from
8 which a 1/2 inch iron pin set lies South 58°18' east, 64.78 feet;
9 South 81°12' East, 82.0 feet;
10 North 64°54' East, 111.5 feet; North 73°58' East, 92.0 feet;
11 South 89°09'35"East, 111.88 feet to a point in said Creek from
12 which a 1/2 inch iron pin set lies South 57°30' east, 33.65 feet;
13 North 56°15' East, 41.5 feet;
14 North 39°34' East, 53.0 feet; North 23°29' East, 69.4 feet;
15 North 19°37' West, 49.0 feet; North 42°02' East, 35.0 feet;
16 North 15°56' East, 65.5 feet; North 18°18' West, 46.6 feet;
17 North 58°17' West, 64.7 feet; South 88°12' West, 183.5 feet;
18 North 60°20' West, 50.3 feet; North 87°25' West, 63.7 feet;
19 North 78°27' West, 123.0 feet; North 75°31' West, 119.5 feet;
20 North 13°48' West, 199.0 feet; North 24°51' East, 76.3 feet;
21 North 45°38' East, 155.0 feet; North 56°41'14"East, 78.49 feet
22 to a point in said Creek at the northwest corner said 333.47 acre
23 tract, the southwest corner of the Samuel A. Piga 127.2128 acres,
24 Ref. V. 3369, P. 700 and in the east line of said 113.75 acre tract;
25 Thence south 33°32'27"east, 62.72 feet with the north line
26 said 333.47 acre tract and with the south line of said 127.2128 acre
27 tract to an iron pin found;

1 Thence south $66^{\circ}32'27''$ east, 1572.33 feet with the north line
2 said 333.47 acre tract, with the south line of said 127.2128 acre
3 tract and with a fence to an iron pin found beside a steel pipe
4 corner post at the northeast corner said 333.47 acre tract and at an
5 ell corner of said 127.2128 acre tract;

6 Thence south $0^{\circ}21'55''$ west, with the east line said 333.47 acre
7 tract, the east line of said 693.6925 acre tract, with the west line
8 of the Donnie J. Tamplen 61.016 acres, Ref. Doc. No. 96-0067653, the
9 west line of the Sangani Properties Ltd 19.3670 acres, Ref. Doc. No.
10 04-1110047 and with the west line of the MBJ #2 LLC UNITED STATES
11 POST OFFICE LOT 1, Ref. Doc. No. 04-85524, passing a 1/2 inch iron
12 pin set at 300.0 feet and continuing with the center of Smiley Road,
13 in all 3703.1 feet to an iron pin found in said east line and Road
14 for an angle point;

15 Thence south $0^{\circ}02'38''$ east, 1826.23 feet with the east line of
16 said 693.6925 acre tract, with the west line of said Lot 1 and with
17 the center of Smiley Road to an iron pin found at the southeast
18 corner of said 693.6925 acre tract, the southwest corner of said Lot
19 1 and in the north R.O.W. line of Farm Road No. 428;

20 Thence southwesterly with the south line of said 693.6925
21 acre tract and with the north R.O.W. line of Farm Road No. 428 as
22 follows:

23 South $37^{\circ}48'16''$ West, 159.72 feet to the beginning of a curve
24 to the left;

25 with said curve to the left an arc of 117.26 feet on a radius
26 of 1196.28 feet, around a central angle of $5^{\circ}36'58''$ with a chord of
27 117.21 feet which bears South $68^{\circ}46'$ west;

1 South 60°42'46" West, 104.26 feet to the beginning of a curve
2 to the left;

3 with said curve to the left an arc of 258.7 feet around a
4 central angle of 12°26'32" on a radius of 1191.28 feet with a chord
5 of 258.19 feet which bears South 54°44' west to the end of said
6 curve;

7 South 48°31'west, 760.55 feet to a wood R.O.W. Mon.;

8 South 69°26'30"West, 186.8 feet to a 1/2 inch iron pin set;

9 South 20°33'24"East, 71.44 feet to a wood R.O.W. Mon.;

10 South 48°31'west, 88.7 feet; South 54°14'west, 100.5 feet;

11 South 48°31'west, 300.0 feet; South 45°39' west, 100.1 feet;

12 South 48°31'west, 1100.0 feet; South 45°39' west, 100.1 feet;

13 South 48°31'west, 1298.93 feet; South 51°23' west, 100.1 feet;

14 South 48°31'west, 169.23 feet to an iron pin found at the south
15 corner of said 693.6925 acre tract and at the southeast corner of
16 the Bilal K. Nabahani 73.861 acres, Ref. V. 2414, P. 583;

17 Thence north 1°08'42"east, 1802.89 feet with a west line of
18 said 693.6925 acre tract, with the east line of said 73.861 acre
19 tract and on a line near a fence to an iron pin found at an ell
20 corner of said 693.6925 acre tract and at the northeast corner of
21 said 73.861 acre tract;

22 Thence north 89°26'26"west, 4747.32 feet with a south line of
23 said 693.6925 acre tract, with the north line of said 73.861 acre
24 tract, the north line of the Bilal K. Nabahani 107.10 acres and
25 22.265 acres, Ref. V. 2414, P. 583 and with the center of the
26 apparently abandoned Tom Cole Road to an iron pin found at the west,
27 southwest corner of said 693.6925 acre tract, the northwest corner

1 of said 22.265 acre tract and in the east R.O.W. line of Farm Road
2 No. 1385;

3 Thence north 2°41'25"east, 3168.4 feet with the west line of
4 said 693.6925 acre tract and with said east R.O.W. line to a R.O.W.
5 Mon. for an angle point;

6 Thence north 2°49'23"east, 886.52 feet with said west line and
7 said east R.O.W. line to the PLACE OF BEGINNING and containing
8 1027.16 acres of land.

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

16 (b) The governor, one of the required recipients, has
17 submitted the notice and Act to the Texas Commission on
18 Environmental Quality.

19 (c) The Texas Commission on Environmental Quality has filed
20 its recommendations relating to this Act with the governor, the
21 lieutenant governor, and the speaker of the house of
22 representatives within the required time.

23 (d) All requirements of the constitution and laws of this
24 state and the rules and procedures of the legislature with respect
25 to the notice, introduction, and passage of this Act are fulfilled
26 and accomplished.

27 SECTION 4. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as
2 provided by Section 39, Article III, Texas Constitution. If this
3 Act does not receive the vote necessary for immediate effect, this
4 Act takes effect September 1, 2007.