

1-1 By: Smithee (Senate Sponsor - Seliger) H.B. No. 4111
1-2 (In the Senate - Received from the House May 10, 2007;
1-3 May 14, 2007, read first time and referred to Committee on Natural
1-4 Resources; May 18, 2007, reported favorably by the following vote:
1-5 Yeas 11, Nays 0; May 18, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation of the Randall County Municipal Utility
1-9 District No. 1; providing authority to impose a tax and issue bonds;
1-10 granting the power of eminent domain.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-13 Code, is amended by adding Chapter 8248 to read as follows:

1-14 CHAPTER 8248. RANDALL COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

1-15 SUBCHAPTER A. GENERAL PROVISIONS

1-16 Sec. 8248.001. DEFINITIONS. In this chapter:

1-17 (1) "Board" means the district's board of directors.

1-18 (2) "Director" means a board member.

1-19 (3) "District" means the Randall County Municipal
1-20 Utility District No. 1.

1-21 Sec. 8248.002. NATURE OF DISTRICT. The district is a
1-22 municipal utility district in Randall County created under and
1-23 essential to accomplish the purposes of Section 52, Article III,
1-24 and Section 59, Article XVI, Texas Constitution.

1-25 Sec. 8248.003. FINDING OF PUBLIC USE AND BENEFIT. The
1-26 district is created to serve a public use and benefit.

1-27 Sec. 8248.004. CONFIRMATION ELECTION REQUIRED. If the
1-28 creation of the district is not confirmed at a confirmation
1-29 election held under Section 8248.023 before September 1, 2011:

1-30 (1) the district is dissolved September 1, 2011,
1-31 except that the district shall:

1-32 (A) pay any debts incurred;

1-33 (B) transfer to Randall County any assets that
1-34 remain after the payment of debts; and

1-35 (C) maintain the organization of the district
1-36 until all debts are paid and remaining assets are transferred; and

1-37 (2) this chapter expires September 1, 2014.

1-38 Sec. 8248.005. INITIAL DISTRICT TERRITORY. (a) The
1-39 district is initially composed of the territory described by
1-40 Section 2 of the Act creating this chapter.

1-41 (b) The boundaries and field notes contained in Section 2 of
1-42 the Act creating this chapter form a closure. A mistake made in the
1-43 field notes or in copying the field notes in the legislative process
1-44 does not affect:

1-45 (1) the organization, existence, or validity of the
1-46 district;

1-47 (2) the right of the district to impose taxes; or

1-48 (3) the legality or operation of the board.

1-49 [Sections 8248.006-8248.020 reserved for expansion]

1-50 SUBCHAPTER A-1. TEMPORARY PROVISIONS

1-51 Sec. 8248.021. TEMPORARY DIRECTORS. (a) The temporary
1-52 board consists of:

1-53 (1) William G. Pernell;

1-54 (2) Jerry D. Billington;

1-55 (3) Gaylord T. Hughey, Jr.;

1-56 (4) Casey S. Cobb; and

1-57 (5) Michael R. Pugh.

1-58 (b) If a temporary director fails to qualify for office, the
1-59 temporary directors who have qualified shall appoint a person to
1-60 fill the vacancy. If at any time there are fewer than three
1-61 qualified temporary directors, the Texas Commission on
1-62 Environmental Quality shall appoint the necessary number of persons
1-63 to fill all vacancies on the board.

1-64 (c) Temporary directors serve until the earlier of:

2-1 (1) the date directors are elected under Section
2-2 8248.023; or
2-3 (2) the date this chapter expires under Section
2-4 8248.004.

2-5 Sec. 8248.022. ORGANIZATIONAL MEETING OF TEMPORARY
2-6 DIRECTORS. As soon as practicable after all the temporary
2-7 directors have qualified under Section 49.055, Water Code, the
2-8 temporary directors shall convene the organizational meeting of the
2-9 district at a location in the district agreeable to a majority of
2-10 the directors. If a location cannot be agreed upon, the
2-11 organizational meeting shall be at the Randall County Courthouse.

2-12 Sec. 8248.023. CONFIRMATION AND INITIAL DIRECTORS'
2-13 ELECTION. The temporary directors shall hold an election to
2-14 confirm the creation of the district and to elect five directors as
2-15 provided by Section 49.102, Water Code.

2-16 Sec. 8248.024. INITIAL ELECTED DIRECTORS; TERMS. The
2-17 directors elected under Section 8248.023 shall draw lots to
2-18 determine which two shall serve until the first regularly scheduled
2-19 election of directors and which three shall serve until the second
2-20 regularly scheduled election of directors.

2-21 Sec. 8248.025. EXPIRATION OF SUBCHAPTER. This subchapter
2-22 expires September 1, 2014.

2-23 [Sections 8248.026-8248.050 reserved for expansion]

2-24 SUBCHAPTER B. BOARD OF DIRECTORS

2-25 Sec. 8248.051. DIRECTORS; TERMS. (a) The district is
2-26 governed by a board of five directors.

2-27 (b) Directors serve staggered four-year terms.

2-28 [Sections 8248.052-8248.100 reserved for expansion]

2-29 SUBCHAPTER C. POWERS AND DUTIES

2-30 Sec. 8248.101. MUNICIPAL UTILITY DISTRICT POWERS AND
2-31 DUTIES. The district has the powers and duties provided by the
2-32 general law of this state, including Chapters 49 and 54, Water Code,
2-33 applicable to municipal utility districts created under Section 59,
2-34 Article XVI, Texas Constitution.

2-35 Sec. 8248.102. ANNEXATION. The district or any new
2-36 district created by the division of the district may not annex the
2-37 property of a landowner before obtaining written consent from the
2-38 landowner. The annexation of the property must be completed by the
2-39 district not later than one year after the district's receipt of the
2-40 landowner's written consent. A landowner may revoke the
2-41 landowner's consent to annexation before annexation by notifying
2-42 the district in writing that the consent is revoked. A landowner's
2-43 petition for annexation that meets the requirements of Chapter 49
2-44 or 54, Water Code, shall be considered as the landowner's written
2-45 consent for the purposes of this section.

2-46 Sec. 8248.103. ROAD PROJECTS. (a) The district may
2-47 construct, acquire, improve, maintain, or operate macadamized,
2-48 graveled, or paved roads, or improvements in aid of those roads, in
2-49 the district.

2-50 (b) A road project must meet all applicable construction
2-51 standards, zoning and subdivision requirements, and regulations of
2-52 each municipality in whose corporate limits or extraterritorial
2-53 jurisdiction the district is located. If the district is not
2-54 located in the corporate limits or extraterritorial jurisdiction of
2-55 a municipality, a road project must meet all applicable
2-56 construction standards, zoning and subdivision requirements, and
2-57 regulations of each county in which the district is located.

2-58 (c) The district may not undertake a road project unless
2-59 each municipality in whose corporate limits or extraterritorial
2-60 jurisdiction the district is located consents by resolution. If
2-61 the district is not located in the corporate limits or
2-62 extraterritorial jurisdiction of a municipality, the district may
2-63 not undertake a road project unless each county in which the
2-64 district is located consents by resolution.

2-65 Sec. 8248.104. ROAD CONTRACTS. The district may contract
2-66 for a road project in the manner provided by Subchapter I, Chapter
2-67 49, Water Code.

2-68 [Sections 8248.105-8248.150 reserved for expansion]

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8248.151. TAX TO REPAY BONDS. The district may impose a tax to pay the principal of and interest on bonds issued under Section 8248.201.

[Sections 8248.152-8248.200 reserved for expansion]

SUBCHAPTER E. BONDS

Sec. 8248.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may issue bonds or other obligations as provided by Chapters 49 and 54, Water Code, and to finance the construction, maintenance, or operation of projects under Sections 8248.101 and 8248.103.

(b) The district may not issue bonds or other obligations secured wholly or partly by ad valorem taxation to finance projects authorized by Section 8248.103 unless the issuance is approved by a vote of a two-thirds majority of district voters voting at an election called for that purpose.

(c) Bonds or other obligations issued or incurred to finance projects authorized by Section 8248.103 may not exceed one-fourth of the assessed value of the real property in the district.

[Sections 8248.202-8248.250 reserved for expansion]

SUBCHAPTER F. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

Sec. 8248.251. DIVISION OF DISTRICT; REQUIREMENTS. (a) At any time before the district issues indebtedness secured by taxes or net revenue, the district may be divided into two or more new districts.

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

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

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

(2) a motion by the board.

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

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

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

(e) Any new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 2 of the Act creating this chapter. After its creation, a new district may annex property in accordance with this chapter.

Sec. 8248.252. ELECTION FOR DIVISION OF DISTRICT. (a) After the board has complied with Section 8248.251(d), the board shall hold an election in the district to determine whether the district should be divided as proposed.

(b) The board shall give notice of the election in the same manner required for other district elections prescribed by the Water Code and Election Code.

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

(1) the district is divided; and

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

(A) the Texas Commission on Environmental Quality;

(B) the attorney general;

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

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

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

Sec. 8248.253. ELECTION OF DIRECTORS OF NEW DISTRICTS. (a) Not later than the 90th day after the date of an election in favor of the division of the district, the board shall:

(1) appoint itself as the board of one of the new

4-1 districts; and
4-2 (2) appoint five directors for each of the other new
4-3 districts.

4-4 (b) Directors appointed under Subsection (a)(1) serve the
4-5 staggered terms to which they were elected in the original
4-6 district. Directors appointed under Subsection (a)(2) serve until
4-7 the election for directors under Subsection (c).

4-8 (c) On the uniform election date in May of the first
4-9 even-numbered year after the year in which the directors are
4-10 appointed, the appointed board shall hold an election to elect five
4-11 directors in each district for which directors were appointed under
4-12 Subsection (a)(2). The elected directors shall draw lots to
4-13 determine which two shall serve until the next regularly scheduled
4-14 election of directors and which three shall serve until the second
4-15 regularly scheduled election of directors.

4-16 Sec. 8248.254. CONTINUING POWERS AND OBLIGATIONS OF NEW
4-17 DISTRICTS. (a) Each new district may incur and pay debts and has
4-18 all powers of the original district created by this chapter.

4-19 (b) If the district is divided as provided by this
4-20 subchapter, the current obligations and any bond authorizations of
4-21 the district are not impaired. Debts shall be paid by revenue or by
4-22 taxes or assessments imposed on real property in the district as if
4-23 the district had not been divided or by contributions from each new
4-24 district as stated in the terms set by the board under Section
4-25 8248.251(d).

4-26 (c) Any other district obligation is divided pro rata among
4-27 the new districts on an acreage basis or on other terms that are
4-28 satisfactory to the new districts.

4-29 Sec. 8248.255. CONTRACT AUTHORITY OF NEW DISTRICTS. The
4-30 new districts may contract with each other for:

- 4-31 (1) water and wastewater services; or
4-32 (2) any other matter the boards of the new districts
4-33 consider appropriate.

4-34 SECTION 2. The Randall County Municipal Utility District
4-35 No. 1 initially includes all the territory contained in the
4-36 following described area:

4-37 A 1087.96 ACRE TRACT OF LAND BEING SITUATED IN SECTIONS 5, 6,
4-38 27, 28 & 37, BLOCK 6, I. & G.N. R.R COMPANY SURVEY AND SECTION 5,
4-39 BLOCK 8, I. & G.N. R.R COMPANY SURVEY, RANDALL COUNTY, TEXAS, AND
4-40 SAID TRACT BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

4-41 BEGINNING AT A KELLEY CAP FOUND FOR THE MOST SOUTHERLY CORNER
4-42 OF THIS TRACT, WHENCE A K-CAP FOUND FOR THE SOUTHEAST CORNER OF
4-43 SECTION 38, BLOCK 6, I. & G.N. R.R COMPANY SURVEY, SAME BEING THE
4-44 SOUTHWEST CORNER OF SECTION 37 BEARS S 00°23'28" E - 3272.73 FEET;

4-45 THENCE N 00°23'28" W ON THE WEST LINE OF SECTION 37 FOR A
4-46 DISTANCE OF 2000.85 FEET TO A KELLEY CAP FOUND FOR THE COMMON CORNER
4-47 OF SECTIONS 27, 28, 37 & 38;

4-48 THENCE N 89°48'00" W ON THE SOUTH LINE OF SECTION 27 FOR A
4-49 DISTANCE OF 3342.50 FEET TO A KELLEY CAP FOUND IN THE SOUTH LINE OF
4-50 SECTION 27;

4-51 THENCE N 44°40'28" E FOR A DISTANCE OF 99.02 FEET TO AN APEX
4-52 CAP;

4-53 THENCE N 76°38'25" E FOR A DISTANCE OF 57.88 FEET TO AN APEX
4-54 CAP;

4-55 THENCE N 50°00'01" W FOR A DISTANCE OF 78.28 FEET TO AN APEX
4-56 CAP;

4-57 THENCE N 22°09'18" W FOR A DISTANCE OF 64.02 FEET TO AN APEX
4-58 CAP;

4-59 THENCE N 77°41'45" W FOR A DISTANCE OF 34.65 FEET TO AN APEX
4-60 CAP;

4-61 THENCE N 04°29'02" W FOR A DISTANCE OF 185.26 FEET TO A "+" IN
4-62 ROCK, WHENCE AN APEX CAP FOUND FOR A WITNESS BEARS S 62°32'10" E -
4-63 14.16 FEET;

4-64 THENCE N 66°06'17" E FOR A DISTANCE OF 100.78 FEET TO AN APEX
4-65 CAP;

4-66 THENCE N 08°39'50" E FOR A DISTANCE OF 166.72 FEET TO AN APEX
4-67 CAP;

4-68 THENCE N 61°31'02" E FOR A DISTANCE OF 193.26 FEET TO AN APEX
4-69 CAP;

5-1 THENCE N 28°22'02" E FOR A DISTANCE OF 132.64 FEET TO AN APEX
5-2 CAP; THENCE N 59°44'16" E FOR A DISTANCE OF 39.73 FEET TO AN APEX
5-3 CAP; THENCE N 04°05'55" E FOR A DISTANCE OF 129.27 FEET TO AN APEX
5-4 CAP; THENCE N 05°20'38" E FOR A DISTANCE OF 131.75 FEET TO AN APEX
5-5 CAP; THENCE N 19°58'02" E FOR A DISTANCE OF 59.71 FEET TO AN APEX
5-6 CAP; THENCE N 04°01'14" E FOR A DISTANCE OF 63.32 FEET TO AN APEX
5-7 CAP; THENCE S 77°47'01" W FOR A DISTANCE OF 125.15 FEET TO AN APEX
5-8 CAP; THENCE S 88°06'42" W FOR A DISTANCE OF 102.30 FEET TO AN APEX
5-9 CAP; THENCE S 38°30'02" W FOR A DISTANCE OF 102.92 FEET TO AN APEX
5-10 CAP; THENCE S 29°41'04" W FOR A DISTANCE OF 213.55 FEET TO A "+" IN
5-11 CAP; ROCK;
5-12 CAP; THENCE N 85°00'28" W FOR A DISTANCE OF 52.16 FEET TO AN APEX
5-13 CAP; THENCE S 12°20'15" W FOR A DISTANCE OF 26.80 FEET TO AN APEX
5-14 CAP; THENCE S 67°05'48" W FOR A DISTANCE OF 118.83 FEET TO A "+" IN
5-15 CAP; ROCK;
5-16 CAP; THENCE S 46°35'44" W FOR A DISTANCE OF 204.96 FEET TO A "+" IN
5-17 CAP; ROCK, WHENCE AN APEX CAP FOUND FOR A WITNESS BEARS N 04°14'31" W -
5-18 CAP; 105.94 FEET;
5-19 CAP; THENCE N 67°50'23" W FOR A DISTANCE OF 24.67 FEET TO A "+" IN
5-20 CAP; ROCK, WHENCE AN APEX CAP FOUND FOR A WITNESS BEARS N 08°51'16" E -
5-21 CAP; 97.51 FEET;
5-22 CAP; THENCE N 30°48'55" W FOR A DISTANCE OF 88.60 FEET TO A "+" IN
5-23 CAP; ROCK, WHENCE AN APEX CAP FOUND FOR A WITNESS BEARS N 71°27'37" E -
5-24 CAP; 63.70 FEET; K-CAP;
5-25 CAP; THENCE N 09°09'35" E FOR A DISTANCE OF 48.42 FEET TO AN APEX
5-26 CAP; THENCE N 28°49'25" W FOR A DISTANCE OF 106.48 FEET TO AN APEX
5-27 CAP; THENCE N 04°31'51" E FOR A DISTANCE OF 203.57 FEET TO AN APEX
5-28 CAP; THENCE N 48°51'26" W FOR A DISTANCE OF 74.68 FEET TO AN APEX
5-29 CAP; THENCE S 64°32'16" W FOR A DISTANCE OF 50.05 FEET TO AN APEX
5-30 CAP; THENCE S 48°30'53" W FOR A DISTANCE OF 217.99 FEET TO AN APEX
5-31 CAP; THENCE S 86°18'33" W FOR A DISTANCE OF 128.86 FEET TO AN APEX
5-32 CAP; THENCE N 54°56'24" W FOR A DISTANCE OF 86.09 FEET TO AN APEX
5-33 CAP; THENCE S 68°44'04" W FOR A DISTANCE OF 184.93 FEET TO AN APEX
5-34 CAP; THENCE N 59°44'29" W FOR A DISTANCE OF 55.74 FEET TO AN APEX
5-35 CAP; THENCE N 38°47'51" W FOR A DISTANCE OF 99.15 FEET TO AN APEX
5-36 CAP; THENCE N 03°11'32" W FOR A DISTANCE OF 101.52 FEET TO AN APEX
5-37 CAP; THENCE N 54°46'33" W FOR A DISTANCE OF 204.30 FEET TO AN APEX
5-38 CAP; THENCE N 28°07'57" W FOR A DISTANCE OF 67.83 FEET TO AN APEX
5-39 CAP; THENCE N 22°12'55" W FOR A DISTANCE OF 218.67 FEET TO AN APEX
5-40 CAP; THENCE N 44°11'34" W FOR A DISTANCE OF 55.20 FEET TO AN APEX
5-41 CAP; THENCE N 42°56'18" W FOR A DISTANCE OF 607.43 FEET TO AN APEX
5-42 CAP;

6-1 THENCE N 22°18'04" W FOR A DISTANCE OF 80.09 FEET TO AN APEX
 6-2 CAP;
 6-3 THENCE N 01°11'26" E FOR A DISTANCE OF 129.54 FEET TO AN APEX
 6-4 CAP;
 6-5 THENCE N 12°55'55" E FOR A DISTANCE OF 258.90 FEET TO AN APEX
 6-6 CAP;
 6-7 THENCE N 41°31'04" E FOR A DISTANCE OF 121.47 FEET TO AN APEX
 6-8 CAP;
 6-9 THENCE N 15°51'42" E FOR A DISTANCE OF 110.52 FEET TO AN APEX
 6-10 CAP;
 6-11 THENCE N 14°36'09" W FOR A DISTANCE OF 100.15 FEET TO AN APEX
 6-12 CAP;
 6-13 THENCE N 55°19'38" W FOR A DISTANCE OF 73.14 FEET TO AN APEX
 6-14 CAP;
 6-15 THENCE N 18°08'27" E FOR A DISTANCE OF 173.44 FEET TO AN APEX
 6-16 CAP;
 6-17 THENCE N 25°17'03" E FOR A DISTANCE OF 64.19 FEET TO AN APEX
 6-18 CAP;
 6-19 THENCE N 07°25'02" W FOR A DISTANCE OF 185.72 FEET TO A 3/4"
 6-20 IRON PIPE;
 6-21 THENCE N 03°59'14" E FOR A DISTANCE OF 139.03 FEET TO A KELLEY
 6-22 CAP;
 6-23 THENCE N 36°25'00" E FOR A DISTANCE OF 533.06 FEET TO A KELLEY
 6-24 CAP;
 6-25 THENCE N 60°15'00" E FOR A DISTANCE OF 23.05 FEET TO A KELLEY
 6-26 CAP;
 6-27 THENCE N 37°36'00" E FOR A DISTANCE OF 618.61 FEET TO A KELLEY
 6-28 CAP;
 6-29 THENCE N 37°45'00" W FOR A DISTANCE OF 228.06 FEET TO A KELLEY
 6-30 CAP;
 6-31 THENCE N 32°29'20" E FOR A DISTANCE OF 903.35 FEET TO A 3/4"
 6-32 IRON PIPE;
 6-33 THENCE N 31°55'00" E FOR A DISTANCE OF 3083.61 FEET TO A KELLEY
 6-34 CAP;
 6-35 THENCE EAST FOR A DISTANCE OF 601.11 FEET TO A K-CAP NEAR A 4"
 6-36 IRON PIPE FENCE CORNER;
 6-37 THENCE N 00°21'27" W FOR A DISTANCE OF 2639.46 FEET TO A K-CAP
 6-38 SET IN THE NORTH LINE OF SECTION 6 FOR THE NORTHWEST CORNER OF THIS
 6-39 TRACT;
 6-40 THENCE N 89°25'58" E ALONG THE COMMON LINE BETWEEN SECTIONS 6,
 6-41 BLK.6 AND SECTION 6, BLOCK 8, 1741.29 FEET TO A 1/2" REBAR;
 6-42 THENCE N 00°32' 00" W ALONG THE WEST LINE OF SECTION 5, BLOCK
 6-43 8, I. & G.N. R.R. COMPANY SURVEY FOR A DISTANCE OF 2633.91 FEET TO A
 6-44 POINT IN THE SOUTHWESTERLY R.O.W. LINE OF F.M. HIGHWAY NO. 1258,
 6-45 SAME BEING A POINT ON A CURVE, WHOSE CENTER BEARS N 71°55'51" E -
 6-46 1004.93 FEET;
 6-47 THENCE SOUTHEASTERLY ALONG SAID CURVE, TO THE LEFT, A
 6-48 DISTANCE OF 159.72 FEET TO A POINT;
 6-49 THENCE S 00°32'00" E PARALLEL WITH AND 60 FEET EAST OF THE WEST
 6-50 LINE OF SECTION 5, BLOCK 8, A DISTANCE OF 2485.96 FEET TO A 1/2"
 6-51 REBAR IN THE SOUTH LINE OF SECTION 5;
 6-52 THENCE N 89°25'58" E ALONG THE COMMON LINE BETWEEN SECTION 5,
 6-53 BLOCK 8, I.&G.N. R.R. COMPANY SURVEY AND SECTION 5, BLOCK 6, I.&
 6-54 G.N. R.R. COMPANY SURVEY FOR A DISTANCE OF 2669.32 FEET TO A 1/2"
 6-55 REBAR FOUND AT THE NORTH 1/4 CORNER OF SAID SECTION 5, BLOCK 6, THE
 6-56 NORTHEAST CORNER OF THIS TRACT;
 6-57 THENCE S 00°31'38" E ALONG THE EAST LINE OF THE NORTHWEST 1/4
 6-58 OF SECTION 5, A DISTANCE OF 2661.08 FEET TO K-CAP FOR THE CENTER 1/4
 6-59 CORNER OF SECTION 5;
 6-60 THENCE S 89°56'09" W ALONG THE SOUTH LINE OF THE NORTHWEST 1/4
 6-61 OF SECTION 5, A DISTANCE OF 2735.88 FEET TO A K-CAP SET IN THE COMMON
 6-62 LINE BETWEEN SECTIONS 5 AND 6 FOR THE WEST 1/4 CORNER OF SECTION 5;
 6-63 THENCE S 00°23'28" E ALONG THE COMMON LINE BETWEEN SECTIONS 5
 6-64 AND 6, A DISTANCE OF 2637.06 FEET TO A 1" IRON PIPE FOUND IN THE
 6-65 CENTERLINE OF AN EAST/WEST LANE AT THE COMMON CORNER OF SECTIONS 5,
 6-66 6, 27 AND 28;
 6-67 THENCE S 00°23'28" E ALONG THE COMMON LINE BETWEEN SECTIONS 27
 6-68 AND 28. A DISTANCE OF 2284.52 FEET TO A K-CAP SET NEAR A FENCE CORNER
 6-69 POST;

7-1 THENCE N 89°56'52" E FOR A DISTANCE OF 350.00 FEET TO A K-CAP;
 7-2 THENCE S 00°03'08" E FOR A DISTANCE OF 432.00 FEET TO A K-CAP;
 7-3 THENCE S 32°12'39" W FOR A DISTANCE OF 129.71 FEET TO A K-CAP;
 7-4 THENCE S 45°20'01" E FOR A DISTANCE OF 52.82 FEET TO A K-CAP;
 7-5 THENCE S 02°38'09" W FOR A DISTANCE OF 68.38 FEET TO A K-CAP;
 7-6 THENCE S 46°29'21" E FOR A DISTANCE OF 43.52 FEET TO A K-CAP;
 7-7 THENCE S 04°32'49" E FOR A DISTANCE OF 103.29 FEET TO A K-CAP;
 7-8 THENCE S 46°56'38" E FOR A DISTANCE OF 114.26 FEET TO A K-CAP;
 7-9 THENCE S 89°51'01" E FOR A DISTANCE OF 47.06 FEET TO A K-CAP;
 7-10 THENCE S 45°05'24" E FOR A DISTANCE OF 162.02 FEET TO A K-CAP;
 7-11 THENCE S 78°40'20" E FOR A DISTANCE OF 101.71 FEET TO A K-CAP;
 7-12 THENCE S 46°28'00" E FOR A DISTANCE OF 96.76 FEET TO A K-CAP;
 7-13 THENCE S 54°37'40" W FOR A DISTANCE OF 49.44 FEET TO A K-CAP;
 7-14 THENCE N 65°15'23" W FOR A DISTANCE OF 101.00 FEET TO A K-CAP;
 7-15 THENCE N 86°05'23" W FOR A DISTANCE OF 57.16 FEET TO A K-CAP;
 7-16 THENCE S 84°08'31" W FOR A DISTANCE OF 140.89 FEET TO A K-CAP;
 7-17 THENCE S 14°38'28" W FOR A DISTANCE OF 47.00 FEET TO A K-CAP;
 7-18 THENCE S 12°08'54" E FOR A DISTANCE OF 299.59 FEET TO A K-CAP;
 7-19 THENCE S 67°32'47" E FOR A DISTANCE OF 123.17 FEET TO A K-CAP;
 7-20 THENCE S 28°24'11" E FOR A DISTANCE OF 150.00 FEET TO A K-CAP;
 7-21 THENCE N 68°07'38" E FOR A DISTANCE OF 121.18 FEET TO A K-CAP;
 7-22 THENCE S 00°00'16" E FOR A DISTANCE OF 88.01 FEET TO A K-CAP;
 7-23 THENCE S 26°19'00" W FOR A DISTANCE OF 101.57 FEET TO A K-CAP;
 7-24 THENCE S 85°13'32" E FOR A DISTANCE OF 132.72 FEET TO A K-CAP;
 7-25 THENCE S 42°05'53" E FOR A DISTANCE OF 69.90 FEET TO A K-CAP;
 7-26 THENCE S 41°41'34" W FOR A DISTANCE OF 133.14 FEET TO A K-CAP;
 7-27 THENCE S 34°59'57" W FOR A DISTANCE OF 229.26 FEET TO A K-CAP;
 7-28 THENCE S 26°14'28" E FOR A DISTANCE OF 42.25 FEET TO A K-CAP;
 7-29 THENCE S 88°28'34" E FOR A DISTANCE OF 95.37 FEET TO A K-CAP;
 7-30 THENCE N 70°27'47" E FOR A DISTANCE OF 261.14 FEET TO A K-CAP;
 7-31 THENCE N 50°49'03" E FOR A DISTANCE OF 48.90 FEET TO A K-CAP;
 7-32 THENCE N 76°29'34" E FOR A DISTANCE OF 76.31 FEET TO A K-CAP;
 7-33 THENCE S 76°32'46" E FOR A DISTANCE OF 95.39 FEET TO A K-CAP;
 7-34 THENCE S 46°42'53" E FOR A DISTANCE OF 38.90 FEET TO A K-CAP;
 7-35 THENCE S 18°53'12" W FOR A DISTANCE OF 31.25 FEET TO A K-CAP;
 7-36 THENCE S 59°26'41" W FOR A DISTANCE OF 90.08 FEET TO A K-CAP;
 7-37 THENCE S 40°38'08" W FOR A DISTANCE OF 106.86 FEET TO A K-CAP;
 7-38 THENCE S 12°43'17" W FOR A DISTANCE OF 69.26 FEET TO A K-CAP;
 7-39 THENCE S 56°30'05" W FOR A DISTANCE OF 42.97 FEET TO A K-CAP;
 7-40 THENCE N 69°21'08" W FOR A DISTANCE OF 96.67 FEET TO A K-CAP;
 7-41 THENCE S 54°45'18" W FOR A DISTANCE OF 175.20 FEET TO A K-CAP;
 7-42 THENCE S 78°32'15" W FOR A DISTANCE OF 105.34 FEET TO A K-CAP;
 7-43 THENCE S 37°48'11" W FOR A DISTANCE OF 168.73 FEET TO A K-CAP;
 7-44 THENCE S 11°57'39" E FOR A DISTANCE OF 207.24 FEET TO A K-CAP;
 7-45 THENCE S 40°37'50" E FOR A DISTANCE OF 207.44 FEET TO A K-CAP;
 7-46 THENCE S 51°20'07" E FOR A DISTANCE OF 163.43 FEET TO A K-CAP;
 7-47 THENCE S 07°41'51" E FOR A DISTANCE OF 18.04 FEET TO A K-CAP;
 7-48 THENCE S 10°26'56" W FOR A DISTANCE OF 31.99 FEET TO A K-CAP;
 7-49 THENCE S 21°48'35" W FOR A DISTANCE OF 22.29 FEET TO A K-CAP;
 7-50 THENCE S 78°03'22" W FOR A DISTANCE OF 201.18 FEET TO A K-CAP;
 7-51 THENCE N 66°40'54" W FOR A DISTANCE OF 83.79 FEET TO A K-CAP;
 7-52 THENCE S 83°04'25" W FOR A DISTANCE OF 128.01 FEET TO A K-CAP;
 7-53 THENCE S 59°42'01" W FOR A DISTANCE OF 37.70 FEET TO A K-CAP;
 7-54 THENCE S 45°34'56" W FOR A DISTANCE OF 92.09 FEET TO A K-CAP;
 7-55 THENCE S 13°48'56" W FOR A DISTANCE OF 149.92 FEET TO A K-CAP;
 7-56 THENCE S 66°56'48" W FOR A DISTANCE OF 95.54 FEET TO A K-CAP;
 7-57 THENCE S 53°32'57" W FOR A DISTANCE OF 176.20 FEET TO A K-CAP;
 7-58 THENCE S 17°58'30" W FOR A DISTANCE OF 158.91 FEET TO A K-CAP;
 7-59 THENCE S 07°02'45" W FOR A DISTANCE OF 119.39 FEET TO A K-CAP;
 7-60 THENCE S 13°30'46" E FOR A DISTANCE OF 121.24 FEET TO A K-CAP;
 7-61 THENCE S 49°49'52" E FOR A DISTANCE OF 66.39 FEET TO A K-CAP;
 7-62 THENCE N 49°18'14" E FOR A DISTANCE OF 163.05 FEET TO A K-CAP;
 7-63 THENCE S 68°07'44" E FOR A DISTANCE OF 92.45 FEET TO A K-CAP;
 7-64 THENCE N 77°41'35" E FOR A DISTANCE OF 27.32 FEET TO A K-CAP;
 7-65 THENCE N 35°19'59" E FOR A DISTANCE OF 141.14 FEET TO A K-CAP;
 7-66 THENCE S 55°23'41" E FOR A DISTANCE OF 195.32 FEET TO A K-CAP;
 7-67 THENCE N 89°52'44" E FOR A DISTANCE OF 124.59 FEET TO A K-CAP;
 7-68 THENCE S 44°09'05" E FOR A DISTANCE OF 104.74 FEET TO A K-CAP;
 7-69 THENCE N 78°37'04" E FOR A DISTANCE OF 279.46 FEET TO A K-CAP;

8-1 THENCE S 59°12'56" E FOR A DISTANCE OF 81.83 FEET TO A K-CAP;
 8-2 THENCE N 80°16'44" E FOR A DISTANCE OF 79.65 FEET TO A K-CAP;
 8-3 THENCE S 37°16'30" E FOR A DISTANCE OF 107.98 FEET TO A K-CAP;
 8-4 THENCE S 22°32'44" W FOR A DISTANCE OF 147.88 FEET TO A K-CAP;
 8-5 THENCE S 89°22'44" E FOR A DISTANCE OF 233.56 FEET TO A K-CAP;
 8-6 THENCE S 28°50'50" W FOR A DISTANCE OF 97.20 FEET TO A K-CAP;
 8-7 THENCE S 08°58'03" W FOR A DISTANCE OF 77.35 FEET TO A K-CAP;
 8-8 THENCE S 80°26'02" W FOR A DISTANCE OF 197.76 FEET TO K-CAP;
 8-9 THENCE S 75°01'26" E FOR A DISTANCE OF 116.74 FEET TO A K-CAP;
 8-10 THENCE S 11°05'28" W FOR A DISTANCE OF 32.02 FEET TO A K-CAP;
 8-11 THENCE S 81°15'27" E FOR A DISTANCE OF 208.30 FEET TO A K-CAP;
 8-12 THENCE S 45°47'27" W FOR A DISTANCE OF 145.24 FEET TO A K-CAP;
 8-13 THENCE S 05°31'58" W FOR A DISTANCE OF 102.19 FEET TO A K-CAP;
 8-14 THENCE N 66°24'11" W FOR A DISTANCE OF 142.14 FEET TO A K-CAP;
 8-15 THENCE S 88°37'16" W FOR A DISTANCE OF 128.02 FEET TO A K-CAP;
 8-16 THENCE S 23°44'13" E FOR A DISTANCE OF 58.29 FEET TO A K-CAP;
 8-17 THENCE S 32°40'19" E FOR A DISTANCE OF 120.27 FEET TO A K-CAP;
 8-18 THENCE N 76°53'07" W FOR A DISTANCE OF 194.46 FEET TO A K-CAP;
 8-19 THENCE S 54°43'26" E FOR A DISTANCE OF 422.11 FEET TO A K-CAP;
 8-20 THENCE S 79°22'23" W FOR A DISTANCE OF 67.84 FEET TO A K-CAP;
 8-21 THENCE S 45°04'26" W FOR A DISTANCE OF 66.71 FEET TO A K-CAP;
 8-22 THENCE N 77°02'40" W FOR A DISTANCE OF 90.32 FEET TO A K-CAP;
 8-23 THENCE S 34°59'05" W FOR A DISTANCE OF 150.03 FEET TO A K-CAP;
 8-24 THENCE N 28°14'51" W FOR A DISTANCE OF 160.35 FEET TO A K-CAP;
 8-25 THENCE S 87°27'58" W FOR A DISTANCE OF 168.67 FEET TO A K-CAP;
 8-26 THENCE S 23°01'44" W FOR A DISTANCE OF 178.87 FEET TO A K-CAP;
 8-27 THENCE S 70°37'10" W FOR A DISTANCE OF 92.57 FEET TO A K-CAP;
 8-28 THENCE N 28°25'38" W FOR A DISTANCE OF 197.76 FEET TO A K-CAP;
 8-29 THENCE S 58°29'53" W FOR A DISTANCE OF 278.35 FEET TO A K-CAP;
 8-30 THENCE N 84°04'00" W FOR A DISTANCE OF 170.22 FEET TO A K-CAP;
 8-31 THENCE N 58°27'11" W FOR A DISTANCE OF 60.41 FEET TO A K-CAP;
 8-32 THENCE S 75°23'14" W FOR A DISTANCE OF 91.26 FEET TO A K-CAP;
 8-33 THENCE S 85°55'17" W FOR A DISTANCE OF 94.30 FEET TO THE POINT
 8-34 OF BEGINNING.

8-35 SAID TRACT CONTAINS 1087.96 ACRES OF LAND, MORE OR LESS.

8-36 SECTION 3. (a) The legal notice of the intention to
 8-37 introduce this Act, setting forth the general substance of this
 8-38 Act, has been published as provided by law, and the notice and a
 8-39 copy of this Act have been furnished to all persons, agencies,
 8-40 officials, or entities to which they are required to be furnished
 8-41 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 8-42 Government Code.

8-43 (b) The governor, one of the required recipients, has
 8-44 submitted the notice and Act to the Texas Commission on
 8-45 Environmental Quality.

8-46 (c) The Texas Commission on Environmental Quality has filed
 8-47 its recommendations relating to this Act with the governor, the
 8-48 lieutenant governor, and the speaker of the house of
 8-49 representatives within the required time.

8-50 (d) All requirements of the constitution and laws of this
 8-51 state and the rules and procedures of the legislature with respect
 8-52 to the notice, introduction, and passage of this Act are fulfilled
 8-53 and accomplished.

8-54 SECTION 4. This Act takes effect immediately if it receives
 8-55 a vote of two-thirds of all the members elected to each house, as
 8-56 provided by Section 39, Article III, Texas Constitution. If this
 8-57 Act does not receive the vote necessary for immediate effect, this
 8-58 Act takes effect September 1, 2007.

8-59 * * * * *