

1-1 By: Kleinschmidt (Senate Sponsor - Hegar) H.B. No. 1841  
1-2 (In the Senate - Received from the House May 13, 2009;  
1-3 May 15, 2009, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 22, 2009, reported adversely,  
1-5 with favorable Committee Substitute by the following vote: Yeas 5,  
1-6 Nays 0; May 22, 2009, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1841 By: Nichols

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the creation of the XS Ranch Municipal Utility  
1-11 District; providing authority to impose a tax and issue bonds;  
1-12 granting a limited power of eminent domain.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-15 Code, is amended by adding Chapter 8306 to read as follows:

1-16 CHAPTER 8306. XS RANCH MUNICIPAL UTILITY DISTRICT

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 8306.001. DEFINITIONS. In this chapter:

1-19 (1) "Board" means the district's board of directors.

1-20 (2) "Commission" means the Texas Commission on  
1-21 Environmental Quality.

1-22 (3) "Director" means a board member.

1-23 (4) "District" means the XS Ranch Municipal Utility  
1-24 District.

1-25 Sec. 8306.002. NATURE OF DISTRICT. The district is a  
1-26 municipal utility district created under Section 59, Article XVI,  
1-27 Texas Constitution.

1-28 Sec. 8306.003. CONFIRMATION AND DIRECTORS' ELECTION  
1-29 REQUIRED. The temporary directors shall hold an election to  
1-30 confirm the creation of the district and to elect five permanent  
1-31 directors as provided by Section 49.102, Water Code.

1-32 Sec. 8306.004. CONSENT OF MUNICIPALITY REQUIRED. The  
1-33 temporary directors may not hold an election under Section 8306.003  
1-34 until each municipality in whose corporate limits or  
1-35 extraterritorial jurisdiction the district is located, including  
1-36 the City of Bastrop, has consented by ordinance or resolution to the  
1-37 creation of the district and to the inclusion of land in the  
1-38 district.

1-39 Sec. 8306.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)  
1-40 The district is created to serve a public purpose and benefit.

1-41 (b) The district is created to accomplish the purposes of:

1-42 (1) a municipal utility district as provided by  
1-43 general law and Section 59, Article XVI, Texas Constitution; and

1-44 (2) Section 52, Article III, Texas Constitution, that  
1-45 relate to the construction, acquisition, improvement, operation,  
1-46 or maintenance of macadamized, graveled, or paved roads, or  
1-47 improvements, including storm drainage, in aid of those roads.

1-48 Sec. 8306.006. INITIAL DISTRICT TERRITORY. (a) The  
1-49 district is initially composed of the territory described by  
1-50 Section 2 of the Act creating this chapter.

1-51 (b) The boundaries and field notes contained in Section 2 of  
1-52 the Act creating this chapter form a closure. A mistake made in the  
1-53 field notes or in copying the field notes in the legislative process  
1-54 does not affect the district's:

1-55 (1) organization, existence, or validity;

1-56 (2) right to issue any type of bond for the purposes  
1-57 for which the district is created or to pay the principal of and  
1-58 interest on a bond;

1-59 (3) right to impose a tax; or

1-60 (4) legality or operation.

1-61 [Sections 8306.007-8306.050 reserved for expansion]

1-62 SUBCHAPTER B. BOARD OF DIRECTORS

1-63 Sec. 8306.051. GOVERNING BODY; TERMS. (a) The district is

2-1 governed by a board of five elected directors.  
2-2 (b) Except as provided by Section 8306.052, directors serve  
2-3 staggered four-year terms.

2-4 Sec. 8306.052. TEMPORARY DIRECTORS. (a) The temporary  
2-5 board consists of:

- 2-6 (1) Mark Engels;
- 2-7 (2) Mark Oldemeyer;
- 2-8 (3) James Michael Sulester, Jr.;
- 2-9 (4) William Faust; and
- 2-10 (5) Don Montague.

2-11 (b) Temporary directors serve until the earlier of:  
2-12 (1) the date permanent directors are elected under  
2-13 Section 8306.003; or  
2-14 (2) the fourth anniversary of the effective date of  
2-15 the Act creating this chapter.

2-16 (c) If permanent directors have not been elected under  
2-17 Section 8306.003 and the terms of the temporary directors have  
2-18 expired, successor temporary directors shall be appointed or  
2-19 reappointed as provided by Subsection (d) to serve terms that  
2-20 expire on the earlier of:

- 2-21 (1) the date permanent directors are elected under  
2-22 Section 8306.003; or
- 2-23 (2) the fourth anniversary of the date of the  
2-24 appointment or reappointment.

2-25 (d) If Subsection (c) applies, the owner or owners of a  
2-26 majority of the assessed value of the real property in the district  
2-27 may submit a petition to the commission requesting that the  
2-28 commission appoint as successor temporary directors the five  
2-29 persons named in the petition. The commission shall appoint as  
2-30 successor temporary directors the five persons named in the  
2-31 petition.

2-32 [Sections 8306.053-8306.100 reserved for expansion]

2-33 SUBCHAPTER C. POWERS AND DUTIES

2-34 Sec. 8306.101. GENERAL POWERS AND DUTIES. The district has  
2-35 the powers and duties necessary to accomplish the purposes for  
2-36 which the district is created.

2-37 Sec. 8306.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
2-38 DUTIES. The district has the powers and duties provided by the  
2-39 general law of this state, including Chapters 49 and 54, Water Code,  
2-40 applicable to municipal utility districts created under Section 59,  
2-41 Article XVI, Texas Constitution.

2-42 Sec. 8306.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
2-43 52, Article III, Texas Constitution, the district may design,  
2-44 acquire, construct, finance, issue bonds for, improve, operate,  
2-45 maintain, and convey to this state, a county, or a municipality for  
2-46 operation and maintenance macadamized, graveled, or paved roads, or  
2-47 improvements, including storm drainage, in aid of those roads.

2-48 Sec. 8306.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
2-49 project must meet all applicable construction standards, zoning and  
2-50 subdivision requirements, and regulations of each municipality in  
2-51 whose corporate limits or extraterritorial jurisdiction the road  
2-52 project is located.

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

2-58 (c) If the state will maintain and operate the road, the  
2-59 Texas Transportation Commission must approve the plans and  
2-60 specifications of the road project.

2-61 Sec. 8306.105. COMPLIANCE WITH MUNICIPAL ORDINANCE OR  
2-62 RESOLUTION. (a) The district shall comply with all applicable  
2-63 requirements of any ordinance or resolution that is adopted under  
2-64 Section 54.016 or 54.0165, Water Code, and that consents to the  
2-65 creation of the district or to the inclusion of land in the  
2-66 district.

2-67 (b) Land in the district that is located in the City of  
2-68 Bastrop's extraterritorial jurisdiction is subject to municipal  
2-69 ordinances applicable to extraterritorial areas, unless the

3-1 municipality's governing body waives compliance.  
3-2 Sec. 8306.106. CONTRACT WITH CERTAIN MUNICIPALITIES  
3-3 REQUIRED. (a) The district may not exercise the powers and duties  
3-4 of a municipal utility district under this chapter unless the  
3-5 district enters into a written contract with any municipality in  
3-6 whose extraterritorial jurisdiction the district is wholly or  
3-7 partly located that:  
3-8 (1) provides for the continuation of the  
3-9 extraterritorial status of the district or the district's  
3-10 annexation by the municipality;  
3-11 (2) ensures that any development in the district  
3-12 occurs in a manner that furthers the health, safety, and welfare of  
3-13 the residents of the district; and  
3-14 (3) includes other terms and consideration that the  
3-15 municipality determines to be reasonable and appropriate.  
3-16 (b) A contract under this section may be renewed or extended  
3-17 for successive periods not to exceed 15 years.  
3-18 (c) If the district does not enter into a contract under  
3-19 this section before the later of September 1, 2009, or the 30th day  
3-20 after the effective date of the Act creating this chapter, the  
3-21 board, at the board's sole discretion, may adopt an order  
3-22 dissolving the district if the district has no assets or  
3-23 obligations. If an order dissolving the district is adopted under  
3-24 this subsection, an original or certified copy of the order must be  
3-25 filed with the commission and in the real property records of any  
3-26 county in which the district is located.  
3-27 Sec. 8306.107. EFFECT OF CHAPTER ON CITY OF BASTROP.  
3-28 Nothing in this chapter abrogates, diminishes, or otherwise alters  
3-29 any rights, powers, privileges, or functions of the City of Bastrop  
3-30 provided by the general law of this state, including Chapter 42,  
3-31 Local Government Code, and Chapter 54, Water Code, related to the  
3-32 creation of special districts in its extraterritorial  
3-33 jurisdiction.  
3-34 Sec. 8306.108. LIMITATION ON USE OF EMINENT DOMAIN. The  
3-35 district may not exercise the power of eminent domain outside the  
3-36 district to acquire a site or easement for:  
3-37 (1) a road project authorized by Section 8306.103; or  
3-38 (2) a recreational facility as defined by Section  
3-39 49.462, Water Code.  
3-40 Sec. 8306.109. DIVISION OF DISTRICT. (a) The district may  
3-41 be divided into two or more new districts only if:  
3-42 (1) the district has no outstanding bonded debt;  
3-43 (2) the district is not imposing ad valorem taxes; and  
3-44 (3) the requirements of Subsection (i) are satisfied.  
3-45 (b) This chapter applies to any new district created by the  
3-46 division of the district, and a new district has all the powers and  
3-47 duties of the district.  
3-48 (c) Any new district created by the division of the district  
3-49 may not, at the time the new district is created, contain any land  
3-50 outside the area described by Section 2 of the Act creating this  
3-51 chapter.  
3-52 (d) The board, on its own motion or on receipt of a petition  
3-53 signed by the owner or owners of a majority of the assessed value of  
3-54 the real property in the district, may adopt an order dividing the  
3-55 district.  
3-56 (e) The board may adopt an order dividing the district  
3-57 before or after the date the board holds an election under Section  
3-58 8306.003 to confirm the district's creation.  
3-59 (f) An order dividing the district shall:  
3-60 (1) name each new district;  
3-61 (2) include the metes and bounds description of the  
3-62 territory of each new district;  
3-63 (3) appoint temporary directors for each new district;  
3-64 and  
3-65 (4) provide for the division of assets and liabilities  
3-66 between or among the new districts.  
3-67 (g) On or before the 30th day after the date of adoption of  
3-68 an order dividing the district, the district shall file the order  
3-69 with the commission and record the order in the real property

4-1 records of each county in which the district is located.  
4-2 (h) Any new district created by the division of the district  
4-3 shall hold a confirmation and directors' election as required by  
4-4 Section 8306.003.

4-5 (i) If the district is located wholly or partly in the  
4-6 corporate limits or the extraterritorial jurisdiction of a  
4-7 municipality, the district may not divide under this section unless  
4-8 the municipality by resolution or ordinance first consents to the  
4-9 division of the district. If the district is not located wholly or  
4-10 partly in the corporate limits or the extraterritorial jurisdiction  
4-11 of a municipality, the district may not divide under this section  
4-12 unless the commissioners court of each county in which the district  
4-13 is wholly or partly located first adopts a resolution or order in  
4-14 support of the division of the district.

4-15 (j) Any new district created by the division of the district  
4-16 must hold an election as required by this chapter to obtain voter  
4-17 approval before the district may impose a maintenance tax or issue  
4-18 bonds payable wholly or partly from ad valorem taxes.

4-19 [Sections 8306.110-8306.150 reserved for expansion]

4-20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4-21 Sec. 8306.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
4-22 district may issue, without an election, bonds and other  
4-23 obligations secured by:

- 4-24 (1) revenue other than ad valorem taxes; or
- 4-25 (2) contract payments described by Section 8306.153.

4-26 (b) The district must hold an election in the manner  
4-27 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
4-28 before the district may impose an ad valorem tax or issue bonds  
4-29 payable from ad valorem taxes.

4-30 (c) The district may not issue bonds payable from ad valorem  
4-31 taxes to finance a road project unless the issuance is approved by a  
4-32 vote of a two-thirds majority of the district voters voting at an  
4-33 election held for that purpose.

4-34 Sec. 8306.152. OPERATION AND MAINTENANCE TAX. (a) If  
4-35 authorized at an election held under Section 8306.151, the district  
4-36 may impose an operation and maintenance tax on taxable property in  
4-37 the district in accordance with Section 49.107, Water Code.

4-38 (b) The board shall determine the tax rate. The rate may not  
4-39 exceed the rate approved at the election.

4-40 Sec. 8306.153. CONTRACT TAXES. (a) In accordance with  
4-41 Section 49.108, Water Code, the district may impose a tax other than  
4-42 an operation and maintenance tax and use the revenue derived from  
4-43 the tax to make payments under a contract after the provisions of  
4-44 the contract have been approved by a majority of the district voters  
4-45 voting at an election held for that purpose.

4-46 (b) A contract approved by the district voters may contain a  
4-47 provision stating that the contract may be modified or amended by  
4-48 the board without further voter approval.

4-49 [Sections 8306.154-8306.200 reserved for expansion]

4-50 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-51 Sec. 8306.201. AUTHORITY TO ISSUE BONDS AND OTHER  
4-52 OBLIGATIONS. The district may issue bonds or other obligations  
4-53 payable wholly or partly from ad valorem taxes, impact fees,  
4-54 revenue, contract payments, grants, or other district money, or any  
4-55 combination of those sources, to pay for any authorized district  
4-56 purpose.

4-57 Sec. 8306.202. TAXES FOR BONDS. At the time the district  
4-58 issues bonds payable wholly or partly from ad valorem taxes, the  
4-59 board shall provide for the annual imposition of a continuing  
4-60 direct ad valorem tax, without limit as to rate or amount, while all  
4-61 or part of the bonds are outstanding as required and in the manner  
4-62 provided by Sections 54.601 and 54.602, Water Code.

4-63 Sec. 8306.203. BONDS FOR ROAD PROJECTS. At the time of  
4-64 issuance, the total principal amount of bonds or other obligations  
4-65 issued or incurred to finance road projects and payable from ad  
4-66 valorem taxes may not exceed one-fourth of the assessed value of the  
4-67 real property in the district.

4-68 SECTION 2. The XS Ranch Municipal Utility District  
4-69 initially includes all the territory contained in the following

5-1 area:

5-2 A DESCRIPTION OF 2902.685 ACRES IN THE, THE ISAAC HARRIS SURVEY NO.

5-3 2, ABSTRACT NO. 38, THE LEMAN BARKER SURVEY NO. 3, ABSTRACT NO. 6,

5-4 THE S.M. WILLIAMS SURVEY NO. 4, ABSTRACT NO. 71, THE JOSIAH

5-5 WILBARGER SURVEY NO. 5, ABSTRACT NO. 70, IN BASTROP COUNTY, TEXAS,

5-6 CONSISTING OF:

5-7 PART OF A 5566.770 ACRE TRACT (TRACT ONE-D), PART OF A 507.061 ACRE

5-8 TRACT (TRACT ONE-C), PART OF A 19.149 ACRE TRACT (TRACT FIVE), PART

5-9 OF A 54.912 ACRE TRACT (TRACT SIX), PART OF A 92.556 ACRE TRACT

5-10 (TRACT SEVEN), PART OF A 160.346 ACRE TRACT (TRACT EIGHT), AND PART

5-11 OF A 112.676 ACRE TRACT (TRACT NINE), ALL OF A 2.064 ACRE (TRACT

5-12 TWO-A), ALL OF A 6.114 ACRE TRACT (TRACT TWO-B), CONVEYED TO XS

5-13 RANCH FUND VI, L.P. IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN

5-14 DATED DECEMBER 19, 2006 AND RECORDED IN DOCUMENT NO. 200619026 OF

5-15 THE OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS;

5-16 PART OF A 200.00 ACRE TRACT CONVEYED TO XS RANCH FUND VI, L.P. IN A

5-17 SPECIAL WARRANTY DEED WITH VENDOR'S LIEN DATED DECEMBER 19, 2006

5-18 AND RECORDED IN DOCUMENT NO. 200619025 OF THE OFFICIAL PUBLIC

5-19 RECORDS OF BASTROP COUNTY, TEXAS; (*THE 200.00 ACRE TRACT LIES*

5-20 *WITHIN THE 5566.770 ACRE TRACT*)

5-21 PART OF A 758.026 ACRE TRACT AND PART OF A 1164.571 ACRE TRACT

5-22 CONVEYED TO XS RANCH FUND VI, L.P. IN A SPECIAL WARRANTY DEED DATED

5-23 JUNE 4, 2007 AND RECORDED IN DOCUMENT NO. 200708067 OF THE OFFICIAL

5-24 PUBLIC RECORDS OF BASTROP COUNTY, TEXAS;

5-25 PART OF A 885.050 ACRE TRACT CONVEYED TO XS RANCH FUND VI, L.P. IN A

5-26 SPECIAL WARRANTY DEED DATED NOVEMBER 9, 2007 AND RECORDED IN

5-27 DOCUMENT NO. 200716605 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP

5-28 COUNTY, TEXAS;

5-29 AND ALL OF A 1.604 ACRE TRACT CONVEYED TO XS RANCH FUND VI, L.P. IN A

5-30 SPECIAL WARRANTY DEED DATED DECEMBER 22, 2008 AND RECORDED IN

5-31 DOCUMENT NO. 200816524 OF THE OFFICIAL PUBLIC RECORDS OF BASTROP

5-32 COUNTY, TEXAS;

5-33 *EXCLUDING THE PORTION OF THE UNION PACIFIC RAILROAD RIGHT-OF-WAY*

5-34 *(100' WIDTH, 5.595 AC.), WITHIN THE HEREIN DESCRIBED TRACT;*

5-35 SAID 2902.685 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND

5-36 BOUNDS AS FOLLOWS:

5-37 BEGINNING at a 1/2" rebar found in the west right-of-way line of

5-38 State Highway No. 95 (100' right-of-way width), for the

5-39 northernmost corner of the 2.064 acre tract;

5-40 THENCE South 04°45'50" West, with the west right-of-way line of

5-41 State Highway No. 95, a distance of 2204.79 feet to a 1/2" iron pipe

5-42 found for the southeast corner of the said 6.114 acre tract, being

5-43 also the northeast corner of an apparent 100' wide railroad

5-44 reservation described in Volume 1387, Page 49 of the Deed Records of

5-45 Bastrop County, Texas;

5-46 THENCE South 38°26'28" West, with the south line of the 6.114 acre

5-47 tract and the north line of said railroad strip, crossing the Union

5-48 Pacific 100' right-of-way, a distance of 632.19 feet to a

5-49 calculated point in the west line of the Union Pacific 100'

5-50 right-of-way, being also in the east line of the said 5566.770 acre

5-51 tract;

5-52 THENCE South 07°14'40" West, with the west line of the 100'

5-53 right-of-way and the east line of the 5566.770 acre tract, a

5-54 distance of 702.55 feet to a 5/8" rebar found for the northeast

5-55 corner of a 90.021 acre tract described in Volume 280, Page 26 of

5-56 the Deed Records of Bastrop County, Texas, for an angle point in the

5-57 east line of the 5566.770 acre tract;

5-58 THENCE with the common line of the 5566.770 acre tract and the

5-59 90.021 acre tract, the following two (2) courses:

5-60 1. South 41°59'17" West, a distance of 3559.00 feet to a 1/2"

5-61 rebar with cap set;

5-62 2. South 48°00'02" East, a distance of 1696.00 feet to a 1/2"

5-63 rebar with cap set in the west line of a 100.714 acre tract

5-64 described in Volume 276, Page 639 of the Deed Records of

5-65 Bastrop County, Texas;

5-66 THENCE South 41°50'22" West with the common line of the 5566.770

5-67 acre tract and the 100.714 acre tract, a distance of 2626.45 feet to

5-68 a calculated point;

5-69 THENCE over and across the 5566.770 acre tract, the following

6-1 twenty-three (23) courses:  
6-2 1. North 67°20'47" West, a distance of 1033.52 feet to a  
6-3 calculated point;  
6-4 2. South 59°02'10" West, a distance of 246.73 feet to a  
6-5 calculated point;  
6-6 3. North 51°53'33" West, a distance of 1645.53 feet to a  
6-7 calculated point;  
6-8 4. North 03°48'51" West, a distance of 381.67 feet to a  
6-9 calculated point;  
6-10 5. North 56°27'50" West, a distance of 840.67 feet to a  
6-11 calculated point;  
6-12 6. North 49°26'19" East, a distance of 1289.96 feet to a  
6-13 calculated point;  
6-14 7. North 10°57'15" West, a distance of 534.42 feet to a  
6-15 calculated point;  
6-16 8. North 54°51'57" East, a distance of 279.40 feet to a  
6-17 calculated point;  
6-18 9. South 74°44'42" East, a distance of 578.94 feet to a  
6-19 calculated point;  
6-20 10. North 85°24'00" East, a distance of 738.63 feet to a  
6-21 calculated point;  
6-22 11. North 65°54'29" East, a distance of 1140.23 feet to a  
6-23 calculated point;  
6-24 12. North 27°07'17" West, a distance of 389.83 feet to a  
6-25 calculated point;  
6-26 13. North 43°07'42" East, a distance of 916.04 feet to a  
6-27 calculated point;  
6-28 14. North 07°23'10" West, a distance of 360.23 feet to a  
6-29 calculated point;  
6-30 15. North 28°42'49" East, a distance of 1078.89 feet to a  
6-31 calculated point;  
6-32 16. North 87°11'37" East, a distance of 421.70 feet to a  
6-33 calculated point;  
6-34 17. North 16°31'05" West, a distance of 1395.30 feet to a  
6-35 calculated point;  
6-36 18. With a curve to the right, having a radius of 1600.00  
6-37 feet, a delta angle of 35°22'30", an arc length of 987.86  
6-38 feet, and a chord which bears South 75°05'01" West, a distance  
6-39 of 972.24 feet to a calculated point;  
6-40 19. North 87°13'44" West, a distance of 714.34 feet to a  
6-41 calculated point;  
6-42 20. With a curve to the left, having a radius of 900.00 feet,  
6-43 a delta angle of 13°33'08", an arc length of 212.88 feet, and a  
6-44 chord which bears South 85°59'42" West, a distance of 212.38  
6-45 feet to a calculated point;  
6-46 21. South 79°13'08" West, a distance of 476.34 feet to a  
6-47 calculated point;  
6-48 22. With a curve to the right, having a radius of 700.00  
6-49 feet, a delta angle of 73°16'03", an arc length of 895.13  
6-50 feet, and a chord which bears North 64°08'51" West, a distance  
6-51 of 835.38 feet to a calculated point;  
6-52 23. North 27°30'49" West, a distance of 466.30 feet to a 1/2"  
6-53 rebar with cap set for the northeast corner of a 772.304 acre  
6-54 tract described in Volume 819, Page 733 of the Deed Records of  
6-55 Bastrop County, Texas;  
6-56 THENCE, with the common line of the 5566.770 acre tract and the  
6-57 772.304 acre tract, the following three (3) courses:  
6-58 1. North 47°23'16" West, a distance of 3253.08 feet to a  
6-59 fence corner post found;  
6-60 2. South 44°09'12" West, a distance of 409.37 feet to a fence  
6-61 corner post found;  
6-62 3. North 46°44'34" West, a distance of 1200.96 feet to a  
6-63 fence corner post found;  
6-64 THENCE over and across the 5566.770 acre tract, the 758.026 acre  
6-65 tract, and the 160.346 acre tract the following twenty-three (23)  
6-66 courses:  
6-67 1. South 65°45'02" West, a distance of 660.48 feet to a  
6-68 calculated point;  
6-69 2. With a curve to the right, having a radius of 900.00 feet,

7-1 a delta angle of 42°24'14", an arc length of 666.08 feet, and a  
7-2 chord which bears South 86°57'09" West, a distance of 650.98  
7-3 feet to a calculated point;  
7-4 3. North 71°50'44" West, a distance of 500.53 feet to a  
7-5 calculated point;  
7-6 4. With a curve to the left, having a radius of 1900.00 feet,  
7-7 a delta angle of 18°28'28", an arc length of 612.64 feet, and a  
7-8 chord which bears North 81°04'58" West, a distance of 609.99  
7-9 feet to a calculated point;  
7-10 5. South 89°40'48" West, a distance of 664.30 feet to a  
7-11 calculated point;  
7-12 6. With a curve to the right, having a radius of 1600.00  
7-13 feet, a delta angle of 38°47'12", an arc length of 1083.13  
7-14 feet, and a chord which bears North 70°55'36" West, a distance  
7-15 of 1062.57 feet to a calculated point;  
7-16 7. North 51°32'00" West, a distance of 641.28 feet to a  
7-17 calculated point;  
7-18 8. With a curve to the left, having a radius of 1100.00 feet,  
7-19 a delta angle of 74°20'28", an arc length of 1427.24 feet, and  
7-20 a chord which bears North 88°42'14" West, a distance of  
7-21 1329.22 feet to a calculated point;  
7-22 9. South 54°07'33" West, a distance of 431.02 feet to a  
7-23 calculated point;  
7-24 10. With a curve to the left, having a radius of 900.00 feet,  
7-25 a delta angle of 58°45'19", an arc length of 922.93 feet, and a  
7-26 chord which bears South 24°44'53" West, a distance of 883.01  
7-27 feet to a calculated point;  
7-28 11. South 04°37'46" East, a distance of 806.43 feet to a  
7-29 calculated point;  
7-30 12. With a curve to the right, having a radius of 1100.00  
7-31 feet, a delta angle of 29°21'45", an arc length of 563.72  
7-32 feet, and a chord which bears South 10°03'06" West, a distance  
7-33 of 557.57 feet to a calculated point;  
7-34 13. South 24°43'59" West, a distance of 380.75 feet to a  
7-35 calculated point;  
7-36 14. South 56°24'48" East, a distance of 1809.63 feet to a  
7-37 calculated point;  
7-38 15. South 03°40'04" West, a distance of 1811.55 feet to a  
7-39 calculated point;  
7-40 16. North 82°56'00" East, a distance of 816.20 feet to a  
7-41 calculated point;  
7-42 17. South 25°05'01" East, a distance of 428.88 feet to a  
7-43 calculated point;  
7-44 18. North 41°37'32" East, a distance of 617.85 feet to a  
7-45 calculated point;  
7-46 19. South 55°50'25" East, a distance of 1176.41 feet to a  
7-47 calculated point;  
7-48 20. South 35°32'16" West, a distance of 1595.04 feet to a  
7-49 calculated point;  
7-50 21. South 27°24'37" West, a distance of 492.18 feet to a  
7-51 calculated point;  
7-52 22. South 72°48'51" West, a distance of 779.06 feet to a  
7-53 calculated point;  
7-54 23. South 41°15'30" East, a distance of 530.59 feet to a 1/2"  
7-55 rebar with cap set in a southeast line of the 5566.770 acre  
7-56 tract, being in the west line of the 772.304 acre tract;  
7-57 THENCE with said line, the following two (2) courses:  
7-58 1. South 40°53'50" West, a distance of 1367.20 feet to a 1/2"  
7-59 rebar with cap set;  
7-60 2. South 46°37'37" East, a distance of 483.43 feet to a 5/8"  
7-61 rebar found for the northwest corner of a 200 acre save and  
7-62 except tract described in Volume 819, Page 733 of the Deed  
7-63 Records of Bastrop County, Texas;  
7-64 THENCE South 36°09'41" West, with the west line of the 200 acre tract  
7-65 and a southeast line of the 5566.770 acre tract, a distance of  
7-66 1437.09 feet to a calculated point;  
7-67 THENCE over and across the 5566.770 acre tract, the following nine  
7-68 (9) courses:  
7-69 1. North 53°50'19" West, a distance of 703.41 feet to a

8-1 calculated point;

8-2 2. With a curve to the left, having a radius of 1500.00 feet,

8-3 a delta angle of  $122^{\circ}12'39''$ , an arc length of 3199.47 feet,

8-4 and a chord which bears North  $83^{\circ}24'25''$  West, a distance of

8-5 2626.53 feet to a calculated point;

8-6 3. South  $35^{\circ}29'15''$  West, a distance of 204.11 feet to a

8-7 calculated point;

8-8 4. With a curve to the right, having a radius of 1700.00

8-9 feet, a delta angle of  $37^{\circ}13'26''$ , an arc length of 1104.45

8-10 feet, and a chord which bears South  $54^{\circ}05'58''$  West, a distance

8-11 of 1085.13 feet to a calculated point;

8-12 5. South  $72^{\circ}42'41''$  West, a distance of 218.56 feet to a

8-13 calculated point;

8-14 6. With a curve to the left, having a radius of 500.00 feet,

8-15 a delta angle of  $64^{\circ}27'29''$ , an arc length of 562.50 feet, and a

8-16 chord which bears South  $40^{\circ}28'56''$  West, a distance of 533.31

8-17 feet to a calculated point;

8-18 7. South  $08^{\circ}15'12''$  West, a distance of 227.20 feet to a

8-19 calculated point;

8-20 8. With a curve to the right, having a radius of 1150.00

8-21 feet, a delta angle of  $76^{\circ}43'42''$ , an arc length of 1540.04

8-22 feet, and a chord which bears South  $46^{\circ}37'03''$  West, a distance

8-23 of 1427.51 feet to a calculated point;

8-24 9. South  $29^{\circ}29'11''$  West, a distance of 993.51 feet to a

8-25 calculated point in the south line of the 5566.770 acre

8-26 tract, being also the gradient boundary for the north bank of

8-27 the Colorado River;

8-28 THENCE with the south and west lines of the 5566.770 acre tract,

8-29 being also the gradient boundary for the north bank and east bank of

8-30 the Colorado River, the following seventeen (17) courses:

8-31 1. North  $61^{\circ}57'52''$  West, a distance of 178.15 feet to a

8-32 calculated point;

8-33 2. North  $56^{\circ}48'32''$  West, a distance of 172.52 feet to a

8-34 calculated point;

8-35 3. North  $34^{\circ}12'07''$  West, a distance of 315.00 feet to a

8-36 calculated point;

8-37 4. North  $17^{\circ}49'08''$  West, a distance of 194.48 feet to a

8-38 calculated point;

8-39 5. North  $00^{\circ}42'03''$  West, a distance of 330.38 feet to a

8-40 calculated point;

8-41 6. North  $05^{\circ}51'25''$  East, a distance of 216.57 feet to a

8-42 calculated point;

8-43 7. North  $34^{\circ}17'46''$  East, a distance of 328.17 feet to a

8-44 calculated point;

8-45 8. North  $78^{\circ}35'08''$  East, a distance of 86.26 feet to a

8-46 calculated point;

8-47 9. North  $25^{\circ}28'50''$  East, a distance of 805.50 feet to a

8-48 calculated point;

8-49 10. North  $19^{\circ}28'15''$  East, a distance of 922.47 feet to a

8-50 calculated point;

8-51 11. North  $19^{\circ}50'23''$  East, a distance of 477.86 feet to a

8-52 calculated point;

8-53 12. North  $21^{\circ}15'22''$  East, a distance of 606.54 feet to a

8-54 calculated point;

8-55 13. North  $23^{\circ}34'42''$  East, a distance of 654.28 feet to a

8-56 calculated point;

8-57 14. North  $17^{\circ}12'19''$  East, a distance of 788.35 feet to a

8-58 calculated point;

8-59 15. North  $16^{\circ}03'41''$  East, a distance of 419.54 feet to a

8-60 calculated point;

8-61 16. North  $21^{\circ}34'10''$  East, a distance of 234.05 feet to a

8-62 calculated point;

8-63 17. North  $09^{\circ}53'29''$  East, a distance of 465.10 feet to a

8-64 calculated point;

8-65 THENCE over and across the 5566.770 acre tract, the 200.00 acre XS

8-66 Ranch Fund tract, and the said 92.556 acre tract, the following

8-67 thirty-six (36) courses:

8-68 1. South  $88^{\circ}55'07''$  East, a distance of 374.38 feet to a

8-69 calculated point;



9-1 2. South 24°24'39" East, a distance of 920.75 feet to a  
 9-2 calculated point;  
 9-3 3. South 79°09'15" East, a distance of 1405.31 feet to a  
 9-4 calculated point;  
 9-5 4. North 37°48'57" East, a distance of 547.00 feet to a  
 9-6 calculated point;  
 9-7 5. North 78°13'54" East, a distance of 790.57 feet to a  
 9-8 calculated point;  
 9-9 6. South 85°25'34" East, a distance of 743.88 feet to a  
 9-10 calculated point;  
 9-11 7. North 25°05'23" East, a distance of 584.78 feet to a  
 9-12 calculated point;  
 9-13 8. With a curve to the right, having a radius of 3100.00  
 9-14 feet, a delta angle of 45°46'39", an arc length of 2476.80  
 9-15 feet, and a chord which bears North 42°01'18" West, a distance  
 9-16 of 2411.45 feet to a calculated point;  
 9-17 9. North 19°07'58" West, a distance of 656.27 feet to a  
 9-18 calculated point;  
 9-19 10. With a curve to the right, having a radius of 1100.00  
 9-20 feet, a delta angle of 76°28'22", an arc length of 1468.17  
 9-21 feet, and a chord which bears North 19°06'13" East, a distance  
 9-22 of 1361.60 feet to a calculated point;  
 9-23 11. North 57°20'24" East, a distance of 242.50 feet to a  
 9-24 calculated point;  
 9-25 12. North 37°30'15" West, a distance of 500.90 feet to a  
 9-26 calculated point;  
 9-27 13. South 57°45'27" West, a distance of 478.16 feet to a  
 9-28 calculated point;  
 9-29 14. South 27°19'56" West, a distance of 623.35 feet to a  
 9-30 calculated point;  
 9-31 15. South 42°59'51" West, a distance of 629.53 feet to a  
 9-32 calculated point;  
 9-33 16. South 70°39'55" West, a distance of 375.85 feet to a  
 9-34 calculated point;  
 9-35 17. South 22°59'19" West, a distance of 223.04 feet to a  
 9-36 calculated point;  
 9-37 18. South 17°47'02" East, a distance of 692.62 feet to a  
 9-38 calculated point;  
 9-39 19. South 30°57'50" West, a distance of 290.24 feet to a  
 9-40 calculated point;  
 9-41 20. North 69°13'40" West, a distance of 385.96 feet to a  
 9-42 calculated point;  
 9-43 21. North 40°36'05" West, a distance of 516.27 feet to a  
 9-44 calculated point;  
 9-45 22. North 13°39'40" East, a distance of 922.05 feet to a  
 9-46 calculated point;  
 9-47 23. North 70°31'47" East, a distance of 653.33 feet to a  
 9-48 calculated point;  
 9-49 24. North 18°06'14" West, a distance of 340.39 feet to a  
 9-50 calculated point;  
 9-51 25. South 68°59'25" West, a distance of 919.78 feet to a  
 9-52 calculated point;  
 9-53 26. North 24°46'31" West, a distance of 445.42 feet to a  
 9-54 calculated point;  
 9-55 27. North 63°26'06" East, a distance of 1168.67 feet to a  
 9-56 calculated point;  
 9-57 28. South 82°49'32" East, a distance of 896.76 feet to a  
 9-58 calculated point;  
 9-59 29. North 14°02'10" East, a distance of 153.92 feet to a  
 9-60 calculated point;  
 9-61 30. North 67°58'22" West, a distance of 879.26 feet to a  
 9-62 calculated point;  
 9-63 31. North 12°12'02" West, a distance of 471.06 feet to a  
 9-64 calculated point;  
 9-65 32. North 87°14'27" West, a distance of 517.02 feet to a  
 9-66 calculated point;  
 9-67 33. South 06°23'14" West, a distance of 838.95 feet to a  
 9-68 calculated point;  
 9-69 34. South 66°53'37" West, a distance of 507.35 feet to a

10-1 calculated point;  
 10-2 35. North 22°22'48" West, a distance of 686.34 feet to a  
 10-3 calculated point;  
 10-4 36. North 53°53'58" West, a distance of 1429.66 feet to a  
 10-5 calculated point in the centerline of Wilbarger Creek, being  
 10-6 the southwest line of the 5566.770 acre tract, and the  
 10-7 northeast line of a 120.01 acre tract described in Volume  
 10-8 1023, Page 237 of the Deed Records of Travis County, Texas;  
 10-9 THENCE with the centerline of Wilbarger Creek, being the southwest  
 10-10 line of the 5566.770 acre tract, and the northeast line of the  
 10-11 120.01 acre tract, the following nine (9) courses:  
 10-12 1. North 06°03'43" West, a distance of 397.88 feet to a  
 10-13 calculated point;  
 10-14 2. North 67°16'36" West, a distance of 108.33 feet to a  
 10-15 calculated point;  
 10-16 3. South 75°45'13" West, a distance of 428.01 feet to a  
 10-17 calculated point;  
 10-18 4. North 79°09'13" West, a distance of 537.38 feet to a  
 10-19 calculated point;  
 10-20 5. North 50°52'06" West, a distance of 392.75 feet to a  
 10-21 calculated point;  
 10-22 6. North 39°13'33" West, a distance of 286.04 feet to a  
 10-23 calculated point;  
 10-24 7. North 37°23'11" West, a distance of 329.57 feet to a  
 10-25 calculated point;  
 10-26 8. North 46°00'34" West, a distance of 289.79 feet to a  
 10-27 calculated point;  
 10-28 9. North 42°25'33" West, a distance of 290.86 feet to a  
 10-29 calculated point;  
 10-30 THENCE over and across the 5566.770 acre tract, the 54.912 acre  
 10-31 tract, the 885.050 acre tract, the 19.149 acre tract, the 758.026  
 10-32 acre tract, the 507.061 acre tract, the 112.676 acre tract, and the  
 10-33 1164.571 acre tract, the following forty (40) courses:  
 10-34 1. North 09°08'59" East, a distance of 1504.58 feet to a  
 10-35 calculated point;  
 10-36 2. North 72°10'52" West, a distance of 1581.36 feet to a  
 10-37 calculated point;  
 10-38 3. North 17°49'08" East, a distance of 445.94 feet to a  
 10-39 calculated point;  
 10-40 4. North 47°07'16" East, a distance of 498.98 feet to a  
 10-41 calculated point;  
 10-42 5. North 37°02'18" West, a distance of 1145.83 feet to a  
 10-43 calculated point;  
 10-44 6. North 15°11'43" East, a distance of 470.98 feet to a  
 10-45 calculated point;  
 10-46 7. North 90°00'00" East, a distance of 230.06 feet to a  
 10-47 calculated point;  
 10-48 8. South 30°57'50" East, a distance of 752.54 feet to a  
 10-49 calculated point;  
 10-50 9. South 88°50'34" East, a distance of 555.63 feet to a  
 10-51 calculated point;  
 10-52 10. South 10°36'04" East, a distance of 1067.53 feet to a  
 10-53 calculated point;  
 10-54 11. South 22°24'35" West, a distance of 608.05 feet to a  
 10-55 calculated point;  
 10-56 12. South 72°10'52" East, a distance of 518.87 feet to a  
 10-57 calculated point;  
 10-58 13. North 19°55'06" East, a distance of 778.72 feet to a  
 10-59 calculated point;  
 10-60 14. North 88°46'47" East, a distance of 377.41 feet to a  
 10-61 calculated point;  
 10-62 15. South 37°05'34" East, a distance of 822.20 feet to a  
 10-63 calculated point;  
 10-64 16. South 11°34'03" West, a distance of 1499.22 feet to a  
 10-65 calculated point;  
 10-66 17. South 58°11'35" East, a distance of 2102.28 feet to a  
 10-67 calculated point;  
 10-68 18. North 35°16'52" East, a distance of 1115.32 feet to a  
 10-69 calculated point;

11-1 19. South 57°36'43" East, a distance of 1363.00 feet to a  
11-2 calculated point;  
11-3 20. North 71°33'54" East, a distance of 1095.63 feet to a  
11-4 calculated point;  
11-5 21. With a curve to the left, having a radius of 850.00 feet,  
11-6 a delta angle of 36°17'42", an arc length of 538.45 feet, and a  
11-7 chord which bears North 53°25'03" East, a distance of 529.49  
11-8 feet to a calculated point;  
11-9 22. North 35°16'12" East, a distance of 522.93 feet to a  
11-10 calculated point;  
11-11 23. With a curve to the right, having a radius of 650.00  
11-12 feet, a delta angle of 43°22'31", an arc length of 492.08  
11-13 feet, and a chord which bears North 56°57'27" East, a distance  
11-14 of 480.41 feet to a calculated point;  
11-15 24. With a curve to the left, having a radius of 850.00 feet,  
11-16 a delta angle of 45°59'56", an arc length of 682.41 feet, and a  
11-17 chord which bears North 55°38'44" East, a distance of 664.23  
11-18 feet to a calculated point;  
11-19 25. With a curve to the right, having a radius of 650.00  
11-20 feet, a delta angle of 15°53'36", an arc length of 180.30  
11-21 feet, and a chord which bears North 40°35'34" East, a distance  
11-22 of 179.73 feet to a calculated point;  
11-23 26. North 48°32'22" East, a distance of 243.99 feet to a  
11-24 calculated point;  
11-25 27. South 87°53'37" East, a distance of 705.41 feet to a  
11-26 calculated point;  
11-27 28. North 40°45'57" East, a distance of 2136.64 feet to a  
11-28 calculated point;  
11-29 29. With a curve to the left, having a radius of 1900.00  
11-30 feet, a delta angle of 22°14'16", an arc length of 737.44  
11-31 feet, and a chord which bears North 29°38'49" East, a distance  
11-32 of 732.82 feet to a calculated point;  
11-33 30. With a curve to the right, having a radius of 1600.00  
11-34 feet, a delta angle of 12°12'03", an arc length of 340.71  
11-35 feet, and a chord which bears North 24°37'42" East, a distance  
11-36 of 340.07 feet to a calculated point;  
11-37 31. North 62°06'07" West, a distance of 218.71 feet to a  
11-38 calculated point;  
11-39 32. North 79°22'49" West, a distance of 1163.84 feet to a  
11-40 calculated point;  
11-41 33. North 52°01'42" West, a distance of 606.47 feet to a  
11-42 calculated point;  
11-43 34. North 25°58'28" West, a distance of 1517.59 feet to a  
11-44 calculated point;  
11-45 35. North 65°15'38" West, a distance of 1309.58 feet to a  
11-46 calculated point;  
11-47 36. North 36°31'44" West, a distance of 651.51 feet to a  
11-48 calculated point;  
11-49 37. North 07°31'14" West, a distance of 1224.45 feet to a  
11-50 calculated point;  
11-51 38. North 32°33'00" West, a distance of 946.65 feet to a  
11-52 calculated point;  
11-53 39. North 61°27'44" East, a distance of 1606.89 feet to a  
11-54 calculated point;  
11-55 40. South 47°43'25" East, a distance of 806.32 feet to a 5/8"  
11-56 rebar found in a westerly line of the 1164.571 acre tract, for  
11-57 the southwest corner of a 408.48 acre tract described in  
11-58 Volume 1564, Page 319 and Volume 248, Page 498 of the Deed  
11-59 Records of Bastrop County, Texas;  
11-60 THENCE South 47°43'25" East, with the south line of the 408.48 acre  
11-61 tract and a northeasterly line of the 1164.571 acre tract, a  
11-62 distance of 1928.39 feet to a calculated point;  
11-63 THENCE over and across the 1164.571 acre tract and the 507.061 acre  
11-64 tract, the following three (3) courses:  
11-65 1. South 38°42'49" West, a distance of 493.11 feet to a  
11-66 calculated point;  
11-67 2. South 46°27'01" East, a distance of 1528.76 feet to a  
11-68 calculated point;  
11-69 3. South 81°28'08" East, a distance of 962.75 feet to a

12-1 calculated point in the north line of the 507.061 acre tract,  
 12-2 being the south line of the 408.48 acre tract;  
 12-3 THENCE South 48°19'36" East, with the north line of the 507.061 acre  
 12-4 tract, being the south line of the 408.48 acre tract, a distance of  
 12-5 781.94 feet to a 1/2" rebar with cap set for an angle point in said  
 12-6 line;  
 12-7 THENCE over and across the 507.061 acre tract, the 160.346 acre  
 12-8 tract, and the 5566.770 acre tract, and the 100' Union Pacific  
 12-9 Railroad right-of-way, the following twenty-one (21) courses:  
 12-10 1. South 11°34'55" East, a distance of 515.81 feet to a  
 12-11 calculated point;  
 12-12 2. South 52°07'30" East, a distance of 512.21 feet to a  
 12-13 calculated point;  
 12-14 3. South 25°49'14" West, a distance of 1563.95 feet to a  
 12-15 calculated point;  
 12-16 4. South 02°08'03" West, a distance of 752.59 feet to a  
 12-17 calculated point;  
 12-18 5. South 18°10'41" West, a distance of 924.32 feet to a  
 12-19 calculated point;  
 12-20 6. South 23°40'42" East, a distance of 1281.46 feet to a  
 12-21 calculated point;  
 12-22 7. South 15°04'07" West, a distance of 604.81 feet to a  
 12-23 calculated point;  
 12-24 8. South 33°58'48" East, a distance of 1016.87 feet to a  
 12-25 calculated point;  
 12-26 9. South 76°54'29" East, a distance of 794.08 feet to a  
 12-27 calculated point;  
 12-28 10. North 26°05'59" East, a distance of 1877.13 feet to a  
 12-29 calculated point;  
 12-30 11. North 58°17'55" East, a distance of 448.82 feet to a  
 12-31 calculated point;  
 12-32 12. South 73°24'46" East, a distance of 1652.34 feet to a  
 12-33 calculated point;  
 12-34 13. South 62°01'14" East, a distance of 3502.95 feet to a  
 12-35 calculated point;  
 12-36 14. South 43°06'43" East, a distance of 1021.63 feet to a  
 12-37 calculated point;  
 12-38 15. South 89°02'43" East, a distance of 1421.13 feet to a  
 12-39 calculated point;  
 12-40 16. North 76°17'35" East, a distance of 499.72 feet to a  
 12-41 calculated point;  
 12-42 17. South 86°25'25" East, a distance of 949.14 feet to a  
 12-43 calculated point;  
 12-44 18. South 57°27'00" East, a distance of 330.12 feet to a  
 12-45 calculated point;  
 12-46 19. South 30°45'46" East, a distance of 289.38 feet to a  
 12-47 calculated point;  
 12-48 20. South 06°58'52" West, a distance of 584.55 feet to a  
 12-49 calculated point;  
 12-50 21. South 82°47'11" East, a distance of 661.94 feet to a 1/2"  
 12-51 rebar with cap set in the east line of the 100' Union Pacific  
 12-52 Railroad right-of-way, being also in the west line of the  
 12-53 2.064 acre tract;  
 12-54 THENCE with the east line of the 100' Union Pacific Railroad  
 12-55 right-of-way, being also the west line of the 2.064 acre tract, with  
 12-56 a curve to the left, having a radius of 1482.37 feet, a delta angle  
 12-57 of 01°16'18", an arc length of 32.90 feet, and a chord which bears  
 12-58 North 06°36'10" East, a distance of 32.90 feet to a 1/2" rebar with  
 12-59 cap set for the northwest corner of the 2.064 acre tract;  
 12-60 THENCE North 42°01'01" East, with the north line of the 2.064 acre  
 12-61 tract, a distance of 232.14 feet to the POINT OF BEGINNING,  
 12-62 containing 2908.28 acres of land, gross acreage, save and except  
 12-63 5.595 acres within the Union Pacific Railroad right-of-way, for a  
 12-64 net acreage of 2902.685 acres more or less.  
 12-65 SECTION 3. (a) The legal notice of the intention to  
 12-66 introduce this Act, setting forth the general substance of this  
 12-67 Act, has been published as provided by law, and the notice and a  
 12-68 copy of this Act have been furnished to all persons, agencies,  
 12-69 officials, or entities to which they are required to be furnished

13-1 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
13-2 Government Code.

13-3 (b) The governor, one of the required recipients, has  
13-4 submitted the notice and Act to the Texas Commission on  
13-5 Environmental Quality.

13-6 (c) The Texas Commission on Environmental Quality has filed  
13-7 its recommendations relating to this Act with the governor, the  
13-8 lieutenant governor, and the speaker of the house of  
13-9 representatives within the required time.

13-10 (d) All requirements of the constitution and laws of this  
13-11 state and the rules and procedures of the legislature with respect  
13-12 to the notice, introduction, and passage of this Act are fulfilled  
13-13 and accomplished.

13-14 SECTION 4. This Act takes effect immediately if it receives  
13-15 a vote of two-thirds of all the members elected to each house, as  
13-16 provided by Section 39, Article III, Texas Constitution. If this  
13-17 Act does not receive the vote necessary for immediate effect, this  
13-18 Act takes effect September 1, 2009.

13-19

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