

By: King of Parker

H.B. No. 4698

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Lake Weatherford Municipal Utility Districts Nos. 1 and 2; providing authority to impose a tax and issue bonds; granting a limited 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 Chapters 8324 and 8325 to read as follows:

CHAPTER 8324. LAKE WEATHERFORD MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8324.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Lake Weatherford Municipal Utility District No. 1.

Sec. 8324.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8324.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8324.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8324.003

1 until each municipality in whose corporate limits or
2 extraterritorial jurisdiction the district is located has
3 consented by ordinance or resolution to the creation of the
4 district and to the inclusion of land in the district.

5 Sec. 8324.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
6 The district is created to serve a public purpose and benefit.

7 (b) The district is created to accomplish the purposes of:

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

10 (2) Section 52, Article III, Texas Constitution, that
11 relate to the construction, acquisition, improvement, operation,
12 or maintenance of macadamized, graveled, or paved roads, or
13 improvements, including storm drainage, in aid of those roads.

14 Sec. 8324.006. INITIAL DISTRICT TERRITORY. (a) The
15 district is initially composed of the territory described by
16 Section 2(a) of the Act creating this chapter.

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

21 (1) organization, existence, or validity;

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

25 (3) right to impose a tax; or

26 (4) legality or operation.

27 [Sections 8324.007-8324.050 reserved for expansion]

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 8324.051. GOVERNING BODY; TERMS. (a) The district is
3 governed by a board of five elected directors.

4 (b) Except as provided by Section 8324.052, directors serve
5 staggered four-year terms.

6 Sec. 8324.052. TEMPORARY DIRECTORS. (a) On or after the
7 effective date of the Act creating this chapter, the owner or owners
8 of a majority of the assessed value of the real property in the
9 district may submit a petition to the Texas Commission on
10 Environmental Quality requesting that the commission appoint as
11 temporary directors the five persons named in the petition. The
12 commission shall appoint as temporary directors the five persons
13 named in the petition.

14 (b) Temporary directors serve until the earlier of:

15 (1) the date permanent directors are elected under
16 Section 8324.003; or

17 (2) the fourth anniversary of the effective date of
18 the Act creating this chapter.

19 (c) If permanent directors have not been elected under
20 Section 8324.003 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 8324.003; or

26 (2) the fourth anniversary of the date of the
27 appointment or reappointment.

1 (d) If Subsection (c) applies, the owner or owners of a
2 majority of the assessed value of the real property in the district
3 may submit a petition to the commission requesting that the
4 commission appoint as successor temporary directors the five
5 persons named in the petition. The commission shall appoint as
6 successor temporary directors the five persons named in the
7 petition.

8 [Sections 8324.053-8324.100 reserved for expansion]

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 8324.101. GENERAL POWERS AND DUTIES. The district has
11 the powers and duties necessary to accomplish the purposes for
12 which the district is created.

13 Sec. 8324.102. MUNICIPAL UTILITY DISTRICT POWERS AND
14 DUTIES. The district has the powers and duties provided by the
15 general law of this state, including Chapters 49 and 54, Water Code,
16 applicable to municipal utility districts created under Section 59,
17 Article XVI, Texas Constitution.

18 Sec. 8324.103. AUTHORITY FOR ROAD PROJECTS. Under Section
19 52, Article III, Texas Constitution, the district may design,
20 acquire, construct, finance, issue bonds for, improve, operate,
21 maintain, and convey to this state, a county, or a municipality for
22 operation and maintenance macadamized, graveled, or paved roads, or
23 improvements, including storm drainage, in aid of those roads.

24 Sec. 8324.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
25 project must meet all applicable construction standards, zoning and
26 subdivision requirements, and regulations of each municipality in
27 whose corporate limits or extraterritorial jurisdiction the road

1 project is located.

2 (b) If a road project is not located in the corporate limits
3 or extraterritorial jurisdiction of a municipality, the road
4 project must meet all applicable construction standards,
5 subdivision requirements, and regulations of each county in which
6 the road project is located.

7 (c) If the state will maintain and operate the road, the
8 Texas Transportation Commission must approve the plans and
9 specifications of the road project.

10 Sec. 8324.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
11 OR RESOLUTION. The district shall comply with all applicable
12 requirements of any ordinance or resolution that is adopted before
13 the effective date of the Act creating this chapter under Section
14 54.016 or 54.0165, Water Code, and that consents to the creation of
15 the district or to the inclusion of land in the district.

16 Sec. 8324.106. SELECTION OF EXTRATERRITORIAL JURISDICTION.
17 The board may not select the municipality that may exercise
18 authority in the district as provided by Section 54.0163, Water
19 Code, unless the City of Weatherford provides written consent to
20 that selection.

21 Sec. 8324.107. LIMITATION ON ANNEXATION OF LAND BY
22 DISTRICT. Notwithstanding Section 54.016(d), Water Code, the
23 district may not annex land that is located in the extraterritorial
24 jurisdiction of a municipality unless the City of Weatherford
25 provides written consent to that annexation.

26 Sec. 8324.108. EFFECT OF ANNEXATION BY CITY OF WEATHERFORD.

27 (a) The City of Weatherford may annex part of the territory of the

1 district into its corporate limits without annexing all of the
2 territory of the district under an agreement entered into before
3 the effective date of the Act creating this chapter between the City
4 of Weatherford and the landowners of the land being annexed. The
5 district continues in existence following annexation of part of the
6 territory of the district as described by this subsection.

7 (b) The district shall be dissolved and its debts and
8 obligations assumed by the City of Weatherford in accordance with
9 Chapter 43, Local Government Code, including Sections 43.075 and
10 43.0715, on annexation of all of the territory of the district by
11 the City of Weatherford, provided that:

12 (1) water, sanitary sewer, and drainage improvements,
13 and roads have been constructed to serve at least 95 percent of the
14 territory of the district; or

15 (2) the board adopts a resolution consenting to the
16 dissolution of the district.

17 (c) If all of the territory of the district is annexed by the
18 City of Weatherford but the conditions under Subsection (b) have
19 not been met, the City of Weatherford may dissolve the district by
20 resolution only on or after the 20th anniversary of the effective
21 date of the Act creating this chapter.

22 (d) Notwithstanding Section 54.016(f)(2), Water Code, a
23 contract ("Allocation Agreement") between the City of Weatherford
24 and the district that provides for the allocation of the taxes or
25 revenues of the district and the city following the date of
26 inclusion of all the district's territory in the corporate limits
27 of the city, may provide that the total annual ad valorem taxes

1 collected by the city and the district from taxable property in the
2 district may exceed the city's ad valorem tax on the property.

3 Sec. 8324.109. LIMITATION ON USE OF EMINENT DOMAIN. The
4 district may not exercise the power of eminent domain outside the
5 district to acquire a site or easement for:

- 6 (1) a road project authorized by Section 8324.103; or
7 (2) a recreational facility as defined by Section
8 49.462, Water Code.

9 Sec. 8324.110. DIVISION OF DISTRICT. (a) The district may
10 be divided into two or more new districts only if the district:

- 11 (1) has no outstanding bonded debt; and
12 (2) is not imposing ad valorem taxes.

13 (b) This chapter applies to any new district created by the
14 division of the district, and a new district has all the powers and
15 duties of the district.

16 (c) Any new district created by the division of the district
17 may not, at the time the new district is created:

- 18 (1) contain any land outside the area described by
19 Section 2(a) of the Act creating this chapter; or
20 (2) contain less than 200 or more than 600 acres of
21 land without the prior consent of any municipality in whose
22 extraterritorial jurisdiction the district is located.

23 (d) The board, on its own motion or on receipt of a petition
24 signed by the owner or owners of a majority of the assessed value of
25 the real property in the district, may adopt an order dividing the
26 district.

27 (e) The board may adopt an order dividing the district

1 before or after the date the board holds an election under Section
2 8324.003 to confirm the district's creation.

3 (f) An order dividing the district shall:

4 (1) name each new district;

5 (2) include the metes and bounds description of the
6 territory of each new district;

7 (3) appoint temporary directors for each new district;

8 and

9 (4) provide for the division of assets and liabilities
10 between or among the new districts.

11 (g) On or before the 30th day after the date of adoption of
12 an order dividing the district, the district shall file the order
13 with the Texas Commission on Environmental Quality and record the
14 order in the real property records of each county in which the
15 district is located.

16 (h) Any new district created by the division of the district
17 shall hold a confirmation and directors' election as required by
18 Section 8324.003.

19 (i) Except as provided by Subsection (c), municipal consent
20 to the creation of the district and to the inclusion of land in the
21 district granted under Section 8324.004 acts as municipal consent
22 to the creation of any new district created by the division of the
23 district and to the inclusion of land in the new district.

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

1 [Sections 8324.111-8324.150 reserved for expansion]

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 8324.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
4 district may issue, without an election, bonds and other
5 obligations secured by:

6 (1) revenue other than ad valorem taxes; or

7 (2) contract payments described by Section 8324.153.

8 (b) The district must hold an election in the manner
9 provided by Chapters 49 and 54, Water Code, to obtain voter approval
10 before the district may impose an ad valorem tax or issue bonds
11 payable from ad valorem taxes.

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

16 Sec. 8324.152. OPERATION AND MAINTENANCE TAX. (a) If
17 authorized at an election held under Section 8324.151, the district
18 may impose an operation and maintenance tax on taxable property in
19 the district in accordance with Section 49.107, Water Code.

20 (b) The board shall determine the tax rate. The rate may not
21 exceed the rate approved at the election.

22 Sec. 8324.153. CONTRACT TAXES. (a) In accordance with
23 Section 49.108, Water Code, the district may impose a tax other than
24 an operation and maintenance tax and use the revenue derived from
25 the tax to make payments under a contract after the provisions of
26 the contract have been approved by a majority of the district voters
27 voting at an election held for that purpose.

1 (b) A contract approved by the district voters may contain a
2 provision stating that the contract may be modified or amended by
3 the board without further voter approval.

4 [Sections 8324.154-8324.200 reserved for expansion]

5 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

6 Sec. 8324.201. AUTHORITY TO ISSUE BONDS AND OTHER
7 OBLIGATIONS. The district may issue bonds or other obligations
8 payable wholly or partly from ad valorem taxes, impact fees,
9 revenue, contract payments, grants, or other district money, or any
10 combination of those sources, to pay for any authorized district
11 purpose.

12 Sec. 8324.202. TAXES FOR BONDS. At the time the district
13 issues bonds payable wholly or partly from ad valorem taxes, the
14 board shall provide for the annual imposition of a continuing
15 direct ad valorem tax, without limit as to rate or amount, while all
16 or part of the bonds are outstanding as required and in the manner
17 provided by Sections 54.601 and 54.602, Water Code.

18 Sec. 8324.203. BONDS FOR ROAD PROJECTS. At the time of
19 issuance, the total principal amount of bonds or other obligations
20 issued or incurred to finance road projects and payable from ad
21 valorem taxes may not exceed one-fourth of the assessed value of the
22 real property in the district.

23 CHAPTER 8325. LAKE WEATHERFORD MUNICIPAL UTILITY DISTRICT NO. 2

24 SUBCHAPTER A. GENERAL PROVISIONS

25 Sec. 8325.001. DEFINITIONS. In this chapter:

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

27 (2) "Director" means a board member.

1 (3) "District" means the Lake Weatherford Municipal
2 Utility District No. 2.

3 Sec. 8325.002. NATURE OF DISTRICT. The district is a
4 municipal utility district created under Section 59, Article XVI,
5 Texas Constitution.

6 Sec. 8325.003. CONFIRMATION AND DIRECTORS' ELECTION
7 REQUIRED. The temporary directors shall hold an election to
8 confirm the creation of the district and to elect five permanent
9 directors as provided by Section 49.102, Water Code.

10 Sec. 8325.004. CONSENT OF MUNICIPALITY REQUIRED. The
11 temporary directors may not hold an election under Section 8325.003
12 until each municipality in whose corporate limits or
13 extraterritorial jurisdiction the district is located has
14 consented by ordinance or resolution to the creation of the
15 district and to the inclusion of land in the district.

16 Sec. 8325.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
17 The district is created to serve a public purpose and benefit.

18 (b) The district is created to accomplish the purposes of:

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

21 (2) Section 52, Article III, Texas Constitution, that
22 relate to the construction, acquisition, improvement, operation,
23 or maintenance of macadamized, graveled, or paved roads, or
24 improvements, including storm drainage, in aid of those roads.

25 Sec. 8325.006. INITIAL DISTRICT TERRITORY. (a) The
26 district is initially composed of the territory described by
27 Section 2(b) of the Act creating this chapter.

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

5 (1) organization, existence, or validity;

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

9 (3) right to impose a tax; or

10 (4) legality or operation.

11 [Sections 8325.007-8325.050 reserved for expansion]

12 SUBCHAPTER B. BOARD OF DIRECTORS

13 Sec. 8325.051. GOVERNING BODY; TERMS. (a) The district is
14 governed by a board of five elected directors.

15 (b) Except as provided by Section 8325.052, directors serve
16 staggered four-year terms.

17 Sec. 8325.052. TEMPORARY DIRECTORS. (a) On or after the
18 effective date of the Act creating this chapter, the owner or owners
19 of a majority of the assessed value of the real property in the
20 district may submit a petition to the Texas Commission on
21 Environmental Quality requesting that the commission appoint as
22 temporary directors the five persons named in the petition. The
23 commission shall appoint as temporary directors the five persons
24 named in the petition.

25 (b) Temporary directors serve until the earlier of:

26 (1) the date permanent directors are elected under
27 Section 8325.003; or

1 (2) the fourth anniversary of the effective date of
2 the Act creating this chapter.

3 (c) If permanent directors have not been elected under
4 Section 8325.003 and the terms of the temporary directors have
5 expired, successor temporary directors shall be appointed or
6 reappointed as provided by Subsection (d) to serve terms that
7 expire on the earlier of:

8 (1) the date permanent directors are elected under
9 Section 8325.003; or

10 (2) the fourth anniversary of the date of the
11 appointment or reappointment.

12 (d) If Subsection (c) applies, the owner or owners of a
13 majority of the assessed value of the real property in the district
14 may submit a petition to the commission requesting that the
15 commission appoint as successor temporary directors the five
16 persons named in the petition. The commission shall appoint as
17 successor temporary directors the five persons named in the
18 petition.

19 [Sections 8325.053-8325.100 reserved for expansion]

20 SUBCHAPTER C. POWERS AND DUTIES

21 Sec. 8325.101. GENERAL POWERS AND DUTIES. The district has
22 the powers and duties necessary to accomplish the purposes for
23 which the district is created.

24 Sec. 8325.102. MUNICIPAL UTILITY DISTRICT POWERS AND
25 DUTIES. The district has the powers and duties provided by the
26 general law of this state, including Chapters 49 and 54, Water Code,
27 applicable to municipal utility districts created under Section 59,

1 Article XVI, Texas Constitution.

2 Sec. 8325.103. AUTHORITY FOR ROAD PROJECTS. Under Section
3 52, Article III, Texas Constitution, the district may design,
4 acquire, construct, finance, issue bonds for, improve, operate,
5 maintain, and convey to this state, a county, or a municipality for
6 operation and maintenance macadamized, graveled, or paved roads, or
7 improvements, including storm drainage, in aid of those roads.

8 Sec. 8325.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
9 project must meet all applicable construction standards, zoning and
10 subdivision requirements, and regulations of each municipality in
11 whose corporate limits or extraterritorial jurisdiction the road
12 project is located.

13 (b) If a road project is not located in the corporate limits
14 or extraterritorial jurisdiction of a municipality, the road
15 project must meet all applicable construction standards,
16 subdivision requirements, and regulations of each county in which
17 the road project is located.

18 (c) If the state will maintain and operate the road, the
19 Texas Transportation Commission must approve the plans and
20 specifications of the road project.

21 Sec. 8325.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
22 OR RESOLUTION. The district shall comply with all applicable
23 requirements of any ordinance or resolution that is adopted before
24 the effective date of the Act creating this chapter under Section
25 54.016 or 54.0165, Water Code, and that consents to the creation of
26 the district or to the inclusion of land in the district.

27 Sec. 8325.106. SELECTION OF EXTRATERRITORIAL JURISDICTION.

1 The board may not select the municipality that may exercise
2 authority in the district as provided by Section 54.0163, Water
3 Code, unless the City of Weatherford provides written consent to
4 that selection.

5 Sec. 8325.107. LIMITATION ON ANNEXATION OF LAND BY
6 DISTRICT. Notwithstanding Section 54.016(d), Water Code, the
7 district may not annex land that is located in the extraterritorial
8 jurisdiction of a municipality unless the City of Weatherford
9 provides written consent to that annexation.

10 Sec. 8325.108. EFFECT OF ANNEXATION BY CITY OF WEATHERFORD.

11 (a) The City of Weatherford may annex part of the territory of the
12 district into its corporate limits without annexing all of the
13 territory of the district under an agreement entered into before
14 the effective date of the Act creating this chapter between the City
15 of Weatherford and the landowners of the land being annexed. The
16 district continues in existence following annexation of part of the
17 territory of the district as described by this subsection.

18 (b) The district shall be dissolved and its debts and
19 obligations assumed by the City of Weatherford in accordance with
20 Chapter 43, Local Government Code, including Sections 43.075 and
21 43.0715, on annexation of all of the territory of the district by
22 the City of Weatherford, provided that:

23 (1) water, sanitary sewer, and drainage improvements,
24 and roads have been constructed to serve at least 95 percent of the
25 territory of the district; or

26 (2) the board adopts a resolution consenting to the
27 dissolution of the district.

1 (c) If all of the territory of the district is annexed by the
2 City of Weatherford but the conditions under Subsection (b) have
3 not been met, the City of Weatherford may dissolve the district by
4 resolution only on or after the 20th anniversary of the effective
5 date of the Act creating this chapter.

6 (d) Notwithstanding Section 54.016(f)(2), Water Code, a
7 contract ("Allocation Agreement") between the City of Weatherford
8 and the district that provides for the allocation of the taxes or
9 revenues of the district and the city following the date of
10 inclusion of all the district's territory in the corporate limits
11 of the city, may provide that the total annual ad valorem taxes
12 collected by the city and the district from taxable property in the
13 district may exceed the city's ad valorem tax on the property.

14 Sec. 8325.109. LIMITATION ON USE OF EMINENT DOMAIN. The
15 district may not exercise the power of eminent domain outside the
16 district to acquire a site or easement for:

- 17 (1) a road project authorized by Section 8325.103; or
18 (2) a recreational facility as defined by Section
19 49.462, Water Code.

20 Sec. 8325.110. DIVISION OF DISTRICT. (a) The district may
21 be divided into two or more new districts only if the district:

- 22 (1) has no outstanding bonded debt; and
23 (2) is not imposing ad valorem taxes.

24 (b) This chapter applies to any new district created by the
25 division of the district, and a new district has all the powers and
26 duties of the district.

27 (c) Any new district created by the division of the district

1 may not, at the time the new district is created:

2 (1) contain any land outside the area described by
3 Section 2(b) of the Act creating this chapter; or

4 (2) contain less than 200 or more than 600 acres of
5 land without the prior consent of any municipality in whose
6 extraterritorial jurisdiction the district is located.

7 (d) The board, on its own motion or on receipt of a petition
8 signed by the owner or owners of a majority of the assessed value of
9 the real property in the district, may adopt an order dividing the
10 district.

11 (e) The board may adopt an order dividing the district
12 before or after the date the board holds an election under Section
13 8325.003 to confirm the district's creation.

14 (f) An order dividing the district shall:

15 (1) name each new district;

16 (2) include the metes and bounds description of the
17 territory of each new district;

18 (3) appoint temporary directors for each new district;

19 and

20 (4) provide for the division of assets and liabilities
21 between or among the new districts.

22 (g) On or before the 30th day after the date of adoption of
23 an order dividing the district, the district shall file the order
24 with the Texas Commission on Environmental Quality and record the
25 order in the real property records of each county in which the
26 district is located.

27 (h) Any new district created by the division of the district

1 shall hold a confirmation and directors' election as required by
2 Section 8325.003.

3 (i) Except as provided by Subsection (c), municipal consent
4 to the creation of the district and to the inclusion of land in the
5 district granted under Section 8325.004 acts as municipal consent
6 to the creation of any new district created by the division of the
7 district and to the inclusion of land in the new district.

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

12 [Sections 8325.111-8325.150 reserved for expansion]

13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

14 Sec. 8325.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
15 district may issue, without an election, bonds and other
16 obligations secured by:

17 (1) revenue other than ad valorem taxes; or

18 (2) contract payments described by Section 8325.153.

19 (b) The district must hold an election in the manner
20 provided by Chapters 49 and 54, Water Code, to obtain voter approval
21 before the district may impose an ad valorem tax or issue bonds
22 payable from ad valorem taxes.

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

27 Sec. 8325.152. OPERATION AND MAINTENANCE TAX. (a) If

1 authorized at an election held under Section 8325.151, the district
2 may impose an operation and maintenance tax on taxable property in
3 the district in accordance with Section 49.107, Water Code.

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

6 Sec. 8325.153. CONTRACT TAXES. (a) In accordance with
7 Section 49.108, Water Code, the district may impose a tax other than
8 an operation and maintenance tax and use the revenue derived from
9 the tax to make payments under a contract after the provisions of
10 the contract have been approved by a majority of the district voters
11 voting at an election held for that purpose.

12 (b) A contract approved by the district voters may contain a
13 provision stating that the contract may be modified or amended by
14 the board without further voter approval.

15 [Sections 8325.154-8325.200 reserved for expansion]

16 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

17 Sec. 8325.201. AUTHORITY TO ISSUE BONDS AND OTHER
18 OBLIGATIONS. The district may issue bonds or other obligations
19 payable wholly or partly from ad valorem taxes, impact fees,
20 revenue, contract payments, grants, or other district money, or any
21 combination of those sources, to pay for any authorized district
22 purpose.

23 Sec. 8325.202. TAXES FOR BONDS. At the time the district
24 issues bonds payable wholly or partly from ad valorem taxes, the
25 board shall provide for the annual imposition of a continuing
26 direct ad valorem tax, without limit as to rate or amount, while all
27 or part of the bonds are outstanding as required and in the manner

1 provided by Sections 54.601 and 54.602, Water Code.

2 Sec. 8325.203. BONDS FOR ROAD PROJECTS. At the time of
3 issuance, the total principal amount of bonds or other obligations
4 issued or incurred to finance road projects and payable from ad
5 valorem taxes may not exceed one-fourth of the assessed value of the
6 real property in the district.

7 SECTION 2. (a) The Lake Weatherford Municipal Utility
8 District No. 1 initially includes all the territory contained in
9 the following area:

10 BEING a tract of land situated in the R.K. Hagood Survey,
11 Abstract Number 677, Isaac Gorman Survey, Abstract Number 532, I.
12 and G. N. R. R. Company Survey, Abstract Number 2007, C. Meyer
13 Survey, Abstract Number 2032, J. P. Feld Survey, Abstract Number
14 487, J. L. Edwards Survey, Abstract Number 416, T. Spain Survey,
15 Abstract Number 2059, H. H. Dillard Survey, Abstract Number 378, M.
16 H. Woods Survey, Abstract Number 2717 and B. R. Bailey Survey,
17 Abstract Number 2275, Parker County, Texas, and being the same as
18 described in deed to Therylene Knox Helm, Exhibit A-1 and A-2
19 recorded in Book 1502, Page 750 of Deed Records, Parker County,
20 Texas and being more particularly described by metes and bounds as
21 follows;

22 BEGINNING at the called southeast corner of the Wm. Baker Survey,
23 Abstract Number 183 and the called southwest corner of said Hagood
24 Survey, in the north line of said Isaac Gorman Survey;

25 THENCE N 00°11'41"E, 2216.98 feet;

26 THENCE N 88°25'44"E, 138.81 feet;

27 THENCE S 89°14'47"E, 661.20 feet;

- 1 THENCE S 04°15'38"W, 2175.04 feet;
- 2 THENCE S 32°18'44"E, 2400.79 feet;
- 3 THENCE S 00°23'36"W, 3763.79 feet;
- 4 THENCE N 88°14'09"W, 4888.60 feet;
- 5 THENCE N 00°09'53"W, 2443.55 feet;
- 6 THENCE S 88°04'56"W, 799.57 feet;
- 7 THENCE S 88°01'30"W, 488.50 feet;
- 8 THENCE S 01°07'00"W, 486.25 feet;
- 9 THENCE S 89°43'21"W, 337.20 feet;
- 10 THENCE N 03°46'53"W, 121.69 feet;
- 11 THENCE N 07°10'51"W, 145.28 feet;
- 12 THENCE N 81°39'17"E, 174.81 feet;
- 13 THENCE N 23°54'32"E, 78.61 feet;
- 14 THENCE N 63°50'34"W, 154.00 feet;
- 15 THENCE N 03°01'01"W, 96.53 feet;
- 16 THENCE N 07°56'40"E, 105.94 feet;
- 17 THENCE N 05°00'18"W, 136.66 feet;
- 18 THENCE N 30°18'41"E, 267.48 feet;
- 19 THENCE N 63°35'30"E, 109.05 feet;
- 20 THENCE N 09°33'01"E, 169.92 feet;
- 21 THENCE S 89°28'39"W, 1312.94 feet;
- 22 THENCE S 00°15'09"W, 774.18 feet;
- 23 THENCE N 89°46'20"W, 655.16 feet;
- 24 THENCE N 36°02'15"W, 1018.93 feet;
- 25 THENCE N 62°02'04"W, 698.36 feet;
- 26 THENCE N 11°37'15"W, 1181.55 feet;
- 27 THENCE S 89°13'30"W, 61.78 feet;

1 THENCE N 01°30'01"E, 3319.85 feet;
2 THENCE N 89°56'20"E, 2313.70 feet;
3 THENCE S 00°23'43"W, 2343.60 feet;
4 THENCE S 89°54'10"E, 1171.93 feet;
5 THENCE S 00°24'27"W, 520.13 feet;
6 THENCE S 89°44'53"E, 2654.23 feet;
7 THENCE N 00°26'35"W, 528.34 feet;
8 THENCE S 89°07'19"E, 1609.98 feet to the Point of Beginning and
9 containing 45,910,099 square feet or 1054 acres of land more or
10 less; SAVE AND EXCEPT
11 BEING a tract of land situated in the Isaac Gorman Survey, Abstract
12 Number 532, I. and G. N. R. R. Company Survey, Abstract Number 2007,
13 C. Meyer Survey, Abstract Number 2032, J. P. Feld Survey, Abstract
14 Number 487, Parker County, Texas, and being the same as described in
15 deed to Therylene Knox Helm, Exhibit A-1 recorded in Book 1502, Page
16 750 of Deed Records, Parker County, Texas and being more
17 particularly described by metes and bounds as follows;
18 BEGINNING at the southeast corner of said Helm tract, and the
19 southwest corner of tract to Therylene Knox Helm, Exhibit A-1 of
20 said deed;
21 THENCE N 88°14'09"W, 4488.37 with said south line;
22 THENCE N 00°10'05"W, 918.41 feet to a non-tangent curve to the
23 right;
24 THENCE with said non-tangent curve to the right, an arc distance of
25 4146.90 feet, through a central angle of 90°00'00", having a radius
26 of 2640.00 feet, the long chord of which bears N 45°06'41"E, 3733.52
27 feet;

1 THENCE S 89°53'19"E, 1869.10 feet to a point in said east line;
2 THENCE S 00°23'36"W, 3687.90 feet with said east line to the Point of
3 Beginning and containing 14,806,722 square feet or 340 acres of
4 land more or less.

5 (b) The Lake Weatherford Municipal Utility District No. 2
6 initially includes all the territory contained in the following
7 area:

8 TRACT I

9 FOR A TRACT OF LAND IN THE I. & G. N. R.R. COMPANY SURVEY, ABSTRACT
10 NO. 2007, THE ISAAC GORMAN SURVEY, ABSTRACT NO. 532, THE R. K.
11 HAGOOD SURVEY, ABSTRACT NO. 677, THE WM. BAKER SURVEY, ABSTRACT NO.
12 128, THE R. L. WILSON SURVEY, ABSTRACT NO. 1680, THE S. W. MILLER
13 SURVEY, ABSTRACT NO. 2595, THE L. O. AND B. L. BAKER SURVEY,
14 ABSTRACT NO. 2280, THE H. T. & B. R.R. COMPANY SURVEY, NO. 15,
15 ABSTRACT NO. 650, THE H. T. & B. R.R. COMPANY SURVEY, NO. 13,
16 ABSTRACT NO. 649, THE WM., C. L. AND L. O. BAKER SURVEY, ABSTRACT
17 NO. 2089 AND THE R. K. HAGOOD SURVEY, ABSTRACT NO. 2310, ALL
18 SITUATED IN PARKER COUNTY, TEXAS, AND BEING MORE PARTICULARLY
19 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

20 COMMENCE at an iron found at the occupied Northwest corner of the R.
21 K. Hagood Survey, Abstract No. 677, above referenced, thence N. 88°
22 - 25' - 44" E. 138.81 feet with the general course of a fence line to
23 an iron to be set in concrete in the Southerly line of a road for the
24 POINT OF BEGINNING of the herein described tract;

25 THENCE N. 0° - 55' - 13" E. 3986.73 feet with the general course of a
26 fence line to a fence corner post;

27 THENCE N. 88° - 00' - 51" W. 112.57 feet with the general course of a

1 fence line to a fence corner post;
2 THENCE N. 0° - 32' - 15" E. 816.08 feet with the general course of a
3 fence line to an iron to be set in concrete, said point being at the
4 Southerly terminus of the centerline of an easement as described in
5 a Grant of Easement and Right of Way, of record in Volume 1191, Page
6 1250, Deed Records, Parker County, Texas;
7 THENCE S. 88° - 51' - 28" E. 2339.16 feet to an iron to be set in
8 concrete for corner;
9 THENCE S. 47° - 29' - 58" E. 1196.65 feet to an iron to be set in
10 concrete for corner;
11 THENCE S. 15° - 00' - 00" E. 800.0 feet to an iron to be set in
12 concrete for corner;
13 THENCE S. 89° - 59' - 06" E. to and along a fence line 5753.38 feet to
14 an iron to be set in concrete for corner;
15 THENCE S. 31° - 38' - 21" E. 1134.23 feet to an iron to be set in
16 concrete for corner;
17 THENCE S. 69° - 08' - 44" E. 1123.61 feet to an iron to be set in
18 concrete for corner;
19 THENCE N. 85° - 01' - 49" E. 1154.34 feet to an iron to be set in
20 concrete for corner;
21 THENCE S. 18° - 26' - 06" W. 1264.91 feet to an iron to be set in
22 concrete for corner;
23 THENCE S. 19° - 42' - 58" E. 579.60 feet to an iron to be set in
24 concrete for corner;
25 THENCE N. 89° - 44' - 56" W. 6013.94 feet to an iron to be set in
26 concrete in a road for corner;
27 THENCE S. 0° - 15' - 04" W. 4782.22 feet with the Easterly line of

1 said road to an iron to be set in concrete for corner;
2 THENCE N. 89° - 53' - 19" W. 2707.47 feet to a fence corner post for
3 corner;
4 THENCE S. 0° - 11' - 54" W. 2958.55 feet with the general course of a
5 fence line to a concrete monument found at the Northeast corner of a
6 tract described in a deed to Brazos Electric Cooperative Inc. of
7 record in Volume 370, Page 616, Deed Records, Parker County, Texas;
8 THENCE S. 89° - 52' - 30" W. 207.99 feet along the North line of same
9 to a concrete monument found for corner;
10 THENCE S. 0° - 07' - 17" E. 316.07 feet to a concrete monument found
11 for corner;
12 THENCE N. 43° - 54' - 25" E. 298.44 feet to an iron found at fence
13 corner;
14 THENCE S. 0° - 11' - 54" W. 363.0 feet to an iron for corner;
15 THENCE N. 88° - 14' - 09" W. to and along White Settlement Road
16 1220.50 feet to a point in same and from which said point an iron to
17 be set in concrete in the Northerly fence line of said White
18 Settlement Road bears N. 0° - 23' - 36" E. 48.47 feet;
19 THENCE N. 0° - 23' - 36" E. 3763.79 feet to an iron to be set in
20 concrete for corner;
21 THENCE N. 32° - 18' - 44" W. 2400.79 feet to an iron to be set in
22 concrete;
23 THENCE N. 4° - 15' - 38" E. 2175.04 feet to an iron to be set in
24 concrete in the Southerly fence line of a road;
25 THENCE N. 89° - 14' - 47" W. 661.20 feet to the POINT OF BEGINNING and
26 containing 1471.809 acres.
27 SAVE AND EXCEPT:

1 BEING a tract of land situated in the Isaac Gorman Survey, Abstract
2 Number 532, I. & G. N. R. R. Co. Survey, Abstract Number 2007, H.T. &
3 B. R. R. Co. Survey, No. 15, Abstract Number 650, Parker County,
4 Texas, and being the same as described in deed to Therylene Knox
5 Helm, Exhibit A-2 recorded in Book 1502, Page 750 of Deed Records,
6 Parker County, Texas and being more particularly described by metes
7 and bounds as follows;

8 BEGINNING at the southwest corner of said Helm tract, and the
9 southeast corner of tract to Therylene Knox Helm, Exhibit A-1 of
10 said deed;

11 THENCE N 00°23'36"E, 3687.90 feet;

12 THENCE S 89°53'19"E, 3915.24 feet;

13 THENCE S 00°15'04"W, 300.00 feet;

14 THENCE N 89°53'19"W, 2707.47 feet;

15 THENCE S 00°11'54"W, 2958.55 feet;

16 THENCE S 89°52'30"W, 207.99 feet;

17 THENCE S 00°07'17"E, 316.07 feet;

18 THENCE N 43°54'25"E, 298.44 feet;

19 THENCE S 00°11'54"W, 363.00 feet;

20 THENCE N 88°14'09"W, 1220.50 feet to the Point of Beginning and
21 containing 5,266,636 square feet or 121 acres of land more or less.

22 TRACT II

23 77.10 Acres situated in and being a portion of the John Snyder
24 Survey, Abstract No. 1169, Parker County, Texas and being all that
25 certain 77.10 Acre Lot, Tract or Parcel of land conveyed to M.L.W.
26 DEVELOPMENT, LLC by deed recorded in Volume 2099, Page 1279, Deed
27 Records, Parker County, Texas and being more particularly described

1 by metes and bounds as follows:
2 BEGINNING at an iron rod found in Ragle Road at the southeast corner
3 of a tract of land conveyed to Clear Fork Baptist Church by deed
4 recorded in Volume 60, Page 18, Deed Records, Parker County, Texas,
5 said iron being called by deed to be South, 415.0 feet from the
6 northeast corner of said John Snyder Survey;
7 THENCE South 01 degrees 11 minutes 00 seconds West, with said Ragle
8 Road, 1252.65 feet to an iron rod set;
9 THENCE North 89 degrees 25 minutes 00 seconds West, 2086.73 feet to
10 an iron rod set in a dry ravine;
11 THENCE with the meanders of said dry ravine the following courses
12 and distances;
13 North 00 degrees 02 minutes 25 seconds West 405.97 feet to a point;
14 North 05 degrees 43 minutes 25 seconds West 787.30 feet to a point;
15 North 17 degrees 49 minutes 35 seconds West 325.59 feet to an iron
16 rod set in said ravine and the south right of way line of Farm to
17 Market Highway No. 730 in a non-tangent curve to the right with a
18 radius of 1859.86 feet and whose chord bears North 79 degrees 09
19 minutes 23 seconds East, 726.34 feet;
20 THENCE with the south right of way line of said Farm to Market
21 Highway No. 730 and said curve to the right through a central angle
22 of 22 degrees 31 minutes 14 seconds and a distance of 731.03 feet to
23 an iron rod found;
24 THENCE South 89 degrees 35 minutes 00 seconds East, continuing with
25 the south right of way line of said Farm to Market Highway No. 730,
26 1175.17 feet to an iron rod found at the northwest corner of said
27 Clear Fork Baptist Church;

1 THENCE South 00 degrees 24 minutes 30 seconds West, on or about a
2 fence line and the west line of said Clear Fork Baptist Church,
3 393.33 feet to an iron rod found;

4 THENCE South 89 degrees 35 minutes 00 seconds East, on or about a
5 fence line and the south line of said Clear Fork Baptist Church,
6 405.27 feet to the POINT OF BEGINNING and containing 77.10 acres.

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

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

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

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

25 SECTION 4. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

H.B. No. 4698

- 1 Act does not receive the vote necessary for immediate effect, this
- 2 Act takes effect September 1, 2009.