

By: Keffer

H.B. No. 4717

Substitute the following for H.B. No. 4717:

By: Creighton

C.S.H.B. No. 4717

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Maverick Improvement District of Palo Pinto County; 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 C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3870 to read as follows:

CHAPTER 3870. MAVERICK IMPROVEMENT DISTRICT

OF PALO PINTO COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3870.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Maverick Improvement District of Palo Pinto County.

Sec. 3870.002. NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, and Sections 52 and 52-a, Article III, Texas Constitution.

Sec. 3870.003. 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. 3870.004. CONSENT OF MUNICIPALITY REQUIRED. The

1 temporary directors may not hold an election under Section 3870.003
2 until each municipality in whose corporate limits or
3 extraterritorial jurisdiction the district is located has
4 consented by ordinance or resolution to the creation of the
5 district and to the inclusion of land in the district.

6 Sec. 3870.005. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
7 The district is created to serve a public purpose and benefit. By
8 creating the district and in authorizing the county of Palo Pinto
9 and other political subdivisions to contract with the district, the
10 legislature has established a program to accomplish the public
11 purposes set out in Section 52-a, Article III, Texas Constitution.

12 (b) The district is created to accomplish the purposes of
13 promoting, developing, encouraging, and maintaining employment,
14 commerce, transportation, housing, tourism, recreation, economic
15 development, safety, and the public welfare in the district, and to
16 accomplish the purposes of:

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

19 (2) a county development district as provided by
20 general law and Section 52-a, Article III, Texas Constitution;

21 (3) Section 52, Article III, Texas Constitution,
22 related 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; and

25 (4) Section 52-a, Article III, Texas Constitution,
26 related to the provision of public recreational facilities,
27 including docks and boat access facilities, pedestrian ways and

1 street lighting and parking, and the installation of signage and
2 landscaping and the development of certain areas in the district
3 that are necessary for the restoration, preservation, and
4 enhancement of scenic beauty.

5 Sec. 3870.006. INITIAL DISTRICT TERRITORY. (a) The
6 district is initially composed of the territory described by
7 Section 2 of the Act creating this chapter.

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

12 (1) organization, existence, or validity;

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

16 (3) right to impose a tax; or

17 (4) legality or operation.

18 [Sections 3870.007-3870.050 reserved for expansion]

19 SUBCHAPTER B. BOARD OF DIRECTORS

20 Sec. 3870.051. GOVERNING BODY; TERMS. (a) The district is
21 governed by a board of five elected directors.

22 (b) Except as provided by Section 3870.052, directors serve
23 staggered four-year terms.

24 Sec. 3870.052. TEMPORARY DIRECTORS. (a) On or after
25 September 1, 2009, the owner or owners of a majority of the assessed
26 value of the real property in the district may submit a petition to
27 the Texas Commission on Environmental Quality requesting that the

1 commission appoint as temporary directors the five persons named in
2 the petition. The commission shall appoint as temporary directors
3 the five persons named in the petition.

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

5 (1) the date permanent directors are elected under
6 Section 3870.003; or

7 (2) September 1, 2013.

8 (c) If permanent directors have not been elected under
9 Section 3870.003 and the terms of the temporary directors have
10 expired, successor temporary directors shall be appointed or
11 reappointed as provided by Subsection (d) to serve terms that
12 expire on the earlier of:

13 (1) the date permanent directors are elected under
14 Section 3870.003; or

15 (2) the fourth anniversary of the date of the
16 appointment or reappointment.

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

24 [Sections 3870.053-3870.100 reserved for expansion]

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 3870.101. GENERAL POWERS AND DUTIES. The district has
27 the powers and duties necessary to accomplish the purposes for

1 which the district is created.

2 Sec. 3870.102. MUNICIPAL UTILITY DISTRICT POWERS AND
3 DUTIES. The district has the powers and duties provided by the
4 general law of this state, including Chapters 49 and 54, Water Code,
5 applicable to municipal utility districts created under Section 59,
6 Article XVI, Texas Constitution.

7 Sec. 3870.103. ROAD PROJECTS. Under Section 52, Article
8 III, Texas Constitution, the district may design, acquire,
9 construct, finance, improve, operate, and maintain macadamized,
10 graveled, or paved roads, or improvements, including storm
11 drainage, in aid of those roads, and may convey those roads or
12 improvements to this state, a county, or a municipality to operate
13 and maintain.

14 Sec. 3870.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
15 project must meet all applicable construction standards, zoning and
16 subdivision requirements, and regulatory ordinances of a
17 municipality in whose corporate limits or extraterritorial
18 jurisdiction the road project is located.

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

24 (c) If the state will maintain and operate the road, the
25 Texas Transportation Commission must approve the plans and
26 specifications of the road project.

27 Sec. 3870.105. COMPLIANCE WITH MUNICIPAL CONSENT

1 ORDINANCES OR RESOLUTIONS. The district shall comply with all
2 applicable requirements of any ordinance or resolution adopted by
3 the governing body of a municipality under Section 54.016 or
4 54.0165, Water Code, that consents to the creation of the district
5 or to the inclusion of land in the district.

6 Sec. 3870.106. LIMITATION ON USE OF EMINENT DOMAIN. The
7 district may exercise the power of eminent domain only inside the
8 district's boundaries.

9 Sec. 3870.107. AGREEMENTS; GRANTS. (a) The district may
10 make an agreement with or accept a gift, grant, or loan from any
11 person.

12 (b) The board may enter into a contract with another
13 political subdivision or the state to share the costs of
14 construction, acquisition, operation, or maintenance of a
15 transportation improvement, including a road, a bridge, a culvert,
16 a parking facility, or another public improvement.

17 (c) The implementation of a district project is a
18 governmental function or service for the purposes of Chapter 791,
19 Government Code.

20 Sec. 3870.108. 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, contain any land
2 outside the area described by Section 2 of the Act creating this
3 chapter.

4 (d) The board, on its own motion or on receipt of a petition
5 signed by the owners of a majority of the assessed value of real
6 property in the district according to the most recent certified
7 appraisal roll for the county in which the district is located, may
8 adopt an order dividing the district. An order dividing the
9 district may be adopted before or after an election to confirm the
10 district as required by Section 3870.003.

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 3870.003 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 of each new district;
17 (3) appoint temporary directors for each new district;

18 and

19 (4) provide for the division of assets and liabilities
20 between each new district.

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

26 (h) Any new district created by the division of the district
27 shall hold a confirmation and directors' election as required by

1 Section 49.102, Water Code.

2 (i) Municipal consent to the creation of the district and to
3 the inclusion of land in the district granted under Section
4 3870.004 acts as municipal consent to the creation of any new
5 district created by the division of the district and to the
6 inclusion of land in the new district.

7 (j) Any new district created by the division of the district
8 must hold an election in the manner provided by Chapters 49 and 54,
9 Water Code, to obtain voter approval before the district may impose
10 a maintenance tax or issue bonds payable wholly or partly from ad
11 valorem taxes.

12 [Sections 3870.109-3870.150 reserved for expansion]

13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

14 Sec. 3870.151. 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 3870.153.

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. 3870.152. OPERATION AND MAINTENANCE TAX. (a) If

1 authorized at an election held under Section 3870.151, the district
2 may impose an operation and maintenance tax on taxable property in
3 the district as provided by 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. 3870.153. CONTRACT TAXES. (a) As provided by Section
7 49.108, Water Code, the district may impose a tax other than an
8 operation and maintenance tax and use the revenue derived from the
9 tax to make payments under a contract after the provisions of the
10 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 Sec. 3870.154. POWERS OF COUNTY DEVELOPMENT DISTRICT. The
16 district has the powers of a county development district provided
17 by Chapter 383, Local Government Code.

18 Sec. 3870.155. SALES AND USE TAX; ELECTION. (a) The
19 district may adopt a sales and use tax as provided by Chapter 383,
20 Local Government Code, after an election in which the majority of
21 the voters of the district voting in the election authorize the
22 adoption of the tax.

23 (b) The board by order may call an election to authorize a
24 sales and use tax. The election may be held with any other district
25 election.

26 (c) The district shall provide notice of the election and
27 shall hold the election in the manner prescribed by Section

1 3870.151.

2 Sec. 3870.156. SALES AND USE TAX RATE. (a) On adoption of
3 the tax authorized by Section 3870.155, there is imposed a tax on
4 the receipts from the sale at retail of taxable items within the
5 district, and an excise tax on the use, storage, or other
6 consumption in the district of taxable items purchased, leased, or
7 rented from a retailer in the district during the period after the
8 tax is in effect.

9 (b) The board shall determine the rate of the tax, which may
10 be in one-eighth of one percent increments not to exceed the maximum
11 rate authorized by the district voters at the election. The board
12 may lower the tax rate to the extent it does not impair any
13 outstanding debt or obligations payable from the tax.

14 Sec. 3870.157. HOTEL OCCUPANCY TAX. (a) In this section,
15 "hotel" has the meaning assigned by Section 156.001, Tax Code.

16 (b) For purposes of this section, a reference in Subchapter
17 A, Chapter 352, Tax Code, to a county is a reference to the district
18 and a reference in Subchapter A, Chapter 352, Tax Code, to the
19 county's officers or governing body is a reference to the board.

20 (c) Except as inconsistent with this section, Subchapter A,
21 Chapter 352, Tax Code, governs a hotel occupancy tax authorized by
22 this section, including the collection of the tax, subject to the
23 limitations prescribed by Sections 352.002(b) and (c), Tax Code.

24 (d) The district may impose a hotel occupancy tax for any
25 district purpose, including to:

26 (1) maintain and operate the district;

27 (2) construct or acquire improvements; and

1 (3) provide a service.

2 (e) The district may examine and receive information
3 related to the imposition of hotel occupancy taxes to the same
4 extent as if the district were a county.

5 [Sections 3870.158-3870.200 reserved for expansion]

6 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

7 Sec. 3870.201. AUTHORITY TO ISSUE BONDS AND OTHER
8 OBLIGATIONS. The district may issue bonds or other obligations
9 payable wholly or partly from ad valorem taxes, impact fees,
10 revenue, contract payments, grants, or other district money, or any
11 combination of those sources, to pay for any authorized district
12 purpose.

13 Sec. 3870.202. TAXES FOR BONDS. At the time the district
14 issues bonds payable wholly or partly from ad valorem taxes, the
15 board shall provide for the annual imposition of a continuing
16 direct ad valorem tax, without limit as to rate or amount, while all
17 or part of the bonds are outstanding as required and in the manner
18 provided by Sections 54.601 and 54.602, Water Code.

19 Sec. 3870.203. BONDS FOR ROAD PROJECTS. At the time of
20 issuance, the total principal amount of bonds or other obligations
21 issued or incurred to finance road projects and payable from ad
22 valorem taxes may not exceed one-fourth of the assessed value of the
23 real property in the district.

24 SECTION 2. The Maverick Improvement District of Palo Pinto
25 County initially includes all the territory contained in the
26 following area:

METES AND BOUNDS DESCRIPTION

1,420 ACRES

IN THE S. P. R. R. CO. SURVEY, A-420, THE G. C. & S. R. R. CO. SURVEY, A-1344, THE M. COSTELLO SURVEY, A-1456, THE J. W. BUNTON SURVEY, A-53, THE J. E. WHITE SURVEY, A-922, THE M. MATA SURVEY, A-336, THE E. P. COSTELLO SURVEY, A-2036, THE C. W. AMAKER SURVEY, A-916, THE MCKINNEY & WILLIAMS SURVEY, A-339, AND THE M. CASTLEMAN SURVEY, A-119 PALO PINTO COUNTY, TEXAS

All that certain 1,420 acres of land which is out of the tract of land described in the deed from S. V. Willingham to Beverly June Willingham Baize recorded in Volume 995, Page 755, in the Deed Records of Palo Pinto County, Texas, all of the 14.92 acres described in the deed from June Baize to Judson and Joanie Edwards, recorded in Volume 1085, Page 46, in the Deed Records of Palo Pinto County, Texas and all of the 5.588 acres described in the deed from Jeff H. and Mary Davis to Judson G. Edwards recorded in Volume 1230, Page 619 in the Deed Records of Palo Pinto County, Texas, in the S. P. R. R. Co. Survey, A-420, G. C. & S. R. R. Co. Survey, A-1344, M. Costello Survey, A-1456, J. W. Bunton Survey, A-53, J. E. White Survey, A-922, M. Mata Survey, A-336, E. P. Costello Survey, A-2036, C. W. Amaker Survey, A-916, McKinney & Williams Survey, A-339, and the M. Castleman Survey, A-119, Palo Pinto County, Texas and more particularly described by metes and bounds as follows (All bearings shown hereon are based the Texas State Plane Coordinate System, North Central Zone (NAD 83). All distances shown hereon are surface and may be converted to grid by using a scale factor of 0.999875503):

1 BEGINNING at a 1/2" iron rod found for the northeast corner of
2 said 5.588 acre tract, in the south line of the Third Tract
3 (Ainsworth Survey, A-1132) described in the deed from M. B. and
4 Margaret Costello to E. C. Stovall, recorded in Volume 159, Page 91,
5 in the Deed Records of Palo Pinto County, Texas;

6 THENCE South 02° 09' 41" East - 409.63' along the east line of
7 said 5.588 acre tract, to a 5/8" iron rod with a cap stamped "PATE"
8 set for a corner, which is a point on a curve to the right, having a
9 central angle of 09° 58' 27", a radius of 1030.00', and a chord
10 bearing and distance of South 52° 46' 28" East - 179.08';

11 THENCE along said curve to the right an arc distance of
12 179.30' to a 5/8" iron rod with a cap stamped "PATE" set for the end
13 of curve;

14 THENCE South 47° 47' 14" East - 181.95' to a 5/8" iron rod with
15 a cap stamped "PATE" set for the Point of Curvature of a curve to the
16 left, having a central angle of 82° 00' 33", a radius of 270.00', and
17 a chord bearing and distance of South 88° 47' 31" East - 354.30';

18 THENCE along said curve to the left an arc distance of 386.46'
19 to a 5/8" iron rod with a cap stamped "PATE" set for the end of
20 curve;

21 THENCE North 50° 12' 13" East - 372.14' to a 5/8" iron rod with
22 a cap stamped "PATE" set for the Point of Curvature of a curve to the
23 right, having a central angle of 19° 08' 46", a radius of 280.00',
24 and a chord bearing and distance of North 59° 46' 36" East - 93.13';

25 THENCE along said curve to the right an arc distance of 93.57'
26 to a 5/8" iron rod with a cap stamped "PATE" set for the end of
27 curve;

1 THENCE North $69^{\circ} 20' 59''$ East - 378.21' to a 5/8" iron rod with
2 a cap stamped "PATE" set for the Point of Curvature of a curve to the
3 right, having a central angle of $71^{\circ} 19' 06''$, a radius of 280.00',
4 and a chord bearing and distance of South $74^{\circ} 59' 28''$ East - 326.46';

5 THENCE along said curve to the right an arc distance of
6 348.53' to a 5/8" iron rod with a cap stamped "PATE" set for the end
7 of curve;

8 THENCE South $39^{\circ} 19' 56''$ East - 520.91' to a 5/8" iron rod with
9 a cap stamped "PATE" set for the Point of Curvature of a curve to the
10 left, having a central angle of $45^{\circ} 46' 42''$, a radius of 970.00', and
11 a chord bearing and distance of South $62^{\circ} 13' 16''$ East - 754.56';

12 THENCE along said curve to the left an arc distance of 775.01'
13 to a 5/8" iron rod with a cap stamped "PATE" set for the end of
14 curve;

15 THENCE South $85^{\circ} 06' 37''$ East - 105.51' to a 5/8" iron rod with
16 a cap stamped "PATE" set for the Point of Curvature of a curve to the
17 right, having a central angle of $47^{\circ} 02' 23''$, a radius of 480.00',
18 and a chord bearing and distance of South $61^{\circ} 35' 26''$ East - 383.10';

19 THENCE along said curve to the right an arc distance of
20 394.08' to a 5/8" iron rod with a cap stamped "PATE" set for the end
21 of curve;

22 THENCE South $38^{\circ} 04' 14''$ East - 47.23' to a 5/8" iron rod with
23 a cap stamped "PATE" set for the Point of Curvature of a curve to the
24 left, having a central angle of $51^{\circ} 56' 41''$, a radius of 470.00', and
25 a chord bearing and distance of South $64^{\circ} 02' 35''$ East - 411.66';

26 THENCE along said curve to the left an arc distance of 426.11'
27 to a 5/8" iron rod with a cap stamped "PATE" set for the end of

1 curve;

2 THENCE North $89^{\circ} 59' 04''$ East - 208.86' to a 5/8" iron rod with
3 a cap stamped "PATE" set for an angle corner of the here in
4 described tract;

5 THENCE North $00^{\circ} 00' 56''$ West - 481.76' to a 5/8" iron rod with
6 a cap stamped "PATE" set for the Point of Curvature of a curve to the
7 left having a central angle of $93^{\circ} 25' 33''$, a radius of 470.00', and
8 a chord bearing and distance of North $46^{\circ} 43' 42''$ West - 684.25';

9 THENCE along said curve to the left an arc distance of 766.38'
10 to a 5/8" iron rod with a cap stamped "PATE" set for the Point of
11 Reverse Curvature of a curve to the right, having a central angle of
12 $94^{\circ} 37' 54''$, a radius of 200.00', and a chord bearing and distance of
13 North $46^{\circ} 07' 31''$ West - 294.04';

14 THENCE along said curve to the right, an arc distance of
15 330.33' to a 5/8" iron rod with a cap stamped "PATE" set for the end
16 of curve;

17 THENCE North $01^{\circ} 11' 26''$ East, passing at a distance of
18 378.66' a rock mound found for the southeast corner of aforesaid
19 Third Tract (Ainsworth Survey, A-1132), and continuing along the
20 east line of aforesaid Third Tract (Ainsworth Survey, A-1132) and
21 the east line of the Second Tract (Caudill Survey, A-1959)
22 described in aforesaid deed from M. B. and Margaret Costello to E.
23 C. Stovall, a total distance of 4509.35' to a 5/8" iron rod with a
24 cap stamped "PATE" set for an angle corner of the herein described
25 tract, in the south line of the First Tract (J. Rohns Survey, A-381)
26 described in said deed from M. B. and Margaret Costello to E. C.
27 Stovall;

1 THENCE South 88° 30' 14" East - 774.38' along the south line of
2 said First Tract to a stake in a rock mound found for the southeast
3 corner of said First Tract;

4 THENCE North 01° 29' 46" East - 5701.18' along the east line of
5 said First Tract to a Brazos River Authority concrete monument
6 found for the southwest corner of the 851.5 acre tract described in
7 the deed from C. M. and Fannie Echols to Billy Charles Echols,
8 recorded in Volume 493, Page 473 in the Deed Records of Palo Pinto
9 County, Texas;

10 THENCE South 89° 12' 29" East - 7723.10' along the south line
11 of said 851.5 acre tract to a 1" iron pipe found for the southeast
12 corner of said 851.5 acre tract common to the northeast corner of
13 the herein described tract, in the west line of the 2398.50 acre
14 tract described in the deed to the Brazos River Conservation and
15 Reclamation District, recorded in Volume 191, Page 71, in the Deed
16 Records of Palo Pinto County, Texas, also known as the "Brazos River
17 Authority Purchase Line";

18 THENCE along the "Brazos River Authority Purchase Line" the
19 following courses:

20 South 40° 53' 41" West - 2675.84' to a 5/8" iron rod with a cap
21 stamped "PATE" set for an angle corner of the herein described
22 tract;

23 South 15° 15' 48" West - 1199.86' to a 1" iron pipe found for
24 an angle corner of the herein described tract;

25 South 36° 31' 37" West - 813.71' to a 1" iron pipe found for an
26 angle corner of the herein described tract;

27 North 71° 09' 59" West - 731.11' to a 1" iron pipe found for an

1 angle corner of the herein described tract;
2 South 19° 33' 13" East - 888.10' to a 5/8" iron rod with a cap
3 stamped "PATE" set for an angle corner of the herein described
4 tract;
5 South 62° 21' 19" East - 970.00' to a 1" iron pipe found for an
6 angle corner of the herein described tract;
7 South 03° 54' 47" West - 1390.56' to a 1" iron pipe found for
8 an angle corner of the herein described tract;
9 North 80° 34' 18" West - 450.00' to 1" iron pipe found for an
10 angle corner of the herein described tract;
11 North 06° 05' 49" West - 470.24' to a 1" iron pipe found for an
12 angle corner of the herein described tract;
13 North 60° 05' 03" West - 670.26' to a 1" iron pipe found for an
14 angle corner of the herein described tract;
15 North 86° 34' 20" West - 770.15' to a 1" iron pipe found for an
16 angle corner of the herein described tract;
17 South 10° 34' 07" East - 370.21' to a 1" iron pipe found for an
18 angle corner of the herein described tract;
19 South 41° 55' 05" West - 2679.56' to a 5/8" iron rod with a cap
20 stamped "PATE" set for an angle corner of the herein described
21 tract;
22 South 48° 09' 45" West - 1760.86' to a 1" iron pipe found for
23 an angle corner of the herein described tract;
24 South 09° 24' 25" West - 1246.44' to a 5/8" iron rod with a cap
25 stamped "PATE" set for an angle corner of the herein described
26 tract;
27 South 06° 19' 18" East - 1012.53' to a 1" iron pipe found for

1 an angle corner of the herein described tract;

2 South 89° 27' 43" East - 735.54' to an aluminum disk stamped
3 "Clear Fork Surveying" found for an angle corner of the herein
4 described tract;

5 North 68° 20' 15" East - 354.88' to an aluminum disk stamped
6 "Clear Fork Surveying" found for an angle corner of the herein
7 described tract;

8 South 32° 35' 43" East - 790.87' to a 1" iron pipe found for an
9 angle corner of the herein described tract;

10 North 14° 53' 22" East - 429.66' to a 1-1/2" iron pipe found
11 for an angle corner of the herein described tract;

12 North 83° 40' 13" East - 592.75' to a 1" iron pipe found for an
13 angle corner of the herein described tract;

14 South 65° 30' 46" East - 802.74' to a 1" iron pipe found for an
15 angle corner of the herein described tract;

16 South 10° 07' 37" East - 589.85' to an aluminum disk stamped
17 "Clear Fork Surveying" found for an angle corner of the herein
18 described tract;

19 South 60° 03' 52" West - 1122.67' to a 1" iron pipe found for
20 an angle corner of the herein described tract;

21 South 42° 42' 16" West - 1379.95' to a 1" iron pipe found for
22 an angle corner of the herein described tract;

23 North 29° 38' 07" West - 730.05' to a 1" iron pipe found for an
24 angle corner of the herein described tract;

25 North 88° 37' 54" West - 699.96' to a 1" iron pipe found for an
26 angle corner of the herein described tract;

27 South 31° 08' 07" East - 999.77' to a 1" iron pipe found for an

1 angle corner of the herein described tract;
2 South 30° 51' 20" West - 874.61' to an aluminum disk stamped
3 "Clear Fork Surveying" found for an angle corner of the herein
4 described tract;
5 South 67° 50' 16" West - 920.88' to a 1" iron pipe found for an
6 angle corner of the herein described tract;
7 North 67° 44' 36" West - 1115.23' to an aluminum disk stamped
8 "Clear Fork Surveying" found for an angle corner of the herein
9 described tract;
10 North 85° 23' 34" West - 881.33' to an aluminum disk stamped
11 "Clear Fork Surveying" found for an angle corner of the herein
12 described tract;
13 South 72° 33' 08" West - 1111.83' to an aluminum disk stamped
14 "Clear Fork Surveying" found for an angle corner of the herein
15 described tract;
16 North 45° 36' 05" West - 486.17' to a 1" iron pipe found for an
17 angle corner of the herein described tract;
18 North 40° 13' 43" East - 970.62' to a 1/2" iron rod in a 1" iron
19 pipe found for an angle corner of the herein described tract;
20 North 65° 00' 36" East - 1824.86' to a 1" iron pipe found for
21 an angle corner of the herein described tract;
22 North 43° 59' 43" East - 1803.99' to a 1" iron pipe found for
23 an angle corner of the herein described tract;
24 North 73° 36' 48" West - 355.07' to a 5/8" iron rod with a cap
25 stamped "PATE" set for an angle corner of the herein described
26 tract;
27 THENCE North 00° 00' 56" West - 266.02', departing the

1 aforesaid "Brazos River Authority Purchase Line", to a 5/8" iron
2 rod with a cap stamped "PATE" set for an angle corner of the herein
3 described tract;

4 THENCE South 89° 59' 04" West - 230.94' to a 5/8" iron rod with
5 a cap stamped "PATE" set for the Point of Curvature on a curve to the
6 right, having a central angle of 51° 56' 41", a radius of 530.00',
7 and a chord bearing and distance of North 64° 02' 35" West - 464.21';

8 THENCE along said curve to the right an arc distance of
9 480.50' to a 5/8" iron rod with a cap stamped "PATE" set for the end
10 of curve;

11 THENCE North 38° 04' 14" West - 47.23' to a 5/8" iron rod with
12 a cap stamped "PATE" set for the Point of Curvature of a curve to the
13 left, having a central angle of 47° 02' 23", a radius of 420.00', and
14 a chord bearing and distance of North 61° 35' 26" West - 335.22';

15 THENCE along said curve to the left an arc distance of 344.82'
16 to a 5/8" iron rod with a cap stamped "PATE" set for the end of
17 curve;

18 THENCE North 85° 06' 37" West - 105.51' to a 5/8" iron rod with
19 a cap stamped "PATE" set for the Point of Curvature of a curve to the
20 right, having a central angle of 45° 46' 42", a radius of 1030.00',
21 and a chord bearing and distance of North 62° 13' 16" West - 801.23';

22 THENCE along said curve to the right an arc distance of
23 822.95' to a 5/8" iron rod with a cap stamped "PATE" set for the end
24 of curve;

25 THENCE North 39° 19' 56" West- 520.91' to a 5/8" iron rod with
26 a cap stamped "PATE" set for the Point of Curvature of a curve to the
27 left, having a central angle of 71° 19' 06", a radius of 220.00', and

1 a chord bearing and distance of North 74° 59' 28" West - 256.50';

2 THENCE along said curve to the left an arc distance of 273.84'
3 to a 5/8" iron rod with a cap stamped "PATE" set for the end of
4 curve;

5 THENCE South 69° 20' 59" West - 378.21' to a 5/8" iron rod with
6 a cap stamped "PATE" set for the Point of Curvature of a curve to the
7 left, having a central angle of 19° 08' 46", a radius of 220.00', and
8 a chord bearing and distance of South 59° 46' 36" West - 73.17';

9 THENCE along said curve to the left an arc distance of 73.52'
10 to a 5/8" iron rod with a cap stamped "PATE" set for the end of
11 curve;

12 THENCE South 50° 12' 13" West - 167.17' to a 5/8" iron rod with
13 a cap stamped "PATE" set for an angle corner of the herein described
14 tract;

15 THENCE North 69° 20' 59" East - 61.46' to an aluminum disc
16 stamped "Clear Fork Surveying" found for an angle corner of the
17 herein described tract, in a south line of aforesaid Baize tract,
18 common to aforesaid "Brazos River Authority Purchase Line";

19 THENCE South 05° 39' 59" West - 405.30' along said "Brazos
20 River Authority Purchase Line" to a 1" iron pipe found for an angle
21 corner of the herein described tract;

22 THENCE South 69° 09' 59" West - 870.00' along said "Brazos
23 River Authority Purchase Line" to a Brazos River Authority concrete
24 monument found for an angle corner of the herein described tract;

25 THENCE North 02° 09' 41" West - 765.97' departing said "Brazos
26 River Authority Purchase Line" to a 1/2" iron rod with a cap stamped
27 "Landes & Associates" found the northeast corner of the 0.631 acre

1 tract described in the deed from Loyd Wayne Hamilton to L. Lynn and
2 Connie C. Jackson, recorded in Volume 1183, Page 463, in the Deed
3 Records of Palo Pinto County, Texas, common to the most easterly
4 southeast corner of aforesaid 5.588 acre tract;

5 THENCE South 79° 28' 37" West - 185.06' along the north line of
6 said 0.631 acre tract to an 80d nail found for the northwest corner
7 of said 0.631 acre tract;

8 THENCE South 06° 47' 49" East - 150.11' along the west line of
9 said 0.631 acre tract to a 1/2" iron rod found for the southwest
10 corner of said 0.631 acre tract, in the north line of an access
11 easement, recorded in Volume 548 Page 215, in the Deed Records of
12 Palo Pinto County, Texas;

13 THENCE South 82° 49' 36" West - 171.50' along the north line of
14 said access easement a 5/8" iron rod found for the southwest corner
15 of aforesaid 5.588 acre tract

16 THENCE North 13° 28' 50" West - 183.01' along the east line of
17 said access easement to a 1/2" iron rod with a cap stamped "Landes &
18 Associates" found for an angle corner of the herein described
19 tract;

20 THENCE North 11° 25' 46" West - 436.36' continuing along the
21 east line of said access easement a 5/8" iron rod found for an angle
22 corner of the herein described tract;

23 THENCE South 89° 09' 36" West - 4.72' to a 1/2" iron rod found
24 for the southeast corner of an 80' right-of-way described as Parcel
25 2, Part 3, for F.M. 1148 recorded in Volume 505, Page 282, in the
26 Deed Records of Palo Pinto County, Texas;

27 THENCE North 00° 50' 24" West along the east line of said

1 Parcel 2, Part 3, passing at a distance of 78.00' a found 1/2" iron
2 rod with a cap stamped "Landes & Associates", continuing along said
3 east line for a total distance of 80.00' to a 5" elm tree found at
4 the northwest corner of aforesaid 5.588 acre tract, common to the
5 northeast corner of aforesaid Parcel 2, Part 3 and the most westerly
6 northwest corner of the herein described tract, in the south line of
7 aforesaid Third Tract (Ainsworth Survey, A-1132), from which the
8 recognized northwest corner (no monument found) of the aforesaid S.
9 P. R. R. Co. Survey, A-420 bears South 89° 09' 36" West - 2297.00'

10 THENCE North 89° 09' 36" East - 451.00' to the POINT OF
11 BEGINNING and containing 1,420 acres of land.

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

19 (b) The governor, one of the required recipients, has
20 submitted the notice and Act to the Texas Commission on
21 Environmental Quality.

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

26 (d) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

C.S.H.B. No. 4717

1 to the notice, introduction, and passage of this Act are fulfilled
2 and accomplished.

3 SECTION 4. This Act takes effect September 1, 2009.