

By: Keffer

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:

27                                   METES AND BOUNDS DESCRIPTION

1 1,420 ACRES

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

8 All that certain 1,420 acres of land which is out of the tract  
9 of land described in the deed from S. V. Willingham to Beverly June  
10 Willingham Baize recorded in Volume 995, Page 755, in the Deed  
11 Records of Palo Pinto County, Texas, all of the 14.92 acres  
12 described in the deed from June Baize to Judson and Joanie Edwards,  
13 recorded in Volume 1085, Page 46, in the Deed Records of Palo Pinto  
14 County, Texas and all of the 5.588 acres described in the deed from  
15 Jeff H. and Mary Davis to Judson G. Edwards recorded in Volume 1230,  
16 Page 619 in the Deed Records of Palo Pinto County, Texas, in the S.  
17 P. R. R. Co. Survey, A-420, G. C. & S. R. R. Co. Survey, A-1344, M.  
18 Costello Survey, A-1456, J. W. Bunton Survey, A-53, J. E. White  
19 Survey, A-922, M. Mata Survey, A-336, E. P. Costello Survey,  
20 A-2036, C. W. Amaker Survey, A-916, McKinney & Williams Survey,  
21 A-339, and the M. Castleman Survey, A-119, Palo Pinto County, Texas  
22 and more particularly described by metes and bounds as follows (All  
23 bearings shown hereon are based the Texas State Plane Coordinate  
24 System, North Central Zone (NAD 83). All distances shown hereon are  
25 surface and may be converted to grid by using a scale factor of  
26 0.999875503):

27 BEGINNING at a 1/2" iron rod found for the northeast corner of

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

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

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

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

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

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

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

27       THENCE North  $69^{\circ} 20' 59''$  East - 378.21' to a 5/8" iron rod with

1 a cap stamped "PATE" set for the Point of Curvature of a curve to the  
2 right, having a central angle of  $71^{\circ} 19' 06''$ , a radius of 280.00',  
3 and a chord bearing and distance of South  $74^{\circ} 59' 28''$  East - 326.46';

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

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

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

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

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

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

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

1           THENCE North 89° 59' 04" East - 208.86' to a 5/8" iron rod with  
2 a cap stamped "PATE" set for an angle corner of the here in  
3 described tract;

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

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

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

16           THENCE North 01° 11' 26" East, passing at a distance of  
17 378.66' a rock mound found for the southeast corner of aforesaid  
18 Third Tract (Ainsworth Survey, A-1132), and continuing along the  
19 east line of aforesaid Third Tract (Ainsworth Survey, A-1132) and  
20 the east line of the Second Tract (Caudill Survey, A-1959)  
21 described in aforesaid deed from M. B. and Margaret Costello to E.  
22 C. Stovall, a total distance of 4130.68' to a 5/8" iron rod with a  
23 cap stamped "PATE" set for an angle corner of the herein described  
24 tract, in the south line of the First Tract (J. Rohns Survey, A-381)  
25 described in said deed from M. B. and Margaret Costello to E. C.  
26 Stovall;

27           THENCE South 88° 30' 14" East - 774.38' along the south line of

1 said First Tract to a stake in a rock mound found for the southeast  
2 corner of said First Tract;

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

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

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

19           South 40° 53' 41" West - 2675.84' 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 15° 15' 48"

23           West - 1199.86' to a 1" iron pipe found for an angle corner of  
24 the herein described tract; South 36° 31' 37" West - 813.71' to a 1"  
25 iron pipe found for an angle corner of the herein described tract;  
26 North 71° 09' 59" West - 731.11' to a 1" iron pipe found for an angle  
27 corner of the herein described tract; South 19° 33' 13" East -



1 888.10' to a 5/8" iron rod with a cap stamped "PATE" set for an angle  
2 corner of the herein described tract; South 62° 21' 19"  
3 East - 970.00' to a 1" iron pipe found for an angle corner of  
4 the herein described tract;  
5 South 03° 54' 47" West - 1390.56' to a 1" iron pipe found for  
6 an angle corner of the herein described tract;  
7 North 80° 34' 18" West - 450.00' to 1" iron pipe found for an  
8 angle corner of the herein described tract;  
9 North 06° 05' 49" West - 470.24' to a 1" iron pipe found for an  
10 angle corner of the herein described tract;  
11 North 60° 05' 03" West - 670.26' to a 1" iron pipe found for an  
12 angle corner of the herein described tract;  
13 North 86° 34' 20" West - 770.15' to a 1" iron pipe found for an  
14 angle corner of the herein described tract;  
15 South 10° 34' 07" East - 370.21' to a 1" iron pipe found for an  
16 angle corner of the herein described tract;  
17 South 41° 55' 05" West - 2679.56' to a 5/8" iron rod with a cap  
18 stamped "PATE" set for an angle corner of the herein described  
19 tract;  
20 South 48° 09' 45" West - 1760.86' to a 1" iron pipe found for  
21 an angle corner of the herein described tract;  
22 South 09° 24' 25" West - 1246.44' to a 5/8" iron rod with a cap  
23 stamped "PATE" set for an angle corner of the herein described  
24 tract;  
25 South 06° 19' 18" East - 1012.53' to a 1" iron pipe found for  
26 an angle corner of the herein described tract;  
27 South 89° 27' 43" East - 735.54' to an aluminum disk stamped

1 "Clear Fork Surveying" found for an angle corner of the herein  
2 described tract;

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

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

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

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

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

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

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

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

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

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

25 South 31° 08' 07" East - 999.77' to a 1" iron pipe found for an  
26 angle corner of the herein described tract;

27 South 30° 51' 20" West - 874.61' to an aluminum disk stamped

1 "Clear Fork Surveying" found for an angle corner of the herein  
2 described tract;

3 South 67° 50' 16" West - 920.88' to a 1" iron pipe found for an  
4 angle corner of the herein described tract;

5 North 67° 44' 36" West - 1115.23' to an aluminum disk stamped  
6 "Clear Fork Surveying" found for an angle corner of the herein  
7 described tract;

8 North 85° 23' 34" West - 881.33' to an aluminum disk stamped  
9 "Clear Fork Surveying" found for an angle corner of the herein  
10 described tract;

11 South 72° 33' 08" West - 1111.83' to an aluminum disk stamped  
12 "Clear Fork Surveying" found for an angle corner of the herein  
13 described tract;

14 North 45° 36' 05" West - 486.17' to a 1" iron pipe found for an  
15 angle corner of the herein described tract;

16 North 40° 13' 43" East - 970.62' to a 1/2" iron rod in a 1" iron  
17 pipe found for an angle corner of the herein described tract;

18 North 65° 00' 36" East - 1824.86' to a 1" iron pipe found for  
19 an angle corner of the herein described tract;

20 North 43° 59' 43" East - 1803.99' to a 1" iron pipe found for  
21 an angle corner of the herein described tract;

22 North 73° 36' 48" West - 355.07' to a 5/8" iron rod with a cap  
23 stamped "PATE" set for an angle corner of the herein described  
24 tract;

25 THENCE North 00° 00' 56" West - 266.02', departing the  
26 aforesaid "Brazos River Authority Purchase Line", to a 5/8" iron  
27 rod with a cap stamped "PATE" set for an angle corner of the herein

1 described tract;

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

6           THENCE along said curve to the right an arc distance of  
7 480.50' to a 5/8" iron rod with a cap stamped "PATE" set for the end  
8 of curve;

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

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

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

20           THENCE along said curve to the right an arc distance of  
21 822.95' to a 5/8" iron rod with a cap stamped "PATE" set for the end  
22 of curve;

23           THENCE North  $39^{\circ} 19' 56''$  West- 520.91' to a 5/8" iron rod with  
24 a cap stamped "PATE" set for the Point of Curvature of a curve to the  
25 left, having a central angle of  $71^{\circ} 19' 06''$ , a radius of 220.00', and  
26 a chord bearing and distance of North  $74^{\circ} 59' 28''$  West - 256.50';

27           THENCE along said curve to the left an arc distance of 273.84'

1 to a 5/8" iron rod with a cap stamped "PATE" set for the end of  
2 curve;

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

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

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

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

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

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

23           THENCE North 02° 09' 41" West - 765.97' departing said "Brazos  
24 River Authority Purchase Line" to a 1/2"

25           iron rod with a cap stamped "Landes & Associates" found the  
26 northeast corner of the 0.631 acre tract described in the deed from  
27 Loyd Wayne Hamilton to L. Lynn and Connie C. Jackson, recorded in

1 Volume 1183, Page 463, in the Deed Records of Palo Pinto County,  
2 Texas, common to the most easterly southeast corner of aforesaid  
3 5.588 acre tract;

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

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

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

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

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

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

26         THENCE North 00° 50' 24" West along the east line of said  
27 Parcel 2, Part 3, passing at a distance of 78.00' a found 1/2" iron

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

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

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

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

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

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

1 and accomplished.

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