

By: Phillips

H.B. No. 4737

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Lake Texoma Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; incorporating by reference the limited power of eminent domain granted by general law.

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 Chapter 8._____ to read as follows:

CHAPTER 8._____ LAKE TEXOMA MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Section 8.____.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 Texoma Municipal Utility District No. 1.

Section 8.____.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Section 8.____.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. (a) 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.

(b) The temporary directors of any new district created under Section 8.____.107 may not hold an election under Subsection

1 (a) until either the land in the new district has been annexed into
2 the City of Denison or the City of Denison does not annex the land in
3 the new district within 180 days after receipt of a written petition
4 by the landowner requesting annexation. The petition must (1)
5 request annexation of land that is contiguous and adjacent to the
6 corporate limits of the City of Denison, (2) include all the land in
7 the new district, and (3) include land covered by the development
8 agreement executed under Section 8____.004, including the consent of
9 the landowner to abide by the comprehensive land use plan and
10 development regulations as defined in the development agreement.

11 (c) If at the time a new district is created under Section
12 8____.107, the development agreement for the land included in the
13 new district has expired, the petition must include the consent of
14 the landowner to reinstate the comprehensive land use plan and
15 development regulations as defined in the expired development
16 agreement.

17 Section 8____.004 DEVELOPMENT AGREEMENT REQUIRED. The
18 temporary directors may not hold an election under Section 8____.003
19 until a development agreement pursuant to Section 212.171 et. seq.,
20 Local Government Code, covering all the land in the district, or a
21 lesser amount of such land only if approved by the City of Denison,
22 is executed by the owners of the land covered by the development
23 agreement and by the City of Denison.

24 Section 8____.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

25 (a) The district is created to serve a public purpose and benefit.

26 (b) All land and other property included in the district
27 will benefit from the improvements and services to be provided by

1 the district under powers conferred by Sections 52, Article III,
2 and Section 59, Article XVI, Texas Constitution, and other powers
3 granted under this chapter.

4 (c) The district is created to accomplish the purposes of:

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

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

11 Section 8____.006. INITIAL DISTRICT TERRITORY. (a) The
12 district is initially composed of the territory described by
13 Section 2 of this Act.

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

18 (1) organization, existence, or validity;

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

22 (3) right to impose a tax or assessment; or

23 (4) legality or operation.

24 Section 8____.007. ELIGIBILITY FOR INCLUSION IN SPECIAL
25 ZONE. (a) All or any part of the area of the district is eligible
26 to be included in a tax increment reinvestment zone created by the
27 city under Chapter 311, Tax Code.

1 (b) If the City of Denison creates a tax increment
2 reinvestment zone described by Subsection (a), the City of Denison
3 and the board of directors of the zone, by contract with the
4 district, may grant money deposited in the tax increment fund to the
5 district to be used by the district for the purposes permitted for
6 money granted to a corporation under Section 380.002(b), Local
7 Government Code, including the right to pledge the money as
8 security for any bonds issued by the district.

9 [Sections 8____.008 - 8____.050 reserved for expansion]

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Section 8____.051. GOVERNING BODY; TERMS. (a) The district
12 is governed by a board of five elected directors.

13 (b) Except as provided by Section 8____.052, directors serve
14 staggered four-year terms.

15 Section 8____.052. TEMPORARY DIRECTORS. (a) The temporary
16 board consists of:

17 (1) Ben Munson _____;

18 (2) Gifford Jackson _____;

19 (3) Robert Vaughn _____;

20 (4) Denice Lucas _____; and

21 (5) Patrick O'Toole _____.

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

23 (1) the date permanent directors are elected under
24 Section 8____.003; or

25 (2) September 1, 2013.

26 (c) If permanent directors have not been elected under
27 Section 8____.003 and the terms of the temporary directors have

1 expired, successor temporary directors shall be appointed or
2 reappointed as provided by Subsection (d) to serve terms that
3 expire on the earlier of:

4 (1) the date permanent directors are elected under
5 Section 8____.003; or

6 (2) the fourth anniversary of the date of the
7 appointment or reappointment.

8 (d) If Subsection (c) applies, the owner or owners of a
9 majority of the assessed value of the real property in the district
10 may submit a petition to the Texas Commission on Environmental
11 Quality requesting that the Texas Commission on Environmental
12 Quality appoint as successor temporary directors the five persons
13 named in the petition. The Texas Commission on Environmental
14 Quality shall appoint as successor temporary directors the five
15 persons named in the petition.

16 [Sections 8____.053 - 8____.100 reserved for expansion]

17 SUBCHAPTER C. POWERS AND DUTIES

18 Section 8____.101. GENERAL POWERS AND DUTIES. The district
19 has the powers and duties necessary to accomplish the purposes for
20 which the district is created.

21 Section 8____.102. MUNICIPAL UTILITY DISTRICT POWERS AND
22 DUTIES. The district has the powers and duties provided by the
23 general law of this state, including Chapters 49 and 54, Water Code,
24 applicable to municipal utility districts created under Section 59,
25 Article XVI, Texas Constitution.

26 Section 8____.103. AUTHORITY FOR ROAD PROJECTS. Under
27 Section 52, Article III, Texas Constitution, the district may

1 construct, acquire, improve, maintain, or operate macadamized,
2 graveled, or paved roads, or improvements, including storm
3 drainage, in aid of those roads.

4 Section 8____.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
5 road project must meet all applicable construction standards,
6 zoning and subdivision requirements, and regulations of each
7 municipality in whose corporate limits or extraterritorial
8 jurisdiction the road project is located.

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

14 (c) If the state will maintain and operate the road, the
15 Texas Transportation Commission must approve the plans and
16 specifications of the road project.

17 Section 8____.105. COMPLIANCE WITH MUNICIPAL CONSENT
18 ORDINANCE OR RESOLUTION. (a) The district shall comply with any
19 ordinance or resolution adopted by the City of Denison in
20 accordance with Section 54.016 or 54.0165, Water Code, that
21 consents to the creation of the district or to the inclusion of land
22 in the district. The consent of the City of Denison to the district
23 created by this Act may limit the amount of the district's bonds and
24 tax rate.

25 (b) The consent of the City of Denison to the inclusion of
26 additional land in the district created by this Act may be
27 conditioned upon such additional land being covered by the

1 development agreement executed under Section 8 .004.

2 (c) to The City of Denison may not include any restrictions
3 or conditions on any new district created under Section 8 .107
4 or to the inclusion of land in any such new district other than
5 those expressly provided in Section 54.016(e), Water Code. The
6 restrictions or conditions on the creation of any new district
7 under Section 8 .107 or to the inclusion of land in any such
8 new district shall not (1) limit the amount of the new district's
9 bonds or tax rate or (2) restrict the purposes authorized by this
10 Act for which the new district may issue bonds.

11 (d) The district may annex into the boundaries of the
12 district prior to an election under Section 8 .003 and without
13 the consent of the City of Denison any land previously owned by the
14 United States Army Corps of Engineers. The district may also annex
15 land into the boundaries of the district prior to an election under
16 Section 8 .003 and in accordance with Section 54.016, Water Code,
17 if such land is located within the extraterritorial jurisdiction or
18 corporate limits of the City of Denison and if the City of Denison
19 has consented by ordinance or resolution to the annexation of such
20 land. The district may not annex land located outside the corporate
21 limits and extraterritorial jurisdiction of the City of Denison.

22 Section 8 .106. EFFECT OF ANNEXATION BY CITY OF DENISON.

23 (a) The City of Denison may annex part of the district into its
24 corporate limits without annexing the entire district pursuant to
25 the terms of the development agreement executed under Section 8
26 .004 between the City of Denison and the owners of the land within
27 the district and covered by the development agreement. If no

1 development agreement is executed under Section 8____.004 or the
2 terms of such development agreement have expired, nothing in this
3 Act shall limit the right of the City of Denison to annex the
4 district.

5 (b) If the City of Denison annexes all or part of the
6 district into its corporate limits, the district shall not be
7 dissolved, the ability of the district to issue bonds shall not be
8 impaired or precluded, and, unless otherwise approved by the board
9 and the governing body of the City of Denison, the City of Denison
10 shall not take over the property or other assets of the district,
11 shall not assume any debts, liabilities, or other obligations of
12 the district, shall not be obligated to perform any functions of the
13 district, and shall not be obligated to pay any landowner or
14 developer for costs and expenses incurred by the landowner or
15 developer in connection with the district that would otherwise be
16 eligible for reimbursement from the proceeds of bonds issued by the
17 district.

18 (c) Notwithstanding Section 54.016(f)(2), Water Code, a
19 contract ("allocation agreement") between the City of Denison and
20 the district that provides for the allocation of the taxes or
21 revenues of the district and the city following the date of
22 inclusion of all the district's territory within the corporate
23 limits of the city, may provide that the total annual ad valorem
24 taxes collected by the city and the district from taxable property
25 within the district may exceed an amount greater than the city's ad
26 valorem tax upon such property.

27 Section 8____.107 DIVISION OF DISTRICT. (a) The district may

1 be divided into two or more new districts only if the district:

2 (1) has no outstanding bonded debt; and

3 (2) is not imposing ad valorem taxes.

4 (b) This chapter applies to any new district created by the
5 division of the district, and a new district has all the powers and
6 duties of the district.

7 (c) Any new district created by the division of the district
8 may, at the time the new district is created, contain any land
9 within the area described by Section 2 of this Act, any land
10 previously owned by the United States Army Corps of Engineers, and
11 any land adjacent to the area described in Section 2 of this Act if
12 such adjacent land is within the extraterritorial jurisdiction of
13 the City of Denison and if such adjacent land has been approved by
14 the City of Denison under Section 8____.005.

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

19 (e) The board may adopt an order dividing the district only
20 after the date the board holds an election under Section 8____.003 to
21 confirm the district's creation.

22 (f) An order dividing the district shall:

23 (1) name each new district;

24 (2) include the metes and bounds description of the
25 territory of each new district;

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

27 and

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

3 (g) On or before the 30th day after the date of adoption of
4 an order dividing the district, the district shall file the order
5 with the Texas Commission on Environmental Quality and record the
6 order in the real property records of each county in which the
7 district is located.

8 (h) Any new district created by the division of the district
9 shall hold a confirmation and directors' election as required by
10 Section 8____.003.

11 (i) No municipal consent of the City of Denison shall be
12 required to the creation of any new district created under this
13 Section 8____.107.

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

18 Section 8____.108. DISSOLUTION OF THE DISTRICT. The
19 district may be dissolved by ordinance or resolution of the
20 governing body of the City of Denison when at least 95% of the
21 infrastructure authorized by this Act and the Texas Water Code to
22 serve full development within the district has been completed.
23 Upon such dissolution, the City of Denison shall take over the
24 property and other assets of the district, shall assume all debts,
25 liabilities, or other obligations of the district, shall be
26 obligated to perform the functions of the district, and shall be
27 obligated to pay any landowner or developer for costs and expenses

1 incurred by the landowner or developer in connection with the
2 district that would otherwise be eligible for reimbursement from
3 the proceeds of bonds issued by the district.

4 Section 8____.109. LIMITATION ON USE OF EMINENT DOMAIN. The
5 district may not exercise the power of eminent domain outside the
6 district to acquire a site or easement for:

- 7 (1) a road project authorized by Section 8.____.104; or
8 (2) a recreational facility as defined by Section
9 49.462, Water Code.

10 [Sections 8____.110 - 8.____.150 reserved for expansion]

11 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

12 Section 8____.151. ELECTIONS REGARDING TAXES OR BONDS. (a)
13 The district may issue, without an election, bonds and other
14 obligations secured by:

- 15 (1) revenue other than ad valorem taxes; or
16 (2) contract payments described by Section 8____.153.

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

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

25 Section 8____.152. OPERATION AND MAINTENANCE TAX. (a) If
26 authorized at an election held under Section 8____.151, the district
27 may impose an operation and maintenance tax on taxable property in

1 the district in accordance with Section 49.107, Water Code.

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

4 Section 8____.153. CONTRACT TAXES. (a) In accordance with
5 Section 49.108, Water Code, the district may impose a tax other than
6 an operation and maintenance tax and use the revenue derived from
7 the tax to make payments under a contract after the provisions of
8 the contract have been approved by a majority of the district voters
9 voting at an election held for that purpose.

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

13 [Sections 8____.154 - 8____.200 reserved for expansion]

14 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

15 Section 8____.201 AUTHORITY TO ISSUE BONDS AND OTHER
16 OBLIGATIONS. The district may issue bonds or other obligations
17 payable wholly or partly from ad valorem taxes, impact fees,
18 revenue, contract payments, grants, other district money, revenue
19 from a tax increment reinvestment zone created under Chapter 311,
20 Tax Code, revenue from economic development agreements under
21 Section 380, Local Government Code, or any combination of those
22 sources, to pay for any authorized district purpose.

23 Section 8____.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 Section 8____.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. The Lake Texoma Municipal Utility District No. 1
8 initially includes all the territory contained in the following
9 area:

10 Situated in the County of Grayson, State of Texas, being a
11 part of the Stephen Cox Survey, Abstract No. 299, the H. K. Needham
12 Survey, Abstract No. 1520, the Sarah Hall Survey, Abstract No.
13 1485, the Levi T. Loveall Survey, Abstract No. 746, the Bledsoe
14 Holder Survey, Abstract No. 614, the William J. Reeves Survey,
15 Abstract No. 1018, the Thomas M. Reeves Survey, Abstract No. 1017,
16 the William Bean Survey, Abstract No. 84, the Greenberry Gates
17 Survey, Abstract No. 443, the Jacob Wilcox Survey, Abstract No.
18 1358, the Polly Stamps Survey, Abstract No. 1098, the Joshua West
19 Survey, Abstract No. 1316, and being all of the J. C. Jamison
20 Survey, Abstract No. 665, the T. E. Jones Survey, Abstract No. 55,
21 the R. J. Lefever Survey, Abstract No. 753, the Mary E. Bowe Survey,
22 Abstract No. 181, the Charles F. Daugherty Survey, Abstract No.
23 1566, the H. B. Thomas Survey, Abstract No. 1572, and the Juan
24 Armendaris Survey, Abstract No. 40, and being various tracts of
25 land conveyed in various interests to Preston Harbour, L.P., Jack
26 Schuler, Farmington Estates, Ltd., Forest Grove Land Company,
27 L.L.C., and Preston Harbour Homeplace by descriptions in deed

1 recorded in Volume 3449, Page 257, Volume 3599, Page 455, Volume
2 4323, Page 875, Volume 4323, Page 881, Volume 3295, Page 526, Volume
3 3276, Page 526, Volume 3944, Pages 609 and 615, Volume 3276, Page
4 398, Volume 4323, Page 888, Volume 3718, Page 878, Volume 4323, Page
5 895, and Volume 3941, Page 871, all of the Official Public Records,
6 Grayson County, Texas, and being described as follows:

7 Beginning at a point for the most Southerly Southeast corner
8 of the herein described tract the intersection of the East line of
9 the said Cox Survey with the North right-of-way line of F.M. Highway
10 No. 406;

11 Thence Westerly with said North right-of-way line as follows:

12 North 44°00'30" West, a distance of 76.92 feet;

13 Northwesterly with a curve to the left having a radius
14 of 1,517.39 feet (chord bears North 57°12'58" West, 449.54 feet) an
15 arc distance of 451.20 feet;

16 North 01°57'58" East, a distance of 20.01 feet;

17 North 87°10'26" West, a distance of 53.63 feet;

18 Westerly with a non-tangent curve to the left having a
19 radius of 1,517.39 feet (chord bears North 77°32'28" West, 507.89
20 feet) an arc distance of 510.29 feet;

21 North 87°34'14" West, a distance of 724.69 feet;

22 North 87°42'32" West, a distance of 215.02 feet;

23 North 88°14'34" West, a distance of 199.86 feet;

24 North 75°33'45" West, a distance of 205.00 feet;

25 North 88°14'34" West, a distance of 200.00 feet;

26 South 84°37'56" West, a distance of 201.56 feet;

27 North 88°14'34" West, a distance of 338.31 feet;

1 North 87°02'49" West, a distance of 314.69 feet;
2 North 77°52'42" West, a distance of 41.24 feet to the
3 intersection of said North right-of-way line with the East line of
4 the USA property embracing City of Denison;

5 Thence with the USA boundary as follows:

6 North 00°04'03" East, a distance of 1,381.78 feet;
7 North 89°53'11" West, a distance of 650.19 feet;
8 North 00°07'13" East, a distance of 1,949.53 feet;
9 South 89°51'06" East, a distance of 840.00 feet;
10 North 00°03'31" East, a distance of 850.00 feet;
11 North 89°57'20" West, a distance of 500.00 feet;
12 North 00°00'29" East, a distance of 1,057.78 feet;
13 North 00°00'44" West, a distance of 1,530.00 feet;
14 North 89°59'16" East, a distance of 800.00 feet;
15 North 00°00'44" West, a distance of 1,099.40 feet;
16 South 87°26'08" East, a distance of 4,441.44 feet;
17 North 01°25'48" East, a distance of 1,465.32 feet;
18 North 87°08'00" West, a distance of 2,370.30 feet;
19 North 10°19'33" East, a distance of 1,184.67 feet;
20 North 86°06'49" West, a distance of 1,106.58 feet;
21 North 02°02'54" East, a distance of 969.85 feet;
22 North 86°15'15" West, a distance of 425.41 feet;
23 North 03°32'53" East, a distance of 1,251.67 feet;
24 North 88°27'30" East, a distance of 2,465.83 feet
25 North 01°45'27" East, a distance of 1,293.09 feet;
26 South 87°21'00" East, a distance of 125.56 feet;
27 North 00°00'56" East, a distance of 788.69 feet;

1 North 89°58'45" West, a distance of 1,280.23 feet;
2 North 00°01'20" East, a distance of 1,029.44 feet;
3 South 89°56'44" West, a distance of 537.47 feet;
4 North 07°13'40" East, a distance of 355.69 feet;
5 North 89°52'44" West, a distance of 463.09 feet;
6 North 00°07'06" East, a distance of 850.09 feet;
7 South 89°54'25" East, a distance of 821.95 feet;
8 North 00°03'52" West, a distance of 872.97 feet;
9 North 89°59'31" East, a distance of 750.35 feet;
10 South 00°14'40" East, a distance of 1,000.21 feet;
11 North 89°55'46" East, a distance of 980.28 feet;
12 North 00°12'25" West, a distance of 1,450.28 feet;
13 South 89°50'21" East, a distance of 515.07 feet;
14 North 00°04'55" East, a distance of 449.79 feet;
15 North 89°56'16" East, a distance of 694.55 feet;
16 South 03°06'32" West, a distance of 3,023.73 feet;
17 South 87°37'57" East, a distance of 1,030.28 feet;
18 South 03°04'54" West, a distance of 920.08 feet;
19 South 87°38'30" East, a distance of 86.17 feet;
20 South 02°59'45" West, a distance of 411.56 feet;
21 Thence South 87°01'15" East, passing a USA property corner,
22 departing said USA boundary and continuing for a total distance of
23 512.48 feet;
24 Thence South 01°34'09" West, a distance of 49.43 feet;
25 Thence South 10°45'31" East, a distance of 64.75 feet;
26 Thence North 46°17'19" East, a distance of 86.01 feet;
27 Thence North 43°42'41" West, a distance of 23.21 feet;

1 Thence North 01°31'40" East, a distance of 33.82 feet;

2 Thence South 87°01'15" East, a distance of 939.51 feet to a
3 corner in the West right-of-way line of State Highway No. 84;

4 Thence in Southerly direction with said West right-of-way
5 line and a non-tangent curve to the right having a radius of
6 5,679.58 feet (chord bears South 01°50'38" East, 179.72 feet) an arc
7 distance of 179.73 feet;

8 Thence South 00°56'14" East, a distance of 2,744.58 feet to
9 the intersection of said West right-of-way line with the North line
10 of a 30 foot wide strip of land;

11 Thence with the boundary of said strip of land as follows:

12 South 78°43'18" West, a distance of 476.49 feet;

13 North 08°55'55" West, a distance of 184.27 feet;

14 North 87°59'26" West, a distance of 768.80 feet;

15 South 02°52'06" West, a distance of 30.00 feet;

16 South 87°59'26" East, a distance of 744.49 feet;

17 South 08°55'55" East, a distance of 190.77 feet;

18 North 78°43'18" East, a distance of 502.27 feet to the
19 intersection of the South line of said strip of land with the said
20 West right-of-way line of Highway No. 84;

21 Thence continuing with said West right-of-way line as
22 follows:

23 South 00°56'14" East, a distance of 429.67 feet;

24 Southerly with a curve to the left having a radius of
25 2,914.79 feet (chord bears South 08°27'14" East, 762.59 feet), an
26 arc distance of 764.79 feet;

27 South 15°58'14" East, a distance of 3,853.45 feet;

1 Thence departing said West right-of-way line and continuing
2 as follows:

3 South 01°12'38" West, a distance of 499.66 feet;
4 North 87°44'23" West, a distance of 2,445.14 feet;
5 South 01°58'12" West, a distance of 1,215.19 feet;
6 South 01°35'30" West, a distance of 1,643.46 feet;
7 South 01°46'06" West, a distance of 2,228.41 feet;
8 North 88°02'55" West, a distance of 3,103.33 feet;
9 South 01°42'59" West, a distance of 1,738.89 feet to the
10 Point of Beginning and containing approximately 2,272.6 acres of
11 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

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