

1-1 By: Quintanilla (Senate Sponsor - Uresti) H.B. No. 4759
1-2 (In the Senate - Received from the House May 18, 2009;
1-3 May 19, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 22, 2009, reported favorably, as
1-5 amended, by the following vote: Yeas 5, Nays 0; May 22, 2009, sent
1-6 to printer.)

1-7 COMMITTEE AMENDMENT NO. 1 By: Gallegos

1-8 Amend H.B. No. 4759 in SECTION 1 of the bill, in proposed
1-9 Section 3845.155(b), Special District Local Laws Code, (house
1-10 engrossed version, page 4 lines 10-11), by striking "for which ad
1-11 valorem tax revenue may be used" and substituting "that is an
1-12 authorized use of hotel occupancy tax revenue under Chapter 351,
1-13 Tax Code".

1-14 A BILL TO BE ENTITLED
1-15 AN ACT

1-16 relating to the creation of the Tornillo Management District;
1-17 providing authority to impose a tax and issue bonds.

1-18 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-19 SECTION 1. Subtitle C, Title 4, Special District Local Laws
1-20 Code, is amended by adding Chapter 3845 to read as follows:

1-21 CHAPTER 3845. TORNILLO MANAGEMENT DISTRICT

1-22 SUBCHAPTER A. GENERAL PROVISIONS

1-23 Sec. 3845.001. DEFINITIONS. In this chapter:

1-24 (1) "Board" means the district's board of directors.

1-25 (2) "Director" means a board member.

1-26 (3) "District" means the Tornillo Management
1-27 District.

1-28 Sec. 3845.002. NATURE OF DISTRICT. The district is a
1-29 special district created under Sections 52 and 52-a, Article III,
1-30 and Section 59, Article XVI, Texas Constitution.

1-31 Sec. 3845.003. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
1-32 The district is created to serve a public purpose and benefit.

1-33 (b) All land and other property included in the district
1-34 will benefit from the improvements and services to be provided by
1-35 the district under powers conferred by Sections 52 and 52-a,
1-36 Article III, and Section 59, Article XVI, Texas Constitution, and
1-37 other powers granted under this chapter.

1-38 (c) The district is created to accomplish the purposes of a
1-39 municipal management district as provided by general law and
1-40 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-41 Texas Constitution.

1-42 (d) The creation of the district is in the public interest
1-43 and is essential to:

1-44 (1) further the public purposes of developing and
1-45 diversifying the economy of the state;

1-46 (2) eliminate unemployment and underemployment; and

1-47 (3) develop or expand transportation and commerce.

1-48 (e) The district will:

1-49 (1) promote the health, safety, and general welfare of
1-50 residents, employers, potential employees, employees, visitors,
1-51 and consumers in the district, and of the public;

1-52 (2) provide needed funding for the district to
1-53 preserve, maintain, and enhance the economic health and vitality of
1-54 the district territory as a community and business center; and

1-55 (3) promote the health, safety, welfare, and enjoyment
1-56 of the public by providing pedestrian ways and by landscaping and
1-57 developing certain areas in the district, which are necessary for
1-58 the restoration, preservation, and enhancement of scenic beauty.

1-59 (f) Pedestrian ways along or across a street, whether at
1-60 grade or above or below the surface, and street lighting, street
1-61 landscaping, parking, and street art objects are parts of and
1-62 necessary components of a street and are considered to be a street

2-1 or road improvement.

2-2 (g) The district will not act as the agent or
2-3 instrumentality of any private interest even though the district
2-4 will benefit many private interests as well as the public.

2-5 Sec. 3845.004. INITIAL DISTRICT TERRITORY. (a) The
2-6 district is initially composed of the territory described by
2-7 Section 2 of the Act creating this chapter.

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

2-12 (1) organization, existence, or validity;

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

2-16 (3) right to impose a tax; or

2-17 (4) legality or operation.

2-18 [Sections 3845.005-3845.050 reserved for expansion]

2-19 SUBCHAPTER B. BOARD OF DIRECTORS

2-20 Sec. 3845.051. GOVERNING BODY; TERMS. (a) The district is
2-21 governed by a board of seven voting directors. Four directors are
2-22 elected as provided by Section 3845.052 and three directors are
2-23 appointed as provided by Section 3845.053.

2-24 (b) Elected directors serve staggered terms of four years.

2-25 (c) Appointed directors serve three-year terms and may be
2-26 appointed for subsequent terms.

2-27 Sec. 3845.052. ELECTION OF DIRECTORS. On the uniform
2-28 election date in May of each even-numbered year, the appropriate
2-29 number of directors shall be elected.

2-30 Sec. 3845.053. APPOINTMENT OF DIRECTORS. (a) One director
2-31 shall be appointed by a majority vote of the board of directors of
2-32 the El Paso County Tornillo Water Improvement District.

2-33 (b) One director shall be appointed by a majority vote of
2-34 the Commissioners Court of El Paso County.

2-35 (c) One director shall be appointed by the board from a list
2-36 of persons submitted by the representative for House District 75.

2-37 (d) Directors must be appointed under this section not later
2-38 than 90 days after the Act creating this chapter becomes law. This
2-39 subsection expires January 1, 2010.

2-40 Sec. 3845.054. QUALIFICATIONS. (a) To be qualified to
2-41 serve as an appointed director, a person must be at least 18 years
2-42 old and a state resident.

2-43 (b) To be qualified to serve as an elected director, a
2-44 person must meet the qualifications for an appointed director and
2-45 be an owner of real property subject to taxation in the district or
2-46 a qualified voter of the district.

2-47 Sec. 3845.055. INITIAL DIRECTORS. (a) On or after the
2-48 effective date of the Act creating this chapter, the owner or owners
2-49 of a majority of the assessed value of the real property in the
2-50 district may submit a petition to the Texas Commission on
2-51 Environmental Quality requesting that the commission appoint as
2-52 initial directors the four qualified persons named in the petition.
2-53 The commission shall appoint as initial directors the four persons
2-54 named in the petition.

2-55 (b) The initial directors appointed under Subsection (a)
2-56 shall draw lots to determine which two shall serve until the first
2-57 regularly scheduled election of directors under Section 3845.052
2-58 and which two shall serve until the second regularly scheduled
2-59 election of directors.

2-60 [Sections 3845.056-3845.100 reserved for expansion]

2-61 SUBCHAPTER C. POWERS AND DUTIES

2-62 Sec. 3845.101. GENERAL POWERS AND DUTIES. The district has
2-63 the powers and duties necessary to accomplish the purposes for
2-64 which the district is created.

2-65 Sec. 3845.102. MUNICIPAL MANAGEMENT DISTRICT POWERS AND
2-66 DUTIES. The district has the powers and duties provided by the
2-67 general law of this state, including Chapter 375, Local Government
2-68 Code, applicable to municipal management districts created under
2-69 Sections 52 and 52-a, Article III, and Section 59, Article XVI,

3-1 Texas Constitution.
3-2 Sec. 3845.103. EMINENT DOMAIN. The district may not
3-3 exercise the power of eminent domain.
3-4 Sec. 3845.104. WATER AND WASTEWATER FACILITIES AND
3-5 SERVICES. (a) The district may not provide wholesale or retail
3-6 water or wastewater services to any land inside or outside the
3-7 boundaries of the district or produce water for use on land owned or
3-8 managed by the district unless authorized by a written resolution
3-9 of the board of directors of the El Paso County Tornillo Water
3-10 Improvement District. A written resolution authorizing the
3-11 provision or production of water or the water or wastewater
3-12 services must specify the area authorized to receive the water or
3-13 wastewater services or for which the district is authorized to
3-14 produce water. Notwithstanding any other law, the El Paso County
3-15 Tornillo Water Improvement District is not required to provide
3-16 retail water or wastewater services to an area in which the district
3-17 is authorized to provide water services.
3-18 (b) On written request by the El Paso County Tornillo Water
3-19 Improvement District, the district shall convey and transfer to the
3-20 El Paso County Tornillo Water Improvement District all water or
3-21 wastewater facilities, equipment, and fixtures owned by the
3-22 district, including water lines, wastewater lines, meters, wells,
3-23 fire hydrants, storage tanks, lagoons, water and wastewater
3-24 treatment facilities, and pump and lift stations.
3-25 (c) Water or wastewater facilities, equipment, and fixtures
3-26 transferred at the request of the El Paso County Tornillo Water
3-27 Improvement District shall continue to be used to benefit land in
3-28 the district.
3-29 Sec. 3845.105. RAIL FACILITIES. The district may
3-30 construct, acquire, improve, maintain, and operate rail facilities
3-31 and improvements in aid of those facilities.
3-32 Sec. 3845.106. DEVELOPMENT CORPORATION POWERS. The
3-33 district may exercise the powers given to a corporation under
3-34 Chapter 505, Local Government Code, including the power to own,
3-35 operate, acquire, construct, lease, improve, and maintain the
3-36 projects described by that chapter.
3-37 [Sections 3845.107-3845.150 reserved for expansion]
3-38 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
3-39 Sec. 3845.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
3-40 district may issue, without an election, bonds and other
3-41 obligations secured by revenue or contract payments from any source
3-42 other than ad valorem taxation.
3-43 (b) The district must hold an election in the manner
3-44 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-45 before the district may impose an ad valorem tax or issue bonds
3-46 payable from ad valorem taxes.
3-47 (c) The district may not issue bonds payable from ad valorem
3-48 taxes to finance a road project unless the issuance is approved by a
3-49 vote of a two-thirds majority of the district voters voting at an
3-50 election held for that purpose.
3-51 Sec. 3845.152. OPERATION AND MAINTENANCE TAX. (a) If
3-52 authorized at an election held under Section 3845.151, the district
3-53 may impose an operation and maintenance tax on taxable property in
3-54 the district in accordance with Section 49.107, Water Code.
3-55 (b) The board shall determine the tax rate. The rate may not
3-56 exceed the rate approved at the election.
3-57 Sec. 3845.153. CONTRACT TAXES. (a) In accordance with
3-58 Section 49.108, Water Code, the district may make payments under a
3-59 contract from taxes other than operation and maintenance taxes
3-60 after the provisions of the contract have been approved by a
3-61 majority of the district voters voting at an election held for that
3-62 purpose.
3-63 (b) A contract approved by the district voters may contain a
3-64 provision stating that the contract may be modified or amended by
3-65 the board without further voter approval.
3-66 Sec. 3845.154. TAXES FOR WATER, WASTEWATER, AND DRAINAGE
3-67 PURPOSES. Taxes the district imposes for water, wastewater, and
3-68 drainage facility construction and maintenance purposes, if any,
3-69 are for the particular benefit of the area inside the district, do

4-1 not generally or directly benefit the area inside the El Paso County
 4-2 Tornillo Water Improvement District as a whole, and do not
 4-3 duplicate a tax imposed by the El Paso County Tornillo Water
 4-4 Improvement District.

4-5 Sec. 3845.155. HOTEL OCCUPANCY TAX. (a) The district may
 4-6 impose a hotel occupancy tax in the manner provided by Section
 4-7 351.002, Tax Code. A tax imposed under this section may not exceed
 4-8 the maximum rate provided by Section 351.003(a), Tax Code.

4-9 (b) The district may use revenue from the hotel occupancy
 4-10 tax for any district purpose for which ad valorem tax revenue may be
 4-11 used.

4-12 (c) If any territory of the district is annexed by a
 4-13 municipality or incorporates as a municipality, the district may
 4-14 not impose a hotel occupancy tax.

4-15 Sec. 3845.156. SALES AND USE TAX. (a) The district may
 4-16 impose a sales and use tax if authorized by a majority of the voters
 4-17 of the district voting at an election held for that purpose.
 4-18 Revenue from the sales and use tax may be used for any purpose for
 4-19 which ad valorem tax revenue of the district may be used.

4-20 (b) The district may not adopt a sales and use tax at a rate
 4-21 greater than two percent, and the rate of the tax when combined with
 4-22 the rates of all other sales and use taxes imposed in the district
 4-23 may not exceed the total combined sales and use tax rate imposed in
 4-24 the city of El Paso.

4-25 (c) Chapter 321, Tax Code, applies to the imposition,
 4-26 computation, administration, enforcement, and collection of the
 4-27 sales and use tax imposed by this section except to the extent it is
 4-28 inconsistent with this chapter.

4-29 (d) If any territory of the district is annexed by a
 4-30 municipality or incorporates as a municipality, the district may
 4-31 not impose a sales and use tax.

4-32 Sec. 3845.157. AUTHORITY TO TAX. The district may impose
 4-33 taxes only inside the district's boundaries.

4-34 [Sections 3845.158-3845.200 reserved for expansion]

4-35 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-36 Sec. 3845.201. AUTHORITY TO ISSUE BONDS AND OTHER
 4-37 OBLIGATIONS. The district may issue bonds or other obligations
 4-38 payable wholly or partly from ad valorem taxes, impact fees,
 4-39 revenue, contract payments, grants, revenue from economic
 4-40 development agreements under Chapter 381, Local Government Code, or
 4-41 other district money, or any combination of those sources, to pay
 4-42 for an authorized district purpose.

4-43 Sec. 3845.202. TAXES FOR BONDS. (a) At the time the
 4-44 district issues bonds payable wholly or partly from ad valorem
 4-45 taxes, the board shall provide for the annual imposition of an ad
 4-46 valorem tax, without limit as to rate or amount, as required by
 4-47 Section 54.601, Water Code.

4-48 (b) The board shall impose the tax annually while all or
 4-49 part of the bonds are outstanding. Sections 54.601 and 54.602,
 4-50 Water Code, govern the amount and rate of the tax.

4-51 Sec. 3845.203. BONDS FOR ROAD PROJECTS. At the time of
 4-52 issuance, the total principal amount of bonds or other obligations
 4-53 issued or incurred to finance road projects may not exceed
 4-54 one-fourth of the assessed value of the real property in the
 4-55 district.

4-56 Sec. 3845.204. FINANCIAL RESPONSIBILITY OF EL PASO COUNTY
 4-57 TORNILLO WATER IMPROVEMENT DISTRICT. (a) This chapter may not be
 4-58 construed as creating an obligation of the El Paso County Tornillo
 4-59 Water Improvement District for a debt incurred by the district.

4-60 (b) Notwithstanding any other law, the El Paso County
 4-61 Tornillo Water Improvement District may not be held liable for a
 4-62 debt incurred by the district unless the debt is assumed by a
 4-63 resolution of the board of directors of the El Paso County Tornillo
 4-64 Water Improvement District.

4-65 SECTION 2. The Tornillo Management District initially
 4-66 includes all the territory contained in the following area:

4-67 TRACT 1

4-68 Being the description of Tract 4B, Block 4 and Tract 4B, Block 7 and
 4-69 Tracts 6C and 6C1, Block 11, Lower Valley Surveys and a portion of

5-1 M.R. Hemley Survey 428 and a portion of A.L. Daugherty Surveys 352
 5-2 and 360, El Paso County, Texas and being more particularly
 5-3 described by metes and bounds as follows:
 5-4 COMMENCING FOR REFERENCE at a found county monument in the
 5-5 centerline of State Highway 20 (100 feet wide) and another found
 5-6 county monument bears, South 54°30.00" East (bearing base), a
 5-7 distance of 499.75 feet;
 5-8 THENCE, N32°54'03" East, a distance of 488.62 feet to a found old 2
 5-9 inch iron pipe at the Southwest corner of said Tract 6C in the North
 5-10 right-of-way line of the Southern Pacific Railroad (100 feet wide)
 5-11 and POINT OF BEGINNING for the herein described tract;
 5-12 THENCE, along the West line of said Tract 6C the following four (4)
 5-13 courses:
 5-14 North 24°09'27" East, a distance of 168.61 feet to a
 5-15 point and a found 1/2 inch rebar bears, North 76°30'23" East,
 5-16 7.33 feet; North 00°40'00" East, a distance of 1857.00 feet to
 5-17 a found old 2 1/2 inch iron pipe;
 5-18 North 44°56'56" West, a distance of 2220.93 feet to a set
 5-19 1/2 inch rebar marked (Tx2027) at the most Westerly corner of
 5-20 said Tract 6C;
 5-21 North 44°59'23" East, a distance of 6923.77 feet to a
 5-22 found GLO brass cap marked (SC46,47,360) at the most
 5-23 Northerly corner of said Tract 6C at an angle point in the
 5-24 Southwesterly line of said Survey No. 360 in the Southerly
 5-25 line of the Survey Day Survey No. 47;
 5-26 THENCE, along said Southwesterly line of said Surveys 360 and 352
 5-27 the following three (3) courses:
 5-28 North 44°57'13" East, a distance of 862.61 feet to a
 5-29 found GLO brass cap marked (SC46, 360);
 5-30 North 45°02'47" West, a distance of 4844.74 feet to a
 5-31 found GLO brass cap marked (SC352,46);
 5-32 South 44°57'13" West, a distance of 407.97 feet to a set
 5-33 1/2 inch rebar marked (Tx2027);
 5-34 THENCE, leaving said Southwesterly line of Survey No. 352, North
 5-35 43°56'22" West, a distance of 2716.19 feet to a set 1/2 inch rebar
 5-36 marked (Tx2027) in the South right-of-way line of O.T. Smith Road;
 5-37 THENCE, along said right-of-way line the following two (2) courses:
 5-38 North 63°08'09" East, a distance of 806.91 feet to a
 5-39 found 5/8 inch rebar;
 5-40 North 54°43'47" East, a distance of 505.39 feet to a
 5-41 found TxDOT concrete right-of-way marker in the West
 5-42 right-of-way line of Interstate Highway 10;
 5-43 THENCE, along said right-of-way line the following 21 courses:
 5-44 N57°23'43" East, a distance of 270.94 feet to a found
 5-45 TxDOT concrete right-of-way marker;
 5-46 North 77°27'15" East, a distance of 450.39 feet to a
 5-47 found TxDOT concrete right-of-way marker;
 5-48 South 82°12'57" East, a distance of 339.75 feet to a
 5-49 found TxDOT concrete right-of-way marker;
 5-50 South 42°32'10" East, a distance of 996.75 feet to a
 5-51 found TxDOT concrete right-of-way marker;
 5-52 North 47°33'38" East, a distance of 50.00 feet to a found
 5-53 TxDOT concrete right-of-way marker;
 5-54 South 42°32'55" East, a distance of 73.66 feet to a
 5-55 point; South 37°30'08" East, a distance of 538.50 feet to a
 5-56 found GLO brass cap Marked (SC352,428,13UT);
 5-57 South 37°31'43" East, a distance of 184.78 feet to a
 5-58 found 2 inch iron pipe marked (S13,BLK L);
 5-59 North 52°28'02" East, a distance of 63.78 feet to a
 5-60 point;
 5-61 South 42°32'55" East, a distance of 700.19 feet to a
 5-62 found TxDOT concrete right-of-way marker;
 5-63 South 42°34'09" East, a distance of 804.14 feet to a
 5-64 found TxDOT concrete right-of-way marker;
 5-65 South 42°30'46" East, a distance of 895.61 feet to a
 5-66 found TxDOT concrete right-of-way marker;
 5-67 South 42°32'26" East, a distance of 999.72 feet to a
 5-68 found TxDOT concrete right-of-way marker;
 5-69 South 42°33'51" East, a distance of 400.08 feet to a

6-1 found TxDOT concrete right-of-way marker;
 6-2 South 47°25'57" West, a distance of 100.05 feet to a
 6-3 found TxDOT concrete right-of-way marker;
 6-4 South 42°33'32" East, a distance of 898.16 feet to a
 6-5 found TxDOT concrete right-of-way marker;
 6-6 South 42°58'04" East, a distance of 184.64 feet to a
 6-7 point;
 6-8 South 42°24'08" East, a distance of 158.89 feet to a
 6-9 point;
 6-10 South 42°28'13" East, a distance of 1057.78 feet to a
 6-11 found TxDOT concrete right-of-way marker;
 6-12 North 47°29'46" East, a distance of 100.05 feet to a
 6-13 found TxDOT concrete right-of-way marker;
 6-14 South 42°32'23" East, a distance of 1199.72 feet to a
 6-15 point; South 42°32'35" East, a distance of 204.81 feet to a
 6-16 found 1/2 inch rebar marked (Tx4690) at the Northeast corner
 6-17 of a tract to McLeodusa Telecommunications Services, Inc.
 6-18 (book 4000, page 90);
 6-19 THENCE, along the North line of said McLeodusa tract, South
 6-20 47°27'25" West, a distance of 208.71 feet to a found 1/2 inch rebar
 6-21 marked (Tx4690);
 6-22 THENCE, along the West line of said McLeodusa tract, South 42°32'35"
 6-23 East, a distance of 417.42 feet to a found 1/2 inch rebar marked
 6-24 (Tx4690);
 6-25 THENCE, along the South line of said McLeodusa tract, North
 6-26 47°27'25" East, a distance of 208.71 feet to a found 1/2 inch rebar
 6-27 marked (Tx2027) in said West right-of-way line of Interstate
 6-28 Highway 10;
 6-29 THENCE, along said right-of-way line the following two courses:
 6-30 South 42°32'18" East, a distance of 976.93 feet to a
 6-31 found TxDOT concrete right-of-way marker;
 6-32 South 42°32'29" East, a distance of 876.88 feet to a
 6-33 found 2 inch iron pipe;
 6-34 THENCE, leaving said right-of-way line, South 45°00'00" West, a
 6-35 distance of 9393.85 feet to a set 1/2 inch rebar marked (Tx2027) at
 6-36 the most Southerly corner of said Tract 6C in said Northerly
 6-37 right-of-way line of the Southern Pacific Railroad;
 6-38 THENCE, along said right-of-way line the following two (2) courses:
 6-39 North 87°30'00" West, a distance of 1468.13 feet to a
 6-40 found 1/2 inch rebar at the beginning of a curve to the right;
 6-41 Along the arc of said curve (Delta Angle = 08°14'35",
 6-42 Radius = 2191.83 feet, Chord = North 83°22'42" West, 315.06
 6-43 feet) a distance of 315.34 feet to the POINT OF BEGINNING and
 6-44 containing 1,375.840 acres of land.
 6-45 TRACT 2
 6-46 Being the description of Tract 1A, Block 4, and Tract 1B, Block 7,
 6-47 Lower Valley Surveys, El Paso County, Texas and being more
 6-48 particularly described by metes and bounds as follows:
 6-49 COMMENCING FOR REFERENCE at a found county monument in the
 6-50 centerline of State Highway 20 (100 feet wide) and another county
 6-51 monument bears, South 54°30'00" East (bearing base), a distance of
 6-52 499.75 feet;
 6-53 THENCE, North 36°17'25" East, a distance of 50.10 feet to the North
 6-54 right-of-way line of said Highway 20;
 6-55 THENCE, along said right-of-way line the following two (2) courses:
 6-56 South 54°30'00" East, a distance of 497.38 feet to a
 6-57 found old concrete right-of-way marker;
 6-58 South 58°16'00" East, a distance of 763.50 feet to a set
 6-59 1/2 inch rebar marked (Tx2027) at the Southwesterly corner of
 6-60 said Tract 1B, Block 4 and POINT OF BEGINNING for the herein
 6-61 described tract;
 6-62 THENCE, along said right-of-way line, North 58°16'00" West, a
 6-63 distance of 41.10 feet to the Northwesterly corner of said Tract 1B;
 6-64 THENCE, leaving said right-of-way line and along the Northerly line
 6-65 of said Tract 1B the following two (2) courses:
 6-66 North 45°00'00" East, a distance of 594.73 feet;
 6-67 North 43°44'00" East, a distance of 454.28 feet to the
 6-68 Northeasterly corner of said Tract 1B in the South
 6-69 right-of-way line of the Southern Pacific Railroad (100 feet

7-1 wide);
7-2 THENCE, along said right-of-way line, South 87°29'00" East, a
7-3 distance of 108.51 feet to the Southeasterly corner of said Tract
7-4 1B, Block 7;
7-5 THENCE, leaving said right-of-way line and along the Southerly line
7-6 of said Tract 1B the following two (2) courses;
7-7 South 46°05'00" West, a distance of 527.55 feet;
7-8 South 45°00'00" West, a distance of 580.58 feet to said
7-9 North right-of-way line of Highway 20;
7-10 THENCE, along said right-of-way line, North 58°16'00" West, a
7-11 distance of 20.55 feet to the POINT OF BEGINNING and containing
7-12 1.599 acres of land.
7-13 SECTION 3. (a) The legal notice of the intention to
7-14 introduce this Act, setting forth the general substance of this
7-15 Act, has been published as provided by law, and the notice and a
7-16 copy of this Act have been furnished to all persons, agencies,
7-17 officials, or entities to which they are required to be furnished
7-18 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-19 Government Code.
7-20 (b) The governor, one of the required recipients, has
7-21 submitted the notice and Act to the Texas Commission on
7-22 Environmental Quality.
7-23 (c) The Texas Commission on Environmental Quality has filed
7-24 its recommendations relating to this Act with the governor, the
7-25 lieutenant governor, and the speaker of the house of
7-26 representatives within the required time.
7-27 (d) All requirements of the constitution and laws of this
7-28 state and the rules and procedures of the legislature with respect
7-29 to the notice, introduction, and passage of this Act are fulfilled
7-30 and accomplished.
7-31 SECTION 4. This Act takes effect immediately if it receives
7-32 a vote of two-thirds of all the members elected to each house, as
7-33 provided by Section 39, Article III, Texas Constitution. If this
7-34 Act does not receive the vote necessary for immediate effect, this
7-35 Act takes effect September 1, 2009.

7-36 * * * * *