

1-1 By: Estes S.B. No. 2488
1-2 (In the Senate - Filed April 1, 2009; April 6, 2009, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; May 7, 2009, reported favorably by the following vote:
1-5 Yeas 5, Nays 0; May 7, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation of the Lake Weatherford Municipal Utility
1-9 Districts Nos. 1 and 2; providing authority to impose a tax and
1-10 issue bonds; granting a limited power of eminent domain.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-13 Code, is amended by adding Chapters 8324 and 8325 to read as
1-14 follows:

1-15 CHAPTER 8324. LAKE WEATHERFORD MUNICIPAL UTILITY DISTRICT NO. 1

1-16 SUBCHAPTER A. GENERAL PROVISIONS

1-17 Sec. 8324.001. DEFINITIONS. In this chapter:

1-18 (1) "Board" means the district's board of directors.

1-19 (2) "Director" means a board member.

1-20 (3) "District" means the Lake Weatherford Municipal
1-21 Utility District No. 1.

1-22 Sec. 8324.002. NATURE OF DISTRICT. The district is a
1-23 municipal utility district created under Section 59, Article XVI,
1-24 Texas Constitution.

1-25 Sec. 8324.003. CONFIRMATION AND DIRECTORS' ELECTION
1-26 REQUIRED. The temporary directors shall hold an election to
1-27 confirm the creation of the district and to elect five permanent
1-28 directors as provided by Section 49.102, Water Code.

1-29 Sec. 8324.004. CONSENT OF MUNICIPALITY REQUIRED. The
1-30 temporary directors may not hold an election under Section 8324.003
1-31 until each municipality in whose corporate limits or
1-32 extraterritorial jurisdiction the district is located has
1-33 consented by ordinance or resolution to the creation of the
1-34 district and to the inclusion of land in the district.

1-35 Sec. 8324.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-36 (a) The district is created to serve a public purpose and benefit.

1-37 (b) The district is created to accomplish the purposes of:

1-38 (1) a municipal utility district as provided by
1-39 general law and Section 59, Article XVI, Texas Constitution; and

1-40 (2) Section 52, Article III, Texas Constitution, that
1-41 relate to the construction, acquisition, improvement, operation,
1-42 or maintenance of macadamized, graveled, or paved roads, or
1-43 improvements, including storm drainage, in aid of those roads.

1-44 Sec. 8324.006. INITIAL DISTRICT TERRITORY. (a) The
1-45 district is initially composed of the territory described by
1-46 Section 2(a) of the Act creating this chapter.

1-47 (b) The boundaries and field notes contained in Section 2(a)
1-48 of the Act creating this chapter form a closure. A mistake made in
1-49 the field notes or in copying the field notes in the legislative
1-50 process does not affect the district's:

1-51 (1) organization, existence, or validity;

1-52 (2) right to issue any type of bond for the purposes
1-53 for which the district is created or to pay the principal of and
1-54 interest on a bond;

1-55 (3) right to impose a tax; or

1-56 (4) legality or operation.

1-57 [Sections 8324.007-8324.050 reserved for expansion]

1-58 SUBCHAPTER B. BOARD OF DIRECTORS

1-59 Sec. 8324.051. GOVERNING BODY; TERMS. (a) The district is
1-60 governed by a board of five elected directors.

1-61 (b) Except as provided by Section 8324.052, directors serve
1-62 staggered four-year terms.

1-63 Sec. 8324.052. TEMPORARY DIRECTORS. (a) On or after the
1-64 effective date of the Act creating this chapter, the owner or owners

2-1 of a majority of the assessed value of the real property in the
2-2 district may submit a petition to the Texas Commission on
2-3 Environmental Quality requesting that the commission appoint as
2-4 temporary directors the five persons named in the petition. The
2-5 commission shall appoint as temporary directors the five persons
2-6 named in the petition.

2-7 (b) Temporary directors serve until the earlier of:

2-8 (1) the date permanent directors are elected under
2-9 Section 8324.003; or

2-10 (2) the fourth anniversary of the effective date of
2-11 the Act creating this chapter.

2-12 (c) If permanent directors have not been elected under
2-13 Section 8324.003 and the terms of the temporary directors have
2-14 expired, successor temporary directors shall be appointed or
2-15 reappointed as provided by Subsection (d) to serve terms that
2-16 expire on the earlier of:

2-17 (1) the date permanent directors are elected under
2-18 Section 8324.003; or

2-19 (2) the fourth anniversary of the date of the
2-20 appointment or reappointment.

2-21 (d) If Subsection (c) applies, the owner or owners of a
2-22 majority of the assessed value of the real property in the district
2-23 may submit a petition to the Texas Commission on Environmental
2-24 Quality requesting that the commission appoint as successor
2-25 temporary directors the five persons named in the petition. The
2-26 commission shall appoint as successor temporary directors the five
2-27 persons named in the petition.

2-28 [Sections 8324.053-8324.100 reserved for expansion]

2-29 SUBCHAPTER C. POWERS AND DUTIES

2-30 Sec. 8324.101. GENERAL POWERS AND DUTIES. The district has
2-31 the powers and duties necessary to accomplish the purposes for
2-32 which the district is created.

2-33 Sec. 8324.102. MUNICIPAL UTILITY DISTRICT POWERS AND
2-34 DUTIES. The district has the powers and duties provided by the
2-35 general law of this state, including Chapters 49 and 54, Water Code,
2-36 applicable to municipal utility districts created under Section 59,
2-37 Article XVI, Texas Constitution.

2-38 Sec. 8324.103. AUTHORITY FOR ROAD PROJECTS. Under Section
2-39 52, Article III, Texas Constitution, the district may design,
2-40 acquire, construct, finance, issue bonds for, improve, operate,
2-41 maintain, and convey to this state, a county, or a municipality for
2-42 operation and maintenance macadamized, graveled, or paved roads, or
2-43 improvements, including storm drainage, in aid of those roads.

2-44 Sec. 8324.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
2-45 road project must meet all applicable construction standards,
2-46 zoning and subdivision requirements, and regulations of each
2-47 municipality in whose corporate limits or extraterritorial
2-48 jurisdiction the road project is located.

2-49 (b) If a road project is not located in the corporate limits
2-50 or extraterritorial jurisdiction of a municipality, the road
2-51 project must meet all applicable construction standards,
2-52 subdivision requirements, and regulations of each county in which
2-53 the road project is located.

2-54 (c) If the state will maintain and operate the road, the
2-55 Texas Transportation Commission must approve the plans and
2-56 specifications of the road project.

2-57 Sec. 8324.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
2-58 OR RESOLUTION. The district shall comply with all applicable
2-59 requirements of any ordinance or resolution that is adopted before
2-60 the effective date of the Act creating this chapter under Section
2-61 54.016 or 54.0165, Water Code, and that consents to the creation of
2-62 the district or to the inclusion of land in the district.

2-63 Sec. 8324.106. SELECTION OF EXTRATERRITORIAL JURISDICTION.
2-64 The board may not select the municipality that may exercise
2-65 authority in the district as provided by Section 54.0163, Water
2-66 Code, unless the City of Weatherford provides written consent to
2-67 that selection.

2-68 Sec. 8324.107. LIMITATION ON ANNEXATION OF LAND BY
2-69 DISTRICT. Notwithstanding Section 54.016(d), Water Code, the

3-1 district may not annex land that is located in the extraterritorial
 3-2 jurisdiction of a municipality unless the City of Weatherford
 3-3 provides written consent to that annexation.

3-4 Sec. 8324.108. EFFECT OF ANNEXATION BY CITY OF WEATHERFORD.

3-5 (a) The City of Weatherford may annex part of the territory of the
 3-6 district into its corporate limits without annexing all of the
 3-7 territory of the district under an agreement entered into before
 3-8 the effective date of the Act creating this chapter between the City
 3-9 of Weatherford and the landowners of the land being annexed. The
 3-10 district continues in existence following annexation of part of the
 3-11 territory of the district as described by this subsection.

3-12 (b) The district shall be dissolved and its debts and
 3-13 obligations assumed by the City of Weatherford in accordance with
 3-14 Chapter 43, Local Government Code, including Sections 43.075 and
 3-15 43.0715, on annexation of all of the territory of the district by
 3-16 the City of Weatherford, provided that:

3-17 (1) water, sanitary sewer, and drainage improvements,
 3-18 and roads have been constructed to serve at least 95 percent of the
 3-19 territory of the district; or

3-20 (2) the board adopts a resolution consenting to the
 3-21 dissolution of the district.

3-22 (c) If all of the territory of the district is annexed by the
 3-23 City of Weatherford but the conditions under Subsection (b) have
 3-24 not been met, the City of Weatherford may dissolve the district by
 3-25 resolution only on or after the 20th anniversary of the effective
 3-26 date of the Act creating this chapter.

3-27 (d) Notwithstanding Section 54.016(f)(2), Water Code, a
 3-28 contract ("allocation agreement") between the City of Weatherford
 3-29 and the district that provides for the allocation of the taxes or
 3-30 revenues of the district and the city following the date of
 3-31 inclusion of all the district's territory in the corporate limits
 3-32 of the city, may provide that the total annual ad valorem taxes
 3-33 collected by the city and the district from taxable property in the
 3-34 district may exceed the city's ad valorem tax on the property.

3-35 Sec. 8324.109. LIMITATION ON USE OF EMINENT DOMAIN. The
 3-36 district may not exercise the power of eminent domain outside the
 3-37 district to acquire a site or easement for:

3-38 (1) a road project authorized by Section 8324.103; or

3-39 (2) a recreational facility as defined by Section
 3-40 49.462, Water Code.

3-41 Sec. 8324.110. DIVISION OF DISTRICT. (a) The district may
 3-42 be divided into two or more new districts only if the district:

3-43 (1) has no outstanding bonded debt; and

3-44 (2) is not imposing ad valorem taxes.

3-45 (b) This chapter applies to any new district created by the
 3-46 division of the district, and a new district has all the powers and
 3-47 duties of the district.

3-48 (c) Any new district created by the division of the district
 3-49 may not, at the time the new district is created:

3-50 (1) contain any land outside the area described by
 3-51 Section 2(a) of the Act creating this chapter; or

3-52 (2) contain less than 200 or more than 600 acres of
 3-53 land without the prior consent of any municipality in whose
 3-54 extraterritorial jurisdiction the district is located.

3-55 (d) The board, on its own motion or on receipt of a petition
 3-56 signed by the owner or owners of a majority of the assessed value of
 3-57 the real property in the district, may adopt an order dividing the
 3-58 district.

3-59 (e) The board may adopt an order dividing the district
 3-60 before or after the date the board holds an election under Section
 3-61 8324.003 to confirm the district's creation.

3-62 (f) An order dividing the district shall:

3-63 (1) name each new district;

3-64 (2) include the metes and bounds description of the
 3-65 territory of each new district;

3-66 (3) appoint temporary directors for each new district;
 3-67 and

3-68 (4) provide for the division of assets and liabilities
 3-69 between or among the new districts.

4-1 (g) On or before the 30th day after the date of adoption of
4-2 an order dividing the district, the district shall file the order
4-3 with the Texas Commission on Environmental Quality and record the
4-4 order in the real property records of each county in which the
4-5 district is located.

4-6 (h) Any new district created by the division of the district
4-7 shall hold a confirmation and directors' election as required by
4-8 Section 8324.003.

4-9 (i) Except as provided by Subsection (c), municipal consent
4-10 to the creation of the district and to the inclusion of land in the
4-11 district granted under Section 8324.004 acts as municipal consent
4-12 to the creation of any new district created by the division of the
4-13 district and to the inclusion of land in the new district.

4-14 (j) Any new district created by the division of the district
4-15 must hold an election as required by this chapter to obtain voter
4-16 approval before the district may impose a maintenance tax or issue
4-17 bonds payable wholly or partly from ad valorem taxes.

4-18 [Sections 8324.111-8324.150 reserved for expansion]

4-19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4-20 Sec. 8324.151. ELECTIONS REGARDING TAXES OR BONDS.

4-21 (a) The district may issue, without an election, bonds and other
4-22 obligations secured by:

4-23 (1) revenue other than ad valorem taxes; or

4-24 (2) contract payments described by Section 8324.153.

4-25 (b) The district must hold an election in the manner
4-26 provided by Chapters 49 and 54, Water Code, to obtain voter approval
4-27 before the district may impose an ad valorem tax or issue bonds
4-28 payable from ad valorem taxes.

4-29 (c) The district may not issue bonds payable from ad valorem
4-30 taxes to finance a road project unless the issuance is approved by a
4-31 vote of a two-thirds majority of the district voters voting at an
4-32 election held for that purpose.

4-33 Sec. 8324.152. OPERATION AND MAINTENANCE TAX. (a) If
4-34 authorized at an election held under Section 8324.151, the district
4-35 may impose an operation and maintenance tax on taxable property in
4-36 the district in accordance with Section 49.107, Water Code.

4-37 (b) The board shall determine the tax rate. The rate may not
4-38 exceed the rate approved at the election.

4-39 Sec. 8324.153. CONTRACT TAXES. (a) In accordance with
4-40 Section 49.108, Water Code, the district may impose a tax other than
4-41 an operation and maintenance tax and use the revenue derived from
4-42 the tax to make payments under a contract after the provisions of
4-43 the contract have been approved by a majority of the district voters
4-44 voting at an election held for that purpose.

4-45 (b) A contract approved by the district voters may contain a
4-46 provision stating that the contract may be modified or amended by
4-47 the board without further voter approval.

4-48 [Sections 8324.154-8324.200 reserved for expansion]

4-49 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-50 Sec. 8324.201. AUTHORITY TO ISSUE BONDS AND OTHER
4-51 OBLIGATIONS. The district may issue bonds or other obligations
4-52 payable wholly or partly from ad valorem taxes, impact fees,
4-53 revenue, contract payments, grants, or other district money, or any
4-54 combination of those sources, to pay for any authorized district
4-55 purpose.

4-56 Sec. 8324.202. TAXES FOR BONDS. At the time the district
4-57 issues bonds payable wholly or partly from ad valorem taxes, the
4-58 board shall provide for the annual imposition of a continuing
4-59 direct ad valorem tax, without limit as to rate or amount, while all
4-60 or part of the bonds are outstanding as required and in the manner
4-61 provided by Sections 54.601 and 54.602, Water Code.

4-62 Sec. 8324.203. BONDS FOR ROAD PROJECTS. At the time of
4-63 issuance, the total principal amount of bonds or other obligations
4-64 issued or incurred to finance road projects and payable from ad
4-65 valorem taxes may not exceed one-fourth of the assessed value of the
4-66 real property in the district.

4-67 CHAPTER 8325. LAKE WEATHERFORD MUNICIPAL UTILITY DISTRICT NO. 2

4-68 SUBCHAPTER A. GENERAL PROVISIONS

4-69 Sec. 8325.001. DEFINITIONS. In this chapter:

5-1 (1) "Board" means the district's board of directors.

5-2 (2) "Director" means a board member.

5-3 (3) "District" means the Lake Weatherford Municipal
5-4 Utility District No. 2.

5-5 Sec. 8325.002. NATURE OF DISTRICT. The district is a
5-6 municipal utility district created under Section 59, Article XVI,
5-7 Texas Constitution.

5-8 Sec. 8325.003. CONFIRMATION AND DIRECTORS' ELECTION
5-9 REQUIRED. The temporary directors shall hold an election to
5-10 confirm the creation of the district and to elect five permanent
5-11 directors as provided by Section 49.102, Water Code.

5-12 Sec. 8325.004. CONSENT OF MUNICIPALITY REQUIRED. The
5-13 temporary directors may not hold an election under Section 8325.003
5-14 until each municipality in whose corporate limits or
5-15 extraterritorial jurisdiction the district is located has
5-16 consented by ordinance or resolution to the creation of the
5-17 district and to the inclusion of land in the district.

5-18 Sec. 8325.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
5-19 (a) The district is created to serve a public purpose and benefit.

5-20 (b) The district is created to accomplish the purposes of:

5-21 (1) a municipal utility district as provided by
5-22 general law and Section 59, Article XVI, Texas Constitution; and

5-23 (2) Section 52, Article III, Texas Constitution, that
5-24 relate to the construction, acquisition, improvement, operation,
5-25 or maintenance of macadamized, graveled, or paved roads, or
5-26 improvements, including storm drainage, in aid of those roads.

5-27 Sec. 8325.006. INITIAL DISTRICT TERRITORY. (a) The
5-28 district is initially composed of the territory described by
5-29 Section 2(b) of the Act creating this chapter.

5-30 (b) The boundaries and field notes contained in Section 2(b)
5-31 of the Act creating this chapter form a closure. A mistake made in
5-32 the field notes or in copying the field notes in the legislative
5-33 process does not affect the district's:

5-34 (1) organization, existence, or validity;

5-35 (2) right to issue any type of bond for the purposes
5-36 for which the district is created or to pay the principal of and
5-37 interest on a bond;

5-38 (3) right to impose a tax; or

5-39 (4) legality or operation.

5-40 [Sections 8325.007-8325.050 reserved for expansion]

5-41 SUBCHAPTER B. BOARD OF DIRECTORS

5-42 Sec. 8325.051. GOVERNING BODY; TERMS. (a) The district is
5-43 governed by a board of five elected directors.

5-44 (b) Except as provided by Section 8325.052, directors serve
5-45 staggered four-year terms.

5-46 Sec. 8325.052. TEMPORARY DIRECTORS. (a) On or after the
5-47 effective date of the Act creating this chapter, the owner or owners
5-48 of a majority of the assessed value of the real property in the
5-49 district may submit a petition to the Texas Commission on
5-50 Environmental Quality requesting that the commission appoint as
5-51 temporary directors the five persons named in the petition. The
5-52 commission shall appoint as temporary directors the five persons
5-53 named in the petition.

5-54 (b) Temporary directors serve until the earlier of:

5-55 (1) the date permanent directors are elected under
5-56 Section 8325.003; or

5-57 (2) the fourth anniversary of the effective date of
5-58 the Act creating this chapter.

5-59 (c) If permanent directors have not been elected under
5-60 Section 8325.003 and the terms of the temporary directors have
5-61 expired, successor temporary directors shall be appointed or
5-62 reappointed as provided by Subsection (d) to serve terms that
5-63 expire on the earlier of:

5-64 (1) the date permanent directors are elected under
5-65 Section 8325.003; or

5-66 (2) the fourth anniversary of the date of the
5-67 appointment or reappointment.

5-68 (d) If Subsection (c) applies, the owner or owners of a
5-69 majority of the assessed value of the real property in the district

6-1 may submit a petition to the Texas Commission on Environmental
 6-2 Quality requesting that the commission appoint as successor
 6-3 temporary directors the five persons named in the petition. The
 6-4 commission shall appoint as successor temporary directors the five
 6-5 persons named in the petition.

6-6 [Sections 8325.053-8325.100 reserved for expansion]

6-7 SUBCHAPTER C. POWERS AND DUTIES

6-8 Sec. 8325.101. GENERAL POWERS AND DUTIES. The district has
 6-9 the powers and duties necessary to accomplish the purposes for
 6-10 which the district is created.

6-11 Sec. 8325.102. MUNICIPAL UTILITY DISTRICT POWERS AND
 6-12 DUTIES. The district has the powers and duties provided by the
 6-13 general law of this state, including Chapters 49 and 54, Water Code,
 6-14 applicable to municipal utility districts created under Section 59,
 6-15 Article XVI, Texas Constitution.

6-16 Sec. 8325.103. AUTHORITY FOR ROAD PROJECTS. Under Section
 6-17 52, Article III, Texas Constitution, the district may design,
 6-18 acquire, construct, finance, issue bonds for, improve, operate,
 6-19 maintain, and convey to this state, a county, or a municipality for
 6-20 operation and maintenance macadamized, graveled, or paved roads, or
 6-21 improvements, including storm drainage, in aid of those roads.

6-22 Sec. 8325.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
 6-23 road project must meet all applicable construction standards,
 6-24 zoning and subdivision requirements, and regulations of each
 6-25 municipality in whose corporate limits or extraterritorial
 6-26 jurisdiction the road project is located.

6-27 (b) If a road project is not located in the corporate limits
 6-28 or extraterritorial jurisdiction of a municipality, the road
 6-29 project must meet all applicable construction standards,
 6-30 subdivision requirements, and regulations of each county in which
 6-31 the road project is located.

6-32 (c) If the state will maintain and operate the road, the
 6-33 Texas Transportation Commission must approve the plans and
 6-34 specifications of the road project.

6-35 Sec. 8325.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
 6-36 OR RESOLUTION. The district shall comply with all applicable
 6-37 requirements of any ordinance or resolution that is adopted before
 6-38 the effective date of the Act creating this chapter under Section
 6-39 54.016 or 54.0165, Water Code, and that consents to the creation of
 6-40 the district or to the inclusion of land in the district.

6-41 Sec. 8325.106. SELECTION OF EXTRATERRITORIAL JURISDICTION.
 6-42 The board may not select the municipality that may exercise
 6-43 authority in the district as provided by Section 54.0163, Water
 6-44 Code, unless the City of Weatherford provides written consent to
 6-45 that selection.

6-46 Sec. 8325.107. LIMITATION ON ANNEXATION OF LAND BY
 6-47 DISTRICT. Notwithstanding Section 54.016(d), Water Code, the
 6-48 district may not annex land that is located in the extraterritorial
 6-49 jurisdiction of a municipality unless the City of Weatherford
 6-50 provides written consent to that annexation.

6-51 Sec. 8325.108. EFFECT OF ANNEXATION BY CITY OF WEATHERFORD.
 6-52 (a) The City of Weatherford may annex part of the territory of the
 6-53 district into its corporate limits without annexing all of the
 6-54 territory of the district under an agreement entered into before
 6-55 the effective date of the Act creating this chapter between the City
 6-56 of Weatherford and the landowners of the land being annexed. The
 6-57 district continues in existence following annexation of part of the
 6-58 territory of the district as described by this subsection.

6-59 (b) The district shall be dissolved and its debts and
 6-60 obligations assumed by the City of Weatherford in accordance with
 6-61 Chapter 43, Local Government Code, including Sections 43.075 and
 6-62 43.0715, on annexation of all of the territory of the district by
 6-63 the City of Weatherford, provided that:

6-64 (1) water, sanitary sewer, and drainage improvements,
 6-65 and roads have been constructed to serve at least 95 percent of the
 6-66 territory of the district; or

6-67 (2) the board adopts a resolution consenting to the
 6-68 dissolution of the district.

6-69 (c) If all of the territory of the district is annexed by the

7-1 City of Weatherford but the conditions under Subsection (b) have
 7-2 not been met, the City of Weatherford may dissolve the district by
 7-3 resolution only on or after the 20th anniversary of the effective
 7-4 date of the Act creating this chapter.

7-5 (d) Notwithstanding Section 54.016(f)(2), Water Code, a
 7-6 contract ("allocation agreement") between the City of Weatherford
 7-7 and the district that provides for the allocation of the taxes or
 7-8 revenues of the district and the city following the date of
 7-9 inclusion of all the district's territory in the corporate limits
 7-10 of the city, may provide that the total annual ad valorem taxes
 7-11 collected by the city and the district from taxable property in the
 7-12 district may exceed the city's ad valorem tax on the property.

7-13 Sec. 8325.109. LIMITATION ON USE OF EMINENT DOMAIN. The
 7-14 district may not exercise the power of eminent domain outside the
 7-15 district to acquire a site or easement for:

- 7-16 (1) a road project authorized by Section 8325.103; or
- 7-17 (2) a recreational facility as defined by Section
- 7-18 49.462, Water Code.

7-19 Sec. 8325.110. DIVISION OF DISTRICT. (a) The district may
 7-20 be divided into two or more new districts only if the district:

- 7-21 (1) has no outstanding bonded debt; and
- 7-22 (2) is not imposing ad valorem taxes.

7-23 (b) This chapter applies to any new district created by the
 7-24 division of the district, and a new district has all the powers and
 7-25 duties of the district.

7-26 (c) Any new district created by the division of the district
 7-27 may not, at the time the new district is created:

- 7-28 (1) contain any land outside the area described by
- 7-29 Section 2(b) of the Act creating this chapter; or
- 7-30 (2) contain less than 200 or more than 600 acres of
- 7-31 land without the prior consent of any municipality in whose
- 7-32 extraterritorial jurisdiction the district is located.

7-33 (d) The board, on its own motion or on receipt of a petition
 7-34 signed by the owner or owners of a majority of the assessed value of
 7-35 the real property in the district, may adopt an order dividing the
 7-36 district.

7-37 (e) The board may adopt an order dividing the district
 7-38 before or after the date the board holds an election under Section
 7-39 8325.003 to confirm the district's creation.

7-40 (f) An order dividing the district shall:

- 7-41 (1) name each new district;
- 7-42 (2) include the metes and bounds description of the
- 7-43 territory of each new district;
- 7-44 (3) appoint temporary directors for each new district;

7-45 and

- 7-46 (4) provide for the division of assets and liabilities
- 7-47 between or among the new districts.

7-48 (g) On or before the 30th day after the date of adoption of
 7-49 an order dividing the district, the district shall file the order
 7-50 with the Texas Commission on Environmental Quality and record the
 7-51 order in the real property records of each county in which the
 7-52 district is located.

7-53 (h) Any new district created by the division of the district
 7-54 shall hold a confirmation and directors' election as required by
 7-55 Section 8325.003.

7-56 (i) Except as provided by Subsection (c), municipal consent
 7-57 to the creation of the district and to the inclusion of land in the
 7-58 district granted under Section 8325.004 acts as municipal consent
 7-59 to the creation of any new district created by the division of the
 7-60 district and to the inclusion of land in the new district.

7-61 (j) Any new district created by the division of the district
 7-62 must hold an election as required by this chapter to obtain voter
 7-63 approval before the district may impose a maintenance tax or issue
 7-64 bonds payable wholly or partly from ad valorem taxes.

7-65 [Sections 8325.111-8325.150 reserved for expansion]

7-66 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

7-67 Sec. 8325.151. ELECTIONS REGARDING TAXES OR BONDS.

7-68 (a) The district may issue, without an election, bonds and other
 7-69 obligations secured by:

8-1 (1) revenue other than ad valorem taxes; or
8-2 (2) contract payments described by Section 8325.153.

8-3 (b) The district must hold an election in the manner
8-4 provided by Chapters 49 and 54, Water Code, to obtain voter approval
8-5 before the district may impose an ad valorem tax or issue bonds
8-6 payable from ad valorem taxes.

8-7 (c) The district may not issue bonds payable from ad valorem
8-8 taxes to finance a road project unless the issuance is approved by a
8-9 vote of a two-thirds majority of the district voters voting at an
8-10 election held for that purpose.

8-11 Sec. 8325.152. OPERATION AND MAINTENANCE TAX. (a) If
8-12 authorized at an election held under Section 8325.151, the district
8-13 may impose an operation and maintenance tax on taxable property in
8-14 the district in accordance with Section 49.107, Water Code.

8-15 (b) The board shall determine the tax rate. The rate may not
8-16 exceed the rate approved at the election.

8-17 Sec. 8325.153. CONTRACT TAXES. (a) In accordance with
8-18 Section 49.108, Water Code, the district may impose a tax other than
8-19 an operation and maintenance tax and use the revenue derived from
8-20 the tax to make payments under a contract after the provisions of
8-21 the contract have been approved by a majority of the district voters
8-22 voting at an election held for that purpose.

8-23 (b) A contract approved by the district voters may contain a
8-24 provision stating that the contract may be modified or amended by
8-25 the board without further voter approval.

8-26 [Sections 8325.154-8325.200 reserved for expansion]

8-27 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

8-28 Sec. 8325.201. AUTHORITY TO ISSUE BONDS AND OTHER
8-29 OBLIGATIONS. The district may issue bonds or other obligations
8-30 payable wholly or partly from ad valorem taxes, impact fees,
8-31 revenue, contract payments, grants, or other district money, or any
8-32 combination of those sources, to pay for any authorized district
8-33 purpose.

8-34 Sec. 8325.202. TAXES FOR BONDS. At the time the district
8-35 issues bonds payable wholly or partly from ad valorem taxes, the
8-36 board shall provide for the annual imposition of a continuing
8-37 direct ad valorem tax, without limit as to rate or amount, while all
8-38 or part of the bonds are outstanding as required and in the manner
8-39 provided by Sections 54.601 and 54.602, Water Code.

8-40 Sec. 8325.203. BONDS FOR ROAD PROJECTS. At the time of
8-41 issuance, the total principal amount of bonds or other obligations
8-42 issued or incurred to finance road projects and payable from ad
8-43 valorem taxes may not exceed one-fourth of the assessed value of the
8-44 real property in the district.

8-45 SECTION 2. (a) The Lake Weatherford Municipal Utility
8-46 District No. 1 initially includes all the territory contained in
8-47 the following area:

8-48 BEING a tract of land situated in the R.K. Hagood Survey,
8-49 Abstract Number 677, Isaac Gorman Survey, Abstract Number 532, I.
8-50 and G. N. R. R. Company Survey, Abstract Number 2007, C. Meyer
8-51 Survey, Abstract Number 2032, J. P. Feld Survey, Abstract Number
8-52 487, J. L. Edwards Survey, Abstract Number 416, T. Spain Survey,
8-53 Abstract Number 2059, H. H. Dillard Survey, Abstract Number 378, M.
8-54 H. Woods Survey, Abstract Number 2717 and B. R. Bailey Survey,
8-55 Abstract Number 2275, Parker County, Texas, and being the same as
8-56 described in deed to Therylene Knox Helm, Exhibit A-1 and A-2
8-57 recorded in Book 1502, Page 750 of Deed Records, Parker County,
8-58 Texas and being more particularly described by metes and bounds as
8-59 follows;

8-60 BEGINNING at the called southeast corner of the Wm. Baker Survey,
8-61 Abstract Number 183 and the called southwest corner of said Hagood
8-62 Survey, in the north line of said Isaac Gorman Survey;

8-63 THENCE N 00°11'41"E, 2216.98 feet;

8-64 THENCE N 88°25'44"E, 138.81 feet;

8-65 THENCE S 89°14'47"E, 661.20 feet;

8-66 THENCE S 04°15'38"W, 2175.04 feet;

8-67 THENCE S 32°18'44"E, 2400.79 feet;

8-68 THENCE S 00°23'36"W, 3763.79 feet;

8-69 THENCE N 88°14'09"W, 4888.60 feet;

9-1 THENCE N 00°09'53"W, 2443.55 feet;
 9-2 THENCE S 88°04'56"W, 799.57 feet;
 9-3 THENCE S 88°01'30"W, 488.50 feet;
 9-4 THENCE S 01°07'00"W, 486.25 feet;
 9-5 THENCE S 89°43'21"W, 337.20 feet;
 9-6 THENCE N 03°46'53"W, 121.69 feet;
 9-7 THENCE N 07°10'51"W, 145.28 feet;
 9-8 THENCE N 81°39'17"E, 174.81 feet;
 9-9 THENCE N 23°54'32"E, 78.61 feet;
 9-10 THENCE N 63°50'34"W, 154.00 feet;
 9-11 THENCE N 03°01'01"W, 96.53 feet;
 9-12 THENCE N 07°56'40"E, 105.94 feet;
 9-13 THENCE N 05°00'18"W, 136.66 feet;
 9-14 THENCE N 30°18'41"E, 267.48 feet;
 9-15 THENCE N 63°35'30"E, 109.05 feet;
 9-16 THENCE N 09°33'01"E, 169.92 feet;
 9-17 THENCE S 89°28'39"W, 1312.94 feet;
 9-18 THENCE S 00°15'09"W, 774.18 feet;
 9-19 THENCE N 89°46'20"W, 655.16 feet;
 9-20 THENCE N 36°02'15"W, 1018.93 feet;
 9-21 THENCE N 62°02'04"W, 698.36 feet;
 9-22 THENCE N 11°37'15"W, 1181.55 feet;
 9-23 THENCE S 89°13'30"W, 61.78 feet;
 9-24 THENCE N 01°30'01"E, 3319.85 feet;
 9-25 THENCE N 89°56'20"E, 2313.70 feet;
 9-26 THENCE S 00°23'43"W, 2343.60 feet;
 9-27 THENCE S 89°54'10"E, 1171.93 feet;
 9-28 THENCE S 00°24'27"W, 520.13 feet;
 9-29 THENCE S 89°44'53"E, 2654.23 feet;
 9-30 THENCE N 00°26'35"W, 528.34 feet;
 9-31 THENCE S 89°07'19"E, 1609.98 feet to the Point of Beginning and
 9-32 containing 45,910,099 square feet or 1054 acres of land more or
 9-33 less; SAVE AND EXCEPT
 9-34 BEING a tract of land situated in the Isaac Gorman Survey, Abstract
 9-35 Number 532, I. and G. N. R. R. Company Survey, Abstract Number 2007,
 9-36 C. Meyer Survey, Abstract Number 2032, J. P. Feld Survey, Abstract
 9-37 Number 487, Parker County, Texas, and being the same as described in
 9-38 deed to Therylene Knox Helm, Exhibit A-1 recorded in Book 1502, Page
 9-39 750 of Deed Records, Parker County, Texas and being more
 9-40 particularly described by metes and bounds as follows;
 9-41 BEGINNING at the southeast corner of said Helm tract, and the
 9-42 southwest corner of tract to Therylene Knox Helm, Exhibit A-1 of
 9-43 said deed;
 9-44 THENCE N 88°14'09"W, 4488.37 with said south line;
 9-45 THENCE N 00°10'05"W, 918.41 feet to a non-tangent curve to the
 9-46 right;
 9-47 THENCE with said non-tangent curve to the right, an arc distance of
 9-48 4146.90 feet, through a central angle of 90°00'00", having a radius
 9-49 of 2640.00 feet, the long chord of which bears N 45°06'41"E, 3733.52
 9-50 feet;
 9-51 THENCE S 89°53'19"E, 1869.10 feet to a point in said east line;
 9-52 THENCE S 00°23'36"W, 3687.90 feet with said east line to the Point of
 9-53 Beginning and containing 14,806,722 square feet or 340 acres of
 9-54 land more or less.
 9-55 (b) The Lake Weatherford Municipal Utility District No. 2
 9-56 initially includes all the territory contained in the following
 9-57 area:
 9-58 TRACT I
 9-59 FOR A TRACT OF LAND IN THE I. & G. N. R.R. COMPANY SURVEY, ABSTRACT
 9-60 NO. 2007, THE ISAAC GORMAN SURVEY, ABSTRACT NO. 532, THE R. K.
 9-61 HAGOOD SURVEY, ABSTRACT NO. 677, THE WM. BAKER SURVEY, ABSTRACT NO.
 9-62 128, THE R. L. WILSON SURVEY, ABSTRACT NO. 1680, THE S. W. MILLER
 9-63 SURVEY, ABSTRACT NO. 2595, THE L. O. AND B. L. BAKER SURVEY,
 9-64 ABSTRACT NO. 2280, THE H. T. & B. R.R. COMPANY SURVEY, NO. 15,
 9-65 ABSTRACT NO. 650, THE H. T. & B. R.R. COMPANY SURVEY, NO. 13,
 9-66 ABSTRACT NO. 649, THE WM., C. L. AND L. O. BAKER SURVEY, ABSTRACT
 9-67 NO. 2089 AND THE R. K. HAGOOD SURVEY, ABSTRACT NO. 2310, ALL
 9-68 SITUATED IN PARKER COUNTY, TEXAS, AND BEING MORE PARTICULARLY
 9-69 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

10-1 COMMENCE at an iron found at the occupied Northwest corner of the R.
 10-2 K. Hagood Survey, Abstract No. 677, above referenced, thence N. 88°
 10-3 - 25' - 44" E. 138.81 feet with the general course of a fence line to
 10-4 an iron to be set in concrete in the Southerly line of a road for the
 10-5 POINT OF BEGINNING of the herein described tract;
 10-6 THENCE N. 0° - 55' - 13" E. 3986.73 feet with the general course of a
 10-7 fence line to a fence corner post;
 10-8 THENCE N. 88° - 00' - 51" W. 112.57 feet with the general course of a
 10-9 fence line to a fence corner post;
 10-10 THENCE N. 0° - 32' - 15" E. 816.08 feet with the general course of a
 10-11 fence line to an iron to be set in concrete, said point being at the
 10-12 Southerly terminus of the centerline of an easement as described in
 10-13 a Grant of Easement and Right of Way, of record in Volume 1191, Page
 10-14 1250, Deed Records, Parker County, Texas;
 10-15 THENCE S. 88° - 51' - 28" E. 2339.16 feet to an iron to be set in
 10-16 concrete for corner;
 10-17 THENCE S. 47° - 29' - 58" E. 1196.65 feet to an iron to be set in
 10-18 concrete for corner;
 10-19 THENCE S. 15° - 00' - 00" E. 800.0 feet to an iron to be set in
 10-20 concrete for corner;
 10-21 THENCE S. 89° - 59' - 06" E. to and along a fence line 5753.38 feet to
 10-22 an iron to be set in concrete for corner;
 10-23 THENCE S. 31° - 38' - 21" E. 1134.23 feet to an iron to be set in
 10-24 concrete for corner;
 10-25 THENCE S. 69° - 08' - 44" E. 1123.61 feet to an iron to be set in
 10-26 concrete for corner;
 10-27 THENCE N. 85° - 01' - 49" E. 1154.34 feet to an iron to be set in
 10-28 concrete for corner;
 10-29 THENCE S. 18° - 26' - 06" W. 1264.91 feet to an iron to be set in
 10-30 concrete for corner;
 10-31 THENCE S. 19° - 42' - 58" E. 579.60 feet to an iron to be set in
 10-32 concrete for corner;
 10-33 THENCE N. 89° - 44' - 56" W. 6013.94 feet to an iron to be set in
 10-34 concrete in a road for corner;
 10-35 THENCE S. 0° - 15' - 04" W. 4782.22 feet with the Easterly line of
 10-36 said road to an iron to be set in concrete for corner;
 10-37 THENCE N. 89° - 53' - 19" W. 2707.47 feet to a fence corner post for
 10-38 corner;
 10-39 THENCE S. 0° - 11' - 54" W. 2958.55 feet with the general course of a
 10-40 fence line to a concrete monument found at the Northeast corner of a
 10-41 tract described in a deed to Brazos Electric Cooperative Inc. of
 10-42 record in Volume 370, Page 616, Deed Records, Parker County, Texas;
 10-43 THENCE S. 89° - 52' - 30" W. 207.99 feet along the North line of same
 10-44 to a concrete monument found for corner;
 10-45 THENCE S. 0° - 07' - 17" E. 316.07 feet to a concrete monument found
 10-46 for corner;
 10-47 THENCE N. 43° - 54' - 25" E. 298.44 feet to an iron found at fence
 10-48 corner;
 10-49 THENCE S. 0° - 11' - 54" W. 363.0 feet to an iron for corner;
 10-50 THENCE N. 88° - 14' - 09" W. to and along White Settlement Road
 10-51 1220.50 feet to a point in same and from which said point an iron to
 10-52 be set in concrete in the Northerly fence line of said White
 10-53 Settlement Road bears N. 0° - 23' - 36" E. 48.47 feet;
 10-54 THENCE N. 0° - 23' - 36" E. 3763.79 feet to an iron to be set in
 10-55 concrete for corner;
 10-56 THENCE N. 32° - 18' - 44" W. 2400.79 feet to an iron to be set in
 10-57 concrete;
 10-58 THENCE N. 4° - 15' - 38" E. 2175.04 feet to an iron to be set in
 10-59 concrete in the Southerly fence line of a road;
 10-60 THENCE N. 89° - 14' - 47" W. 661.20 feet to the POINT OF BEGINNING and
 10-61 containing 1471.809 acres.
 10-62 SAVE AND EXCEPT:
 10-63 BEING a tract of land situated in the Isaac Gorman Survey, Abstract
 10-64 Number 532, I. & G. N. R. Co. Survey, Abstract Number 2007, H.T. &
 10-65 B. R. R. Co. Survey, No. 15, Abstract Number 650, Parker County,
 10-66 Texas, and being the same as described in deed to Therylene Knox
 10-67 Helm, Exhibit A-2 recorded in Book 1502, Page 750 of Deed Records,
 10-68 Parker County, Texas and being more particularly described by metes
 10-69 and bounds as follows;

11-1 BEGINNING at the southwest corner of said Helm tract, and the
 11-2 southeast corner of tract to Therylene Knox Helm, Exhibit A-1 of
 11-3 said deed;
 11-4 THENCE N 00°23'36"E, 3687.90 feet;
 11-5 THENCE S 89°53'19"E, 3915.24 feet;
 11-6 THENCE S 00°15'04"W, 300.00 feet;
 11-7 THENCE N 89°53'19"W, 2707.47 feet;
 11-8 THENCE S 00°11'54"W, 2958.55 feet;
 11-9 THENCE S 89°52'30"W, 207.99 feet;
 11-10 THENCE S 00°07'17"E, 316.07 feet;
 11-11 THENCE N 43°54'25"E, 298.44 feet;
 11-12 THENCE S 00°11'54"W, 363.00 feet;
 11-13 THENCE N 88°14'09"W, 1220.50 feet to the Point of Beginning and
 11-14 containing 5,266,636 square feet or 121 acres of land more or less.

11-15 TRACT II

11-16 77.10 Acres situated in and being a portion of the John Snyder
 11-17 Survey, Abstract No. 1169, Parker County, Texas and being all that
 11-18 certain 77.10 Acre Lot, Tract or Parcel of land conveyed to M.L.W.
 11-19 DEVELOPMENT, LLC by deed recorded in Volume 2099, Page 1279, Deed
 11-20 Records, Parker County, Texas and being more particularly described
 11-21 by metes and bounds as follows:

11-22 BEGINNING at an iron rod found in Ragle Road at the southeast corner
 11-23 of a tract of land conveyed to Clear Fork Baptist Church by deed
 11-24 recorded in Volume 60, Page 18, Deed Records, Parker County, Texas,
 11-25 said iron being called by deed to be South, 415.0 feet from the
 11-26 northeast corner of said John Snyder Survey;

11-27 THENCE South 01 degrees 11 minutes 00 seconds West, with said Ragle
 11-28 Road, 1252.65 feet to an iron rod set;

11-29 THENCE North 89 degrees 25 minutes 00 seconds West, 2086.73 feet to
 11-30 an iron rod set in a dry ravine;

11-31 THENCE with the meanders of said dry ravine the following courses
 11-32 and distances;

11-33 North 00 degrees 02 minutes 25 seconds West 405.97 feet to a point;

11-34 North 05 degrees 43 minutes 25 seconds West 787.30 feet to a point;

11-35 North 17 degrees 49 minutes 35 seconds West 325.59 feet to an iron
 11-36 rod set in said ravine and the south right of way line of Farm to
 11-37 Market Highway No. 730 in a non-tangent curve to the right with a
 11-38 radius of 1859.86 feet and whose chord bears North 79 degrees 09
 11-39 minutes 23 seconds East, 726.34 feet;

11-40 THENCE with the south right of way line of said Farm to Market
 11-41 Highway No. 730 and said curve to the right through a central angle
 11-42 of 22 degrees 31 minutes 14 seconds and a distance of 731.03 feet to
 11-43 an iron rod found;

11-44 THENCE South 89 degrees 35 minutes 00 seconds East, continuing with
 11-45 the south right of way line of said Farm to Market Highway No. 730,
 11-46 1175.17 feet to an iron rod found at the northwest corner of said
 11-47 Clear Fork Baptist Church;

11-48 THENCE South 00 degrees 24 minutes 30 seconds West, on or about a
 11-49 fence line and the west line of said Clear Fork Baptist Church,
 11-50 393.33 feet to an iron rod found;

11-51 THENCE South 89 degrees 35 minutes 00 seconds East, on or about a
 11-52 fence line and the south line of said Clear Fork Baptist Church,
 11-53 405.27 feet to the POINT OF BEGINNING and containing 77.10 acres.

11-54 SECTION 3. (a) The legal notice of the intention to
 11-55 introduce this Act, setting forth the general substance of this
 11-56 Act, has been published as provided by law, and the notice and a
 11-57 copy of this Act have been furnished to all persons, agencies,
 11-58 officials, or entities to which they are required to be furnished
 11-59 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 11-60 Government Code.

11-61 (b) The governor, one of the required recipients, has
 11-62 submitted the notice and Act to the Texas Commission on
 11-63 Environmental Quality.

11-64 (c) The Texas Commission on Environmental Quality has filed
 11-65 its recommendations relating to this Act with the governor, the
 11-66 lieutenant governor, and the speaker of the house of
 11-67 representatives within the required time.

11-68 (d) All requirements of the constitution and laws of this
 11-69 state and the rules and procedures of the legislature with respect

12-1 to the notice, introduction, and passage of this Act are fulfilled
12-2 and accomplished.

12-3 SECTION 4. This Act takes effect immediately if it receives
12-4 a vote of two-thirds of all the members elected to each house, as
12-5 provided by Section 39, Article III, Texas Constitution. If this
12-6 Act does not receive the vote necessary for immediate effect, this
12-7 Act takes effect September 1, 2009.

12-8

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