

1-1 By: Rodriguez (Senate Sponsor - Watson) H.B. No. 1757
1-2 (In the Senate - Received from the House April 11, 2011;
1-3 April 20, 2011, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 20, 2011, reported adversely,
1-5 with favorable Committee Substitute by the following vote: Yeas 5,
1-6 Nays 0; May 20, 2011, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR H.B. No. 1757 By: Nichols

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the creation of the Pilot Knob Municipal Utility
1-11 District No. 1; providing authority to impose a tax and issue bonds.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-14 Code, is amended by adding Chapter 8375 to read as follows:

1-15 CHAPTER 8375. PILOT KNOB MUNICIPAL UTILITY DISTRICT NO. 1

1-16 SUBCHAPTER A. GENERAL PROVISIONS

1-17 Sec. 8375.001. DEFINITIONS. In this chapter:

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

1-19 (2) "Commission" means the Texas Commission on
1-20 Environmental Quality.

1-21 (3) "Director" means a board member.

1-22 (4) "District" means the Pilot Knob Municipal Utility
1-23 District No. 1.

1-24 (5) "Municipality" means a municipality in whose
1-25 corporate limits or extraterritorial jurisdiction the district is
1-26 located.

1-27 Sec. 8375.002. NATURE OF DISTRICT. The district is a
1-28 municipal utility district created under Section 59, Article XVI,
1-29 Texas Constitution.

1-30 Sec. 8375.003. CONFIRMATION AND DIRECTORS' ELECTION
1-31 REQUIRED. The temporary directors shall hold an election to
1-32 confirm the creation of the district and to elect permanent
1-33 directors as provided by Section 8375.051 of this code and Section
1-34 49.102, Water Code.

1-35 Sec. 8375.004. CONSENT OF MUNICIPALITY REQUIRED. (a) The
1-36 temporary directors may not hold an election under Section 8375.003
1-37 until each municipality has consented by ordinance or resolution to
1-38 the creation of the district and to the inclusion of land in the
1-39 district.

1-40 (b) If a municipality does not consent to the creation of
1-41 the district or if the district does not enter into an agreement
1-42 required by the terms of the municipal ordinance or resolution
1-43 consenting to the creation of the district under this section
1-44 before September 1, 2012:

1-45 (1) the district is dissolved September 1, 2012,
1-46 except that:

1-47 (A) any debts incurred shall be paid;

1-48 (B) any assets that remain after the payment of
1-49 debts shall be transferred to the municipality or another local
1-50 governmental entity to be used for a public purpose; and

1-51 (C) the organization of the district shall be
1-52 maintained until all debts are paid and remaining assets are
1-53 transferred; and

1-54 (2) this chapter expires September 1, 2012.

1-55 Sec. 8375.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
1-56 The district is created to serve a public purpose and benefit.

1-57 (b) The district is created to accomplish the purposes of:

1-58 (1) a municipal utility district as provided by
1-59 general law and Section 59, Article XVI, Texas Constitution; and

1-60 (2) Section 52, Article III, Texas Constitution, that
1-61 relate to the construction, acquisition, or improvement of
1-62 macadamized, graveled, or paved roads described by Section 54.234,
1-63 Water Code, or improvements, including storm drainage, in aid of

2-1 those roads.
2-2 Sec. 8375.006. INITIAL DISTRICT TERRITORY. (a) The
2-3 district is initially composed of the territory described by
2-4 Section 2 of the Act enacting this chapter.

2-5 (b) The boundaries and field notes contained in Section 2 of
2-6 the Act enacting this chapter form a closure. A mistake made in the
2-7 field notes or in copying the field notes in the legislative process
2-8 does not affect the district's:

- 2-9 (1) organization, existence, or validity;
- 2-10 (2) right to issue any type of bond for the purposes
- 2-11 for which the district is created or to pay the principal of and
- 2-12 interest on a bond;
- 2-13 (3) right to impose a tax; or
- 2-14 (4) legality or operation.

2-15 [Sections 8375.007-8375.050 reserved for expansion]

2-16 SUBCHAPTER B. BOARD OF DIRECTORS

2-17 Sec. 8375.051. GOVERNING BODY; TERMS. (a) Except as
2-18 provided by Subsection (b), the district is governed by a board of
2-19 five elected directors.

2-20 (b) If required under the terms of the agreement, ordinance,
2-21 or resolution by which a municipality consents to the creation of
2-22 the district, the board consists of:

- 2-23 (1) four elected directors; and
- 2-24 (2) one director appointed by the governing body of
- 2-25 the municipality.

2-26 (c) A director appointed under Subsection (b)(2) is not
2-27 required to be a qualified voter of the district or to own land
2-28 subject to taxation in the district.

2-29 (d) Except as provided by Section 8375.052, directors serve
2-30 staggered four-year terms. A permanent director may not serve more
2-31 than two four-year terms.

2-32 (e) The common law doctrine of incompatibility does not
2-33 disqualify an official or employee of a municipality from being
2-34 appointed a director by the governing body of a municipality under
2-35 Subsection (b)(2), and a director appointed to the board may
2-36 continue to serve in a public office of or be employed by the
2-37 municipality.

2-38 Sec. 8375.052. TEMPORARY DIRECTORS. (a) On or after the
2-39 effective date of the Act enacting this chapter, the owner or owners
2-40 of a majority of the assessed value of the real property in the
2-41 district may submit a petition to the commission requesting that
2-42 the commission appoint as temporary directors the five persons
2-43 named in the petition. The commission shall appoint as temporary
2-44 directors the five persons named in the petition.

2-45 (b) Temporary directors serve until the earlier of:

- 2-46 (1) the date permanent directors are elected under
- 2-47 Section 8375.003; or
- 2-48 (2) the fourth anniversary of the effective date of
- 2-49 the Act enacting this chapter.

2-50 (c) If permanent directors have not been elected under
2-51 Section 8375.003 and the terms of the temporary directors have
2-52 expired, successor temporary directors shall be appointed or
2-53 reappointed as provided by Subsection (d) to serve terms that
2-54 expire on the earlier of:

- 2-55 (1) the date permanent directors are elected under
- 2-56 Section 8375.003; or
- 2-57 (2) the fourth anniversary of the date of the
- 2-58 appointment or reappointment.

2-59 (d) If Subsection (c) applies, the owner or owners of a
2-60 majority of the assessed value of the real property in the district
2-61 may submit a petition to the commission requesting that the
2-62 commission appoint as successor temporary directors the five
2-63 persons named in the petition. The commission shall appoint as
2-64 successor temporary directors the five persons named in the
2-65 petition.

2-66 [Sections 8375.053-8375.100 reserved for expansion]

2-67 SUBCHAPTER C. POWERS AND DUTIES

2-68 Sec. 8375.101. GENERAL POWERS AND DUTIES. The district has
2-69 the powers and duties necessary to accomplish the purposes for

3-1 which the district is created.

3-2 Sec. 8375.102. MUNICIPAL UTILITY DISTRICT POWERS AND
 3-3 DUTIES. The district has the powers and duties provided by the
 3-4 general law of this state, including Chapters 49 and 54, Water Code,
 3-5 applicable to municipal utility districts created under Section 59,
 3-6 Article XVI, Texas Constitution.

3-7 Sec. 8375.103. AUTHORITY FOR ROAD PROJECTS. (a) Under
 3-8 Section 52, Article III, Texas Constitution, the district may
 3-9 design, acquire, construct, finance, issue bonds for, improve, and
 3-10 convey to this state, a county, or a municipality for operation and
 3-11 maintenance macadamized, graveled, or paved roads described by
 3-12 Section 54.234, Water Code, or improvements, including storm
 3-13 drainage, in aid of those roads.

3-14 (b) The district may exercise the powers provided by this
 3-15 section without submitting a petition to or obtaining approval from
 3-16 the commission as required by Section 54.234, Water Code.

3-17 Sec. 8375.104. APPROVAL OF ROAD PROJECT. (a) The district
 3-18 may not undertake a road project authorized by Section 8375.103
 3-19 unless:

3-20 (1) each municipality or county that will operate and
 3-21 maintain the road has approved the plans and specifications of the
 3-22 road project, if a municipality or county will operate and maintain
 3-23 the road; or

3-24 (2) the Texas Transportation Commission has approved
 3-25 the plans and specifications of the road project, if the state will
 3-26 operate and maintain the road.

3-27 (b) Except as provided by Subsection (a), the district is
 3-28 not required to obtain approval from the Texas Transportation
 3-29 Commission to design, acquire, construct, finance, issue bonds for,
 3-30 improve, or convey a road project.

3-31 Sec. 8375.105. COMPLIANCE WITH AND ENFORCEABILITY OF
 3-32 MUNICIPAL CONSENT AGREEMENT, ORDINANCE, OR RESOLUTION. (a) The
 3-33 district shall comply with all applicable requirements of any
 3-34 ordinance or resolution that is adopted under Section 54.016 or
 3-35 54.0165, Water Code, and that consents to the creation of the
 3-36 district or to the inclusion of land in the district.

3-37 (b) Any agreement between the district and a municipality
 3-38 related to the municipality's consent to the creation of the
 3-39 district is valid and enforceable.

3-40 (c) On the issuance of bonds by the district, the district
 3-41 is considered to have waived sovereign immunity to suit by a
 3-42 municipality for the purpose of adjudicating a claim for breach of
 3-43 an agreement described by this section.

3-44 Sec. 8375.106. CONTRACT TO FURTHER REGIONAL COOPERATION.
 3-45 The district and a municipality may contract on terms that the board
 3-46 and governing body of the municipality agree will further regional
 3-47 cooperation between the district and the municipality.

3-48 Sec. 8375.107. NO EMINENT DOMAIN POWER. The district may
 3-49 not exercise the power of eminent domain.

3-50 [Sections 8375.108-8375.150 reserved for expansion]

3-51 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-52 Sec. 8375.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
 3-53 district may issue, without an election, bonds and other
 3-54 obligations secured by:

3-55 (1) revenue other than ad valorem taxes; or

3-56 (2) contract payments described by Section 8375.153.

3-57 (b) The district must hold an election in the manner
 3-58 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 3-59 before the district may impose an ad valorem tax or issue bonds
 3-60 payable from ad valorem taxes.

3-61 (c) The district may not issue bonds payable from ad valorem
 3-62 taxes to finance a road project unless the issuance is approved by a
 3-63 vote of a two-thirds majority of the district voters voting at an
 3-64 election held for that purpose.

3-65 Sec. 8375.152. OPERATION AND MAINTENANCE TAX. (a) If
 3-66 authorized at an election held under Section 8375.151, the district
 3-67 may impose an operation and maintenance tax on taxable property in
 3-68 the district in accordance with Section 49.107, Water Code.

3-69 (b) The board shall determine the tax rate. The rate may not

4-1 exceed the rate approved at the election.
4-2 (c) If required by an agreement between the district and a
4-3 municipality under Section 8375.105, the total ad valorem tax rate
4-4 of the district may not be less than the total ad valorem tax rate of
4-5 the municipality.

4-6 Sec. 8375.153. CONTRACT TAXES. (a) In accordance with
4-7 Section 49.108, Water Code, the district may impose a tax other than
4-8 an operation and maintenance tax and use the revenue derived from
4-9 the tax to make payments under a contract after the provisions of
4-10 the contract have been approved by a majority of the district voters
4-11 voting at an election held for that purpose.

4-12 (b) A contract approved by the district voters may contain a
4-13 provision stating that the contract may be modified or amended by
4-14 the board without further voter approval.

4-15 [Sections 8375.154-8375.200 reserved for expansion]

4-16 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-17 Sec. 8375.201. AUTHORITY TO ISSUE BONDS AND OTHER
4-18 OBLIGATIONS. The district may issue bonds or other obligations
4-19 payable wholly or partly from ad valorem taxes, impact fees,
4-20 revenue, contract payments, grants, or other district money, or any
4-21 combination of those sources, to pay for any authorized district
4-22 purpose.

4-23 Sec. 8375.202. TAXES FOR BONDS. At the time the district
4-24 issues bonds payable wholly or partly from ad valorem taxes, the
4-25 board shall provide for the annual imposition of a continuing
4-26 direct ad valorem tax, without limit as to rate or amount, while all
4-27 or part of the bonds are outstanding as required and in the manner
4-28 provided by Sections 54.601 and 54.602, Water Code.

4-29 Sec. 8375.203. BONDS FOR ROAD PROJECTS. At the time of
4-30 issuance, the total principal amount of bonds or other obligations
4-31 issued or incurred to finance road projects and payable from ad
4-32 valorem taxes may not exceed one-fourth of the assessed value of the
4-33 real property in the district.

4-34 [Sections 8375.204-8375.250 reserved for expansion]

4-35 SUBCHAPTER F. STRATEGIC PARTNERSHIP AGREEMENT; MUNICIPAL
4-36 ANNEXATION AND NOTICE

4-37 Sec. 8375.251. STRATEGIC PARTNERSHIP; CONTINUATION OF
4-38 DISTRICT AFTER ANNEXATION BY MUNICIPALITY. (a) The district may
4-39 continue to exist as a limited district after full-purpose
4-40 annexation by a municipality if the district and the annexing
4-41 municipality state the terms of the limited district's existence in
4-42 a strategic partnership agreement under Section 43.0751, Local
4-43 Government Code.

4-44 (b) The strategic partnership agreement may provide for a
4-45 term of any number of years. The limitation in Section
4-46 43.0751(g)(2), Local Government Code, on the length of the term
4-47 does not apply to a limited district created under this section.

4-48 Sec. 8375.252. MUNICIPAL ANNEXATION; NOTICE. (a) Sections
4-49 43.0561 and 43.0562, Local Government Code, do not apply to the
4-50 annexation of the district by a municipality that consents to the
4-51 creation of the district under Section 8375.004.

4-52 (b) Not later than the 30th day after the date a
4-53 municipality adopts a resolution or ordinance consenting to the
4-54 creation of the district, the municipality shall file, in the real
4-55 property records of the county in which the land to be included in
4-56 the district is located, a notice to a purchaser of real property in
4-57 the district that describes:

4-58 (1) the municipality's authority and intention to
4-59 annex the district; and

4-60 (2) the anticipated date of the annexation.

4-61 (c) After the notice is filed, a person who proposes to sell
4-62 or otherwise convey real property in the district must include the
4-63 information contained in the municipality's notice in the Notice to
4-64 Purchasers required by Section 49.452, Water Code.

4-65 SECTION 2. The Pilot Knob Municipal Utility District No. 1
4-66 initially includes all the territory contained in the following
4-67 area:

4-68 339.690 acres of land described below:

4-69 A DESCRIPTION OF 342.280 ACRES IN THE SANTIAGO DEL VALLE GRANT, THE

5-1 GUILLERMO NUNEZ SURVEY NO. 502, AND THE BARBARA LOPEZ Y MIRELEZ
 5-2 SURVEY NO. 503, IN TRAVIS COUNTY, TEXAS, BEING ALL OF A 25.304 ACRE
 5-3 TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO JONA ACQUISITION
 5-4 INC., DATED JULY 23, 2008 AND RECORDED IN DOCUMENT NO. 2008124712 OF
 5-5 THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF A
 5-6 138.540 ACRE TRACT DESCRIBED IN A GENERAL WARRANTY DEED TO JONA
 5-7 ACQUISITION INC., DATED MARCH 2, 2007 AND RECORDED IN DOCUMENT NO.
 5-8 2007038642 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS,
 5-9 A PORTION OF A 20.807 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY
 5-10 DEED TO JONA ACQUISITION INC., DATED JANUARY 3, 2007 AND RECORDED IN
 5-11 DOCUMENT NO. 2007003159 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS
 5-12 COUNTY, TEXAS, A PORTION OF AN 81.018 ACRE TRACT DESCRIBED IN A
 5-13 SPECIAL WARRANTY DEED TO JONA ACQUISITION INC., DATED DECEMBER 12,
 5-14 2006 AND RECORDED IN DOCUMENT NO. 2006246454 OF THE OFFICIAL PUBLIC
 5-15 RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF A 103.415 ACRE TRACT
 5-16 DESCRIBED IN A SPECIAL WARRANTY DEED TO JONA ACQUISITION INC.,
 5-17 DATED NOVEMBER 20, 2006 AND RECORDED IN DOCUMENT NO. 2006224021 OF
 5-18 THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, A PORTION OF A
 5-19 167.748 ACRE TRACT DESCRIBED IN A GENERAL WARRANTY DEED TO JONA
 5-20 ACQUISITION INC., DATED DECEMBER 13, 2006 AND RECORDED IN DOCUMENT
 5-21 NO. 2006241307 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY,
 5-22 TEXAS, ALL OF A 152.571 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY
 5-23 DEED TO JONA ACQUISITION INC., DATED NOVEMBER 2, 2006 AND RECORDED
 5-24 IN DOCUMENT NO. 2006214522 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS
 5-25 COUNTY, TEXAS, ALL OF A 59.027 ACRE TRACT DESCRIBED IN A GENERAL
 5-26 WARRANTY DEED TO JONA ACQUISITION INC., DATED MARCH 2, 2007 AND
 5-27 RECORDED IN DOCUMENT NO. 2007038634 OF THE OFFICIAL PUBLIC RECORDS
 5-28 OF TRAVIS COUNTY, TEXAS, A PORTION OF F.M. 1625 (80' RIGHT-OF-WAY)
 5-29 AND A PORTION OF COLTON BLUFF SPRINGS ROAD (APPARENT RIGHT-OF-WAY
 5-30 WIDTH VARIES); SAID 342.280 ACRE TRACT BEING MORE PARTICULARLY
 5-31 DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

5-32 BEGINNING at a 1/2" rebar with Chaparral cap found in the west
 5-33 right-of-way line of U.S. Highway 183 (100' right-of-way) for the
 5-34 northeast corner of said 25.304 acre tract, same being the
 5-35 southeast corner of Lot 14, South 183 Park, a subdivision recorded
 5-36 in Volume 78, Page 253 of the Plat Records of Travis County, Texas;
 5-37 THENCE with the west right-of-way line of U.S. Highway 183, same
 5-38 being the east line of said 25.304 acre tract and the north terminus
 5-39 of F.M. 1625, with a curve to the left, having a radius of 5779.84
 5-40 feet, a delta angle of 6°21'28", an arc length of 641.35 feet, and a
 5-41 chord which bears South 5°19'41" West, a distance of 641.02 feet to a
 5-42 calculated point for the east right-of-way line of F.M. 1625;
 5-43 THENCE with the east right-of-way line of F.M. 1625, the following
 5-44 five (5) courses and distances:

5-45 1. South 85°41'32" West, a distance of 44.00 feet to a
 5-46 calculated point;
 5-47 2. South 30°34'53" West, a distance of 164.30 feet to a
 5-48 calculated point;
 5-49 3. South 27°05'32" West, a distance of 672.59 feet to a
 5-50 calculated point;
 5-51 4. South 26°41'32" West, a distance of 410.38 feet to a
 5-52 calculated point;
 5-53 5. South 27°11'23" West, in part with the west terminus
 5-54 of McKenzie Road (60' right-of-way), a distance of 380.85
 5-55 feet to a 1/2" rebar with Chaparral cap found in the south
 5-56 right-of-way line of McKenzie Road, for the northwest corner
 5-57 of said 59.027 acre tract;

5-58 THENCE with the south right-of-way line of McKenzie Road, same
 5-59 being the northeast line of said 59.027 acre tract, the following
 5-60 two (2) courses and distances:

5-61 1. South 62°41'20" East, a distance of 908.70 feet to a
 5-62 1" iron pipe found;
 5-63 2. South 33°59'03" East, a distance of 171.70 feet to a
 5-64 1/2" rebar with Chaparral cap found in the west right-of-way
 5-65 line of U.S. Highway 183, for the northeast corner of said
 5-66 59.027 acre tract;

5-67 THENCE South 04°10'14" East, with the west right-of-way line of U.S.
 5-68 Highway 183, same being the east line of said 59.027 acre tract, and
 5-69 the east line of said 152.571 acre tract, a distance of 4697.45 feet

6-1 to a 5/8" rebar found for the southeast corner of said 152.571 acre
6-2 tract, same being the northeast corner of a 9.87 acre tract
6-3 described in a deed to Bobby Ray Burklund, et al., recorded in
6-4 Document No. 1999103744 of the Official Public Records of Travis
6-5 County, Texas;
6-6 THENCE North 62°43'22" West, with the southwest line of said 152.571
6-7 acre tract, same being the northeast line of said 9.87 acre tract,
6-8 the northeast line of a 19.73 acre tract described in a deed to
6-9 Erland Burklund, et ux., recorded in Volume 4054, Page 1326 of the
6-10 Deed Records of Travis County, Texas, the northeast line of a 3.00
6-11 acre tract described in a deed to Erland Burklund, et ux., recorded
6-12 in Volume 3978, Page 1205 of the Deed Records of Travis County,
6-13 Texas, and the northeast line of a 1.00 acre tract described in a
6-14 deed to Erland Burklund, et ux., recorded in Volume 2100, Page 268
6-15 of the Deed Records of Travis County, Texas, a distance of 3498.94
6-16 feet to a 1/2" rebar with Chaparral cap found in the east
6-17 right-of-way line of F.M. 1625, for the southwest corner of said
6-18 152.571 acre tract, same being the northwest corner of said 1.00
6-19 acre tract;
6-20 THENCE North 62°38'08" West, crossing F.M. 1625, a distance of 80.00
6-21 feet to a calculated point in the west right-of-way line of F.M.
6-22 1625, same being the east line of said 167.748 acre tract;
6-23 THENCE North 27°05'45" East, with the west right of line of F.M.
6-24 1625, same being the east line of said 167.748 acre tract, a
6-25 distance of 0.13 feet to a calculated point;
6-26 THENCE crossing said 167.748 acre tract, said 103.415 acre tract,
6-27 said 81.018 acre tract, Colton Bluff Springs Road, said 20.807 acre
6-28 tract and said 138.540 acre tract, the following fourteen (14)
6-29 courses and distances:
6-30 1. North 62°48'33" West, a distance of 190.11 feet to a
6-31 calculated point;
6-32 2. North 27°11'27" East, a distance of 450.00 feet to a
6-33 calculated point;
6-34 3. North 27°05'07" East, a distance of 1284.12 feet to a
6-35 calculated point;
6-36 4. North 62°55'07" West, a distance of 393.35 feet to a
6-37 calculated point;
6-38 5. North 27°04'42" East, a distance of 1090.01 feet to a
6-39 calculated point;
6-40 6. South 62°55'07" East, a distance of 393.93 feet to a
6-41 calculated point;
6-42 7. North 27°06'32" East, a distance of 1006.99 feet to a
6-43 calculated point;
6-44 8. With a curve to the left, having a radius of 800.00
6-45 feet, a delta angle of 04°05'43", an arc length of 57.18 feet,
6-46 and a chord which bears North 19°18'34" West, a distance of
6-47 57.17 feet to a calculated point;
6-48 9. North 21°21'01" West, a distance of 1149.03 feet to a
6-49 calculated point;
6-50 10. With a curve to the right, having a radius of 499.99
6-51 feet, a delta angle of 41°14'55", an arc length of 359.95
6-52 feet, and a chord which bears North 00°43'58" West, a distance
6-53 of 352.23 feet to a calculated point;
6-54 11. North 19°53'30" East, a distance of 342.26 feet to a
6-55 calculated point;
6-56 12. With a curve to the right, having a radius of
6-57 2002.94 feet, a delta angle of 22°31'58", an arc length of
6-58 787.70 feet, and a chord which bears North 58°50'31" West, a
6-59 distance of 782.64 feet to a calculated point;
6-60 13. North 47°34'32" West, a distance of 42.94 feet to a
6-61 calculated point;
6-62 14. North 27°06'47" East, a distance of 3.20 feet to a
6-63 1/2" iron pipe found for an interior ell corner in the north
6-64 line of said 138.540 acre tract, same being the south corner
6-65 of a 380.080 acre tract described in a deed to Ernest Collins
6-66 and Floretta Collins, recorded in Volume 12791, Page 11 of
6-67 the Real Property Records of Travis County, Texas;
6-68 THENCE with the northwest line of said 138.540 acre tract, same
6-69 being the southeast line of said 380.080 acre tract, the following

7-1 two (2) courses and distances:
7-2 1. North 27°06'47" East, a distance of 851.48 feet to a
7-3 3/4" iron pipe found;
7-4 2. North 29°08'56" East, a distance of 229.98 feet to a
7-5 1/2" iron pipe found for a north corner of said 138.540 acre
7-6 tract, same being the west corner of said 25.304 acre tract;
7-7 THENCE North 26°45'01" East, with the northwest line of said 25.304
7-8 acre tract, same being the southeast line of said 380.080 acre
7-9 tract, a distance of 430.74 feet to a 1/2" rebar found for the north
7-10 corner of said 25.304 acre tract, same being the west corner of Lot
7-11 8, South 183 Park;
7-12 THENCE South 48°05'10" East, with the southwest line of South 183
7-13 Park, a distance of 2072.23 feet to POINT OF BEGINNING, containing
7-14 342.280 acres of land, more or less.
7-15 SAVE AND EXCEPT 2.461 ACRES:
7-16 BEING ALL OF A 1 ACRE TRACT DESCRIBED IN A DEED TO TEOFILLO DE
7-17 SANTIAGO, DATED AUGUST 1, 1977 AND RECORDED IN VOLUME 5869, PAGE
7-18 1058 OF THE DEED RECORDS OF TRAVIS COUNTY TEXAS, AND ALL OF A 1.10
7-19 ACRE TRACT DESCRIBED IN A WARRANTY DEED TO HERIBERTA OJEDA AND
7-20 GLORIA OJEDA, DATED NOVEMBER 6, 1995 AND RECORDED IN VOLUME 12586,
7-21 PAGE 40 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS; SAID
7-22 2.461 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES AND
7-23 BOUNDS AS FOLLOWS:
7-24 BEGINNING at a 1/2" rebar with Chaparral cap found in the west
7-25 right-of-way line of F.M. 1625, for the south corner of said 1.10
7-26 acre tract, same being the east corner of said 20.807 acre tract;
7-27 THENCE North 53°08'58" West, with the southwest line of said 1.10
7-28 acre tract and said 1 acre tract, same being the northeast line of
7-29 said 20.807 acre tract, a distance of 440.29 feet to a 1/2" rebar
7-30 found for the west corner of said 1 acre tract, same being an angle
7-31 point in the south line of said 138.540 acre tract;
7-32 THENCE North 30°00'39" East, with the northwest line of said 1 acre
7-33 tract, same being the south line of said 138.540 acre tract, a
7-34 distance of 250.26 feet to a 1/2" rebar with Chaparral cap found for
7-35 the north corner of said 1 acre tract, same being an angle point in
7-36 the south line of said 138.540 acre tract;
7-37 THENCE South 52°47'09" East, with the northeast line of said 1 acre
7-38 tract and said 1.10 acre tract, same being the south line of said
7-39 138.540 acre tract, a distance of 427.83 feet to a calculated point
7-40 in the west right-of-way line of F.M. 1625, for the east corner of
7-41 said 1.10 acre tract;
7-42 THENCE South 27°05'32" West, with the west right-of-way line of F.M.
7-43 1625, same being the southeast line of said 1.10 acre tract, a
7-44 distance of 249.38 feet to the POINT OF BEGINNING, containing 2.461
7-45 acres of land, more or less.
7-46 SAVE AND EXCEPT 0.129 ACRES:
7-47 BEING ALL OF A 0.1291 ACRE TRACT DESCRIBED IN A GENERAL WARRANTY
7-48 DEED TO CROWN COMMUNICATION INC., DATED SEPTEMBER 3, 2001 AND
7-49 RECORDED IN DOCUMENT NUMBER 2001163489 OF THE OFFICIAL PUBLIC
7-50 RECORDS OF TRAVIS COUNTY, TEXAS; SAID 0.129 ACRE TRACT BEING MORE
7-51 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
7-52 BEGINNING at a 1/2" rebar with Chaparral cap found for the north
7-53 corner of said 0.1291 acre tract, same being a northeast corner of
7-54 said 167.748 acre tract, also being in the southwest line of said
7-55 103.415 acre tract;
7-56 THENCE South 62°41'37" East, with the northeast line of said 0.1291
7-57 acre tract, same being the southwest line of said 103.415 acre
7-58 tract, a distance of 75.00 feet to a calculated point in the west
7-59 right-of-way line of F.M. 1625, for the east corner of said 0.1291
7-60 acre tract;
7-61 THENCE South 27°05'45" West, with the west right-of-way line of F.M.
7-62 1625, same being the southeast line of said 0.1291 acre tract, a
7-63 distance of 75.17 feet to a calculated point for the south corner of
7-64 said 0.1291 acre tract, same being a northeast corner of said
7-65 167.748 acre tract;
7-66 THENCE North 62°41'37" West, with the southwest line of said 0.1291
7-67 acre tract, same being a northeast line of said 167.748 acre tract,
7-68 a distance of 75.00 feet to a 1/2" rebar with Chaparral cap found
7-69 for the west corner of said 0.1291 acre tract, same being an angle

8-1 point in the northeast line of said 167.748 acre tract;
8-2 THENCE North 27°05'45" East, with the northwest line of said 0.1291
8-3 acre tract, same being the northeast line of said 167.748 acre
8-4 tract, a distance of 75.17 feet to the POINT OF BEGINNING,
8-5 containing 0.129 acres of land, more or less.

8-6 SECTION 3. (a) The legal notice of the intention to
8-7 introduce this Act, setting forth the general substance of this
8-8 Act, has been published as provided by law, and the notice and a
8-9 copy of this Act have been furnished to all persons, agencies,
8-10 officials, or entities to which they are required to be furnished
8-11 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
8-12 Government Code.

8-13 (b) The governor, one of the required recipients, has
8-14 submitted the notice and Act to the Texas Commission on
8-15 Environmental Quality.

8-16 (c) The Texas Commission on Environmental Quality has filed
8-17 its recommendations relating to this Act with the governor, the
8-18 lieutenant governor, and the speaker of the house of
8-19 representatives within the required time.

8-20 (d) All requirements of the constitution and laws of this
8-21 state and the rules and procedures of the legislature with respect
8-22 to the notice, introduction, and passage of this Act are fulfilled
8-23 and accomplished.

8-24 SECTION 4. This Act takes effect immediately if it receives
8-25 a vote of two-thirds of all the members elected to each house, as
8-26 provided by Section 39, Article III, Texas Constitution. If this
8-27 Act does not receive the vote necessary for immediate effect, this
8-28 Act takes effect September 1, 2011.

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