

By: Isaac

H.B. No. 3813

A BILL TO BE ENTITLED

AN ACT

relating to the Hudson Ranch Fresh Water Supply District No. 1.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8360 to read as follows:

CHAPTER 8360. HUDSON RANCH WATER DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8360.001. NAME CHANGE. The name of Hudson Ranch Fresh Water Supply District No. 1 is changed to Hudson Ranch Water District.

Sec. 8360.002. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Hudson Ranch Water District.

Sec. 8360.003. NATURE OF DISTRICT. The district is a fresh water supply district and municipal utility district created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8360.004. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) All land and other property in the district will benefit from the improvements and services to be provided by the district.

(b) The district serves a public use and benefit.

Sec. 8360.005. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 2 of the Act enacting

1 this chapter.

2 (b) The boundaries and field notes contained in Section 2 of
3 the Act enacting this chapter form closures. A mistake made in the
4 field notes or in copying the field notes in the legislative process
5 does not affect the district's:

6 (1) organization, existence, or validity;

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

10 (3) right to impose a tax; or

11 (4) legality or operation.

12 [Sections 8360.006-8360.100 reserved for expansion]

13 SUBCHAPTER B. POWERS AND DUTIES

14 Sec. 8360.101. MUNICIPAL UTILITY DISTRICT AND FRESH WATER
15 SUPPLY DISTRICT POWERS AND DUTIES. (a) Except as provided by
16 Subsection (b), the district has the powers and duties provided by
17 the general law of this state, including Chapters 49, 53, and 54,
18 Water Code, applicable to fresh water supply districts and
19 municipal utility districts created under Section 59, Article XVI,
20 Texas Constitution.

21 (b) If a provision of Chapter 49 or 53, Water Code, is in
22 conflict or inconsistent with this chapter or Chapter 54, Water
23 Code, this chapter and Chapter 54, Water Code, prevail.

24 SECTION 2. The Hudson Ranch Water District includes all the
25 territory contained in the following area:

26 THREE SEPARATE PARCELS OF LAND IN HAYS COUNTY, TEXAS CONTAINING A
27 TOTAL OF 606.755 ACRES, MORE OR LESS:

1 FIELD NOTE DESCRIPTION FOR TRACT 1 - 573.231 ACRES OF LAND:
2 BEING A TRACT OR PARCEL OF LAND SITUATED IN HAYS COUNTY, TEXAS, AND
3 BEING OUT OF AND A PART OF THE THOMAS F. GRAY SURVEY NO. 11, THE JOHN
4 BECKHAM SURVEY NO. 800, AND THE ANDREW DUNN SURVEY NO. 9, AND BEING
5 ALL OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED OF
6 DISTRIBUTION BY TRUSTEE OF TESTAMENTARY TRUST TO DUSTIN HUDSON FROM
7 DELTON HUDSON, TRUSTEE, DATED SEPTEMBER 2, 2004, AND RECORDED IN
8 VOLUME 2536, PAGE 139, OF THE OFFICIAL PUBLIC RECORDS OF HAYS
9 COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND
10 BOUNDS AS FOLLOWS:

11 COMMENCING for a point of reference at an iron rod found in the
12 south right-of-way line of State Highway F. M. 967, and in a curve
13 to the left, for the Northwest corner of that certain tract of land
14 as described in a Warranty Deed to James C. Ruby, Jr., Trustee of
15 the James C. Ruby, Jr. Family Trust from James C. Ruby, Sr., Trustee
16 of the James C. Ruby, Sr. Revocable Trust, dated July 30, 1992, and
17 recorded in Volume 945, Page 677, of the Official Public Records of
18 Hays County, Texas, and for the Northeast corner of that certain
19 tract said to contain 11.30 acres of land as described in a Deed
20 Without Warranty with Vendor's Lien to Delton Hudson from Scott
21 Nance, dated October 21, 1998, and recorded in Volume 1468, Page
22 733, of the Official Public Records of Hays County, Texas;

23 THENCE with the west line of the said Ruby tract and the east line of
24 the said Hudson 11.30 acre tract, South 00°55'20" East, a distance
25 of 140.13 feet to an iron rod found, for the Northeast corner and
26 POINT OF BEGINNING of the herein described tract;

27 THENCE continuing with the west line of the said Ruby tract and the

1 east line of the said Hudson acre tract, South 00°50'35" East, a
2 distance of 101.29 feet to an iron found, for the Northeast corner
3 of that certain tract of land as described in a Warranty Deed to
4 Cindi Hudson from James Pogue, dated May 31, 1994, and recorded in
5 Volume 1082, Page 753, of the Real Property Records of Hays County,
6 Texas, for an angle corner of the said Hudson tract, and for an
7 angle corner of this tract;

8 THENCE with the north line of the said Cindi Hudson tract, common to
9 the said Hudson tract, South 80°03'52" West, a distance of 658.61
10 feet to an iron rod found, for the Northwest corner of the said
11 Cindi Hudson tract, for an angle corner of the said Hudson tract,
12 and for an angle corner of this tract;

13 THENCE with the south line of the said Cindi Hudson tract, common to
14 the said Hudson tract, North 89°00'08" East, a distance of 650.83
15 feet to an iron rod found in the west line of the said Ruby tract,
16 for the Southeast corner of the said Cindi Hudson tract, for an
17 angle corner of the Hudson tract, and for an angle corner of this
18 tract;

19 THENCE with the east line of the said Hudson tract, the following
20 eleven (11) courses:

21 1. South 01°00'03" East, a distance of 317.37 feet to an iron rod
22 found, for an angle corner of this tract;

23 2. South 05°12'19" West, a distance of 408.56 feet to an iron rod
24 set, for an angle corner of this tract;

25 3. South 01°36'25" East, a distance of 604.01 feet to an iron rod
26 found, for an angle corner of this tract;

27 4. South 00°24'06" East, a distance of 60.95 feet to an iron rod

1 set, for an angle corner of this tract;
2 5. South 01°32'05" East, a distance of 37.75 feet to an iron rod
3 set, for an angle corner of this tract;
4 6. South 00°10'30" East, a distance of 84.30 feet to an iron rod
5 set, for an angle corner of this tract;
6 7. South 01°44'34" East, at a distance of 2,783.22 feet pass the
7 Southwest corner of the remainder of the said Ruby tract, the same
8 being the Northwest corner of Ruby Ranch, Phase Four, a subdivision
9 recorded in Volume 8, Page 237, of the Plat Records of Hays County,
10 Texas, in all a total distance of 3,216.47 feet to an iron rod
11 found, for an angle corner of this tract;
12 8. South 03°10'19" East, a distance of 968.28 feet to an iron rod
13 found, for an angle corner of this tract;
14 9. North 89°35'58" East, a distance of 504.82 feet to an iron rod
15 found, for an angle corner of this tract;
16 10. South 01°05'33" East, a distance of 953.38 feet to an iron rod
17 found, for an angle corner of this tract;
18 11. South 01°23'50" East, a distance of 330.29 feet to an iron rod
19 found, for an angle corner of said Ruby Ranch, Phase Four, for an
20 angle corner of Ruby Ranch, Phase Five, a subdivision recorded in
21 Volume 8, Page 243, of the Plat Records of Hays County, Texas, for
22 the Southeast corner of the said Hudson tract, and for the Southeast
23 corner of this tract;
24 THENCE with the north line of said Ruby Ranch, Phase Five and the
25 south line of the said Hudson tract, the following ten (10) courses:
26 1. South 64°52'23" West, a distance of 550.25 feet to an iron rod
27 found, for an angle corner of this tract;

- 1 2. South $77^{\circ}51'11''$ West, a distance of 513.00 feet to an iron rod
2 found, for an angle corner of this tract;
 - 3 3. South $82^{\circ}55'12''$ West, a distance of 174.93 feet to an iron rod
4 found, for an angle corner of this tract;
 - 5 4. South $78^{\circ}35'19''$ West, a distance of 196.55 feet to an iron rod
6 found, for an angle corner of this tract;
 - 7 5. South $55^{\circ}58'50''$ West, a distance of 313.22 feet to an iron rod
8 found, for an angle corner of this tract;
 - 9 6. South $85^{\circ}02'04''$ West, a distance of 35.39 feet to an iron rod
10 found, for an angle corner of this tract;
 - 11 7. South $89^{\circ}52'48''$ West, a distance of 481.44 feet to an iron rod
12 found, for an angle corner of this tract;
 - 13 8. South $88^{\circ}33'49''$ West, a distance of 16.35 feet to an iron rod
14 found, for an angle corner of this tract;
 - 15 9. North $89^{\circ}53'00''$ West, a distance of 87.21 feet to an iron rod
16 found, for an angle corner of this tract;
 - 17 10. South $89^{\circ}59'17''$ West, a distance of 420.72 feet to an iron rod
18 found in the west line of that certain tract of land as described in
19 a deed to P. R. Rutherford, recorded in Volume 211, Page 313, of the
20 Deed Records of Hays County, Texas, for the Northwest corner of said
21 Ruby Ranch, Phase Five, for the Southwest corner of the said Hudson
22 tract, and for the Southwest corner of this tract;
- 23 THENCE with the east line of the said Rutherford tract and a west
24 line of the said Hudson tract, the following five (5) courses:
- 25 1. North $01^{\circ}12'13''$ West, a distance of 333.89 feet to an iron rod
26 set, for an angle corner of this tract;
 - 27 2. North $00^{\circ}55'39''$ West, a distance of 576.65 feet to an iron rod

1 set, for an angle corner of this tract;

2 3. North 00°50'24" West, a distance of 384.50 feet to an iron rod

3 set, for an angle corner of this tract;

4 4. North 01°09'38" West, a distance of 573.80 feet to an iron rod

5 set, for an angle corner of this tract;

6 5. North 00°50'20" West, a distance of 123.37 feet to an iron rod

7 found, for an angle corner of the said Hudson tract, and for an

8 angle corner of this tract;

9 THENCE with the north line of the said Rutherford tract and a south

10 line of the said Hudson tract, the following two (2) courses:

11 1. South 61°02'59" West, a distance of 628.69 feet to an iron rod

12 found, for an angle corner of this tract;

13 2. South 49°09'13" West, a distance of 569.46 feet to an iron rod

14 found, for the Southeast corner of that certain tract of land as

15 described in a deed to the City of Austin, recorded in Volume 2506,

16 Page 671, of the Official Public Records of Hays County, Texas, for

17 an angle corner of the said Hudson tract, and for an angle corner of

18 this tract;

19 THENCE with the west line of the said Hudson tract, the following

20 six (6) courses:

21 1. North 00°27'37" West, a distance of 2,946.82 feet to an iron rod

22 found, for an angle corner of this tract;

23 2. North 00°24'21" West, a distance of 2,352.61 feet to an iron rod

24 found, for an angle corner of this tract;

25 3. North 00°34'43" West, a distance of 532.11 feet to an iron rod

26 found, for an angle corner of this tract;

27 4. North 01°31'08" East, a distance of 27.58 feet to an iron rod

1 found, for an angle corner of this tract;

2 5. North 00°36'08" West, a distance of 745.49 feet to an iron rod
3 found, for the Northeast corner of the said City of Austin tract,
4 and for an angle corner of this tract;

5 6. North 00°09'42" West, a distance of 569.34 feet to an iron rod
6 found, for the Southwest corner of that certain tract of land as
7 described in a deed to Michael Waite and wife, Gaylene Waite,
8 recorded in Volume 1211, Page 729, of the Real Property Records of
9 Hays County, Texas, for the Northwest corner of the said Hudson
10 tract, and for the Northwest corner of this tract;

11 THENCE with the south line of the said Waite tract, common to the
12 said Hudson tract, South 87°23'55" East, a distance of 1,360.72 feet
13 to an iron rod found, for the Southeast corner of the said Waite
14 tract, for an angle corner of the said Hudson tract, and for an
15 angle corner of this tract;

16 THENCE with the east line of the said Waite tract, common to the
17 said Hudson tract, North 02°29'03" West, a distance of 470.77 feet
18 to an iron rod set, for the Northeast corner of the said Waite
19 tract, for the West corner of the said Hudson 11.30 acre tract, for
20 an angle corner of the said Hudson tract, and for an angle corner of
21 this tract;

22 THENCE with the south line of the said Hudson 11.30 acre tract and
23 the north line of the said Hudson tract, North 80°03'52" East, a
24 distance of 1,728.63 feet to the POINT OF BEGINNING, containing
25 573.231 acres of land, more or less.

26 FIELD NOTE DESCRIPTION FOR TRACT 2 - 11.297 ACRES OF LAND:
27 BEING A TRACT OR PARCEL OF LAND SITUATED IN HAYS COUNTY, TEXAS, AND

1 BEING OUT OF AND A PART OF THE THOMAS F. GRAY SURVEY NO. 11, AND
2 BEING ALL OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED
3 WITHOUT WARRANTY WITH VENDOR'S LIEN TO DELTON HUDSON FROM SCOTT
4 NANCE, ET AL, DATED OCTOBER 21, 1998, AND RECORDED IN VOLUME 1468,
5 PAGE 733, OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS, AND
6 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

7 COMMENCING at an iron rod found in the south right-of-way line of
8 State Highway F. M. 967, and in a curve to the left, for the
9 Northwest corner of that certain tract of land as described in a
10 Warranty Deed to James C. Ruby, Jr., Trustee of the James C. Ruby,
11 Jr. Family Trust from James C. Ruby, Sr., Trustee of the James C.
12 Ruby, Sr., Revocable Trust, dated July 30, 1992, and recorded in
13 Volume 945, Page 677, of the Official Public Records of Hays County,
14 Texas, for the Northeast corner of the said Hudson tract, and for
15 the Northeast corner and POINT OF BEGINNING of the herein described
16 tract;

17 THENCE with the west line of the said Ruby tract and the east line of
18 the said Hudson tract, South 00°55'20" East, a distance of 140.13
19 feet to an iron rod found, for the Northeast corner of that certain
20 tract of land said to contain 573.40 acres of land as described in a
21 Deed of Distribution by Trustee of Testamentary Trust to Dustin
22 Hudson from Delton Hudson, Trustee, dated September 2, 2004, and
23 recorded in Volume 2536, Page 139, of the Official Public Records of
24 Hays County, Texas, for the Southeast corner of the said Hudson
25 tract, and for the Southeast corner of this tract;

26 THENCE with the north line of the said Hudson 573.40 acre tract and
27 the said Hudson tract, South 80°03'52" West, a distance of 1,728.63

1 feet to an iron rod found, for the Northeast corner of that certain
2 tract of land as described in a deed to Michael Waite and wife,
3 Gaylene Waite, recorded in Volume 1211, Page 729, of the Real
4 Property Records of Hays County, Texas, for an angle corner of that
5 certain tract of land as described in a deed to Michael Waite and
6 wife, Gaylene Waite, recorded in Volume 1468, Page 759, of the
7 Official Public Records of Hays County, Texas, for the West corner
8 of the said Hudson tract, and for the West corner of this tract;

9 THENCE with the south line of the said Waite tract, North 56°42'25"
10 East, a distance of 1,356.90 feet to an iron rod found in the south
11 right-of-way line of said F. M. 967, for the Southeast corner of the
12 said Waite tract, for the North corner of the said Hudson tract, and
13 for the North corner of this tract;

14 THENCE with the south right-of- way line of said F.M. 967, the
15 following two (2) courses:

16 South 54°12'36" East, a distance of 116.15 feet to a concrete
17 right-of-way monument found at the beginning of a curve to the left;
18 Along said curve to the left an arc length of 531.10 feet, having a
19 radius of 1,678.05 feet, a delta angle of 18°08'02", a chord bearing
20 of South 63°11'28" East, and a chord distance of 528.88 feet to the
21 POINT OF BEGINNING, containing 11.297 acres of land, more or less.

22 FIELD NOTE DESCRIPTION FOR TRACT 3 - 22.229 ACRES OF LAND:

23 BEING A TRACT OR PARCEL OF LAND SITUATED IN HAYS COUNTY, TEXAS, AND
24 BEING OUT OF AND A PART OF THE THOMAS F. GRAY SURVEY NO, 11, AND
25 BEING ALL OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A WARRANTY
26 DEED TO CINDI G. HUDSON FROM JAMES POG'UE, DATED MAY 31, 1994, AND
27 RECORDED IN VOLUME 1082, PAGE 753, OF THE REAL PROPERTY RECORDS OF

1 HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES
2 AND BOUNDS AS FOLLOWS:
3 COMMENCING for a point of reference at an iron rod found in the
4 south right-of-way line of State Highway F. M. 967, and in a curve
5 to the left, for the Northwest corner of that certain tract of land
6 as described in a Warranty Deed to James C. Ruby, Jr., Trustee of
7 the James C. Ruby, Jr. Family Trust from James C. Ruby, Sr., Trustee
8 of the James C. Ruby, Sr. Revocable Trust, dated July 30, 1992, and
9 recorded in Volume 945, Page 677, of the Official Public Records of
10 Hays County, Texas, and for the Northeast corner of that certain
11 tract of land as described in a Deed Without Warranty with Vendor's
12 Lien to Delton Hudson from Scott Nance, dated October 21, 1998, and
13 recorded in Volume 1468, Page 733, of the Official Public Records of
14 Hays County, Texas;
15 THENCE with the west line of the said Ruby tract and the east line of
16 the said Hudson tract, South 00°55'20" East, a distance of 140.13
17 feet to an iron rod found, for the Northeast corner of that certain
18 tract of land said to contain 573.40 acres of land as described in a
19 Deed of Distribution by Trustee of Testamentary Trust to Dustin
20 Hodson from Delton Hudson, Trustee, dated September 2, 2004, and
21 recorded in Volume 2536, Page 139, of the Official Public Records of
22 Hays County, Texas, and for the Southeast corner of the said Hudson
23 tract;
24 THENCE continuing with the west line of the said Ruby tract and the
25 east line of the said Hudson 573.40 acre tract, South 00°50'35"
26 East, a distance of 101.29 feet to an iron found, for an angle
27 corner of the said Hudson 573.40 acre tract, for the Northeast

1 corner of the said Cindi Hudson tract, and for the Northeast corner
2 and POINT OF BEGINNING of the herein described tract;
3 THENCE with the west line of the said Ruby tract and the east line of
4 the said Cindi Hudson tract, the following three (3) courses:
5 1. South 00°54'40" East, a distance of 66.49 feet to an iron rod
6 found, for an angle corner of this tract;
7 2. South 00°44'47" East, a distance of 258.03 feet to an iron rod
8 found, for an angle corner of this tract;
9 3. South 00°57'03" East, a distance of 1,215.76 feet to an iron rod
10 found, for an angle corner of the said Hudson 573.40 acre tract, for
11 the Southeast corner of the said Cindi Hudson tract, and for the
12 Southeast corner of this tract;
13 THENCE with the south line of the said Cindi Hudson tract, common to
14 the said Hudson 573.40 acre tract, South 89°00'08" West, a distance
15 of 650.83 feet to an iron rod found, for the Southwest corner of the
16 said Cindi Hudson tract, for an angle corner of the said Hudson
17 573.40 acre tract, and for the Southwest corner of this tract;
18 THENCE with the west line of the said Cindi Hudson tract, common to
19 the said Hudson 573.40 acre tract, North 00°54'02" West, a distance
20 of 1,437.95 feet to an iron rod found, for the Northwest corner of
21 the said Cindi Hudson tract, for an angle corner of the said Hudson
22 573.40 acre tract, and for the Northwest corner of this tract;
23 THENCE with the north line of the said Cindi Hudson tract, common to
24 the said Hudson 573.40 acre tract, North 80°03'52" East, a distance
25 of 658.61 feet to the POINT OF BEGINNING, containing 22.229 acres of
26 land, more or less.

27 SECTION 3. (a) The creation of the Hudson Ranch Fresh Water

1 Supply District No. 1 by the Hays County Commissioners Court on May
2 1, 2007, and all elections conducted by the district are validated.
3 No further election is necessary to confirm the district.

4 (b) This section does not apply to any matter that on the
5 effective date of this Act:

6 (1) is involved in litigation if the litigation
7 ultimately results in the matter being held invalid by a final court
8 judgment; or

9 (2) has been held invalid by a final court judgment.

10 SECTION 4. (a) The legal notice of the intention to
11 introduce this Act, setting forth the general substance of this
12 Act, has been published as provided by law, and the notice and a
13 copy of this Act have been furnished to all persons, agencies,
14 officials, or entities to which they are required to be furnished
15 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
16 Government Code.

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

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

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

1 SECTION 5. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2011.