

1-1 By: Isaac (Senate Sponsor - Wentworth) H.B. No. 3813
1-2 (In the Senate - Received from the House May 13, 2011;
1-3 May 13, 2011, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 19, 2011, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 19, 2011, sent to printer.)

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

1-8 relating to the Hudson Ranch Fresh Water Supply District No. 1.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-11 Code, is amended by adding Chapter 8360 to read as follows:

1-12 CHAPTER 8360. HUDSON RANCH WATER DISTRICT

1-13 SUBCHAPTER A. GENERAL PROVISIONS

1-14 Sec. 8360.001. NAME CHANGE. The name of Hudson Ranch Fresh
1-15 Water Supply District No. 1 is changed to Hudson Ranch Water
1-16 District.

1-17 Sec. 8360.002. 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 Hudson Ranch Water District.

1-21 Sec. 8360.003. NATURE OF DISTRICT. The district is a fresh
1-22 water supply district and municipal utility district created under
1-23 and essential to accomplish the purposes of Section 59, Article
1-24 XVI, Texas Constitution.

1-25 Sec. 8360.004. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-26 (a) All land and other property in the district will benefit from
1-27 the improvements and services to be provided by the district.

1-28 (b) The district serves a public use and benefit.

1-29 Sec. 8360.005. DISTRICT TERRITORY. (a) The district is
1-30 composed of the territory described by Section 2 of the Act enacting
1-31 this chapter.

1-32 (b) The boundaries and field notes contained in Section 2 of
1-33 the Act enacting this chapter form closures. A mistake made in the
1-34 field notes or in copying the field notes in the legislative process
1-35 does not affect the district's:

1-36 (1) organization, existence, or validity;

1-37 (2) right to issue any type of bond for the purposes
1-38 for which the district is created or to pay the principal of and
1-39 interest on a bond;

1-40 (3) right to impose a tax; or

1-41 (4) legality or operation.

1-42 [Sections 8360.006-8360.100 reserved for expansion]

1-43 SUBCHAPTER B. POWERS AND DUTIES

1-44 Sec. 8360.101. MUNICIPAL UTILITY DISTRICT AND FRESH WATER
1-45 SUPPLY DISTRICT POWERS AND DUTIES. (a) Except as provided by
1-46 Subsection (b), the district has the powers and duties provided by
1-47 the general law of this state, including Chapters 49, 53, and 54,
1-48 Water Code, applicable to fresh water supply districts and
1-49 municipal utility districts created under Section 59, Article XVI,
1-50 Texas Constitution.

1-51 (b) If a provision of Chapter 49 or 53, Water Code, is in
1-52 conflict or inconsistent with this chapter or Chapter 54, Water
1-53 Code, this chapter and Chapter 54, Water Code, prevail.

1-54 SECTION 2. The Hudson Ranch Water District includes all the
1-55 territory contained in the following area:

1-56 THREE SEPARATE PARCELS OF LAND IN HAYS COUNTY, TEXAS CONTAINING A
1-57 TOTAL OF 606.755 ACRES, MORE OR LESS:

1-58 FIELD NOTE DESCRIPTION FOR TRACT 1 - 573.231 ACRES OF LAND:

1-59 BEING A TRACT OR PARCEL OF LAND SITUATED IN HAYS COUNTY, TEXAS, AND

1-60 BEING OUT OF AND A PART OF THE THOMAS F. GRAY SURVEY NO. 11, THE JOHN

1-61 BECKHAM SURVEY NO. 800, AND THE ANDREW DUNN SURVEY NO. 9, AND BEING

1-62 ALL OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED OF

1-63 DISTRIBUTION BY TRUSTEE OF TESTAMENTARY TRUST TO DUSTIN HUDSON FROM

1-64 DELTON HUDSON, TRUSTEE, DATED SEPTEMBER 2, 2004, AND RECORDED IN

2-1 VOLUME 2536, PAGE 139, OF THE OFFICIAL PUBLIC RECORDS OF HAYS
2-2 COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND
2-3 BOUNDS AS FOLLOWS:
2-4 COMMENCING for a point of reference at an iron rod found in the
2-5 south right-of-way line of State Highway F. M. 967, and in a curve
2-6 to the left, for the Northwest corner of that certain tract of land
2-7 as described in a Warranty Deed to James C. Ruby, Jr., Trustee of
2-8 the James C. Ruby, Jr. Family Trust from James C. Ruby, Sr., Trustee
2-9 of the James C. Ruby, Sr. Revocable Trust, dated July 30, 1992, and
2-10 recorded in Volume 945, Page 677, of the Official Public Records of
2-11 Hays County, Texas, and for the Northeast corner of that certain
2-12 tract said to contain 11.30 acres of land as described in a Deed
2-13 Without Warranty with Vendor's Lien to Delton Hudson from Scott
2-14 Nance, dated October 21, 1998, and recorded in Volume 1468, Page
2-15 733, of the Official Public Records of Hays County, Texas;
2-16 THENCE with the west line of the said Ruby tract and the east line of
2-17 the said Hudson 11.30 acre tract, South 00°55'20" East, a distance
2-18 of 140.13 feet to an iron rod found, for the Northeast corner and
2-19 POINT OF BEGINNING of the herein described tract;
2-20 THENCE continuing with the westline of the said Ruby tract and the
2-21 east line of the said Hudson acre tract, South 00°50'35" East, a
2-22 distance of 101.29 feet to an iron found, for the Northeast corner
2-23 of that certain tract of land as described in a Warranty Deed to
2-24 Cindi Hudson from James Pogue, dated May 31, 1994, and recorded in
2-25 Volume 1082, Page 753, of the Real Property Records of Hays County,
2-26 Texas, for an angle corner of the said Hudson tract, and for an
2-27 angle corner of this tract;
2-28 THENCE with the north line of the said Cindi Hudson tract, common to
2-29 the said Hudson tract, South 80°03'52" West, a distance of 658.61
2-30 feet to an iron rod found, for the Northwest corner of the said
2-31 Cindi Hudson tract, for an angle corner of the said Hudson tract,
2-32 and for an angle corner of this tract;
2-33 THENCE with the south line of the said Cindi Hudson tract, common to
2-34 the said Hudson tract, North 89°00'08" East, a distance of 650.83
2-35 feet to an iron rod found in the west line of the said Ruby tract,
2-36 for the Southeast corner of the said Cindi Hudson tract, for an
2-37 angle corner of the Hudson tract, and for an angle corner of this
2-38 tract;
2-39 THENCE with the east line of the said Hudson tract, the following
2-40 eleven (11) courses:
2-41 1. South 01°00'03" East, a distance of 317.37 feet to an iron rod
2-42 found, for an angle corner of this tract;
2-43 2. South 05°12'19" West, a distance of 408.56 feet to an iron rod
2-44 set, for an angle corner of this tract;
2-45 3. South 01°36'25" East, a distance of 604.01 feet to an iron rod
2-46 found, for an angle corner of this tract;
2-47 4. South 00°24'06" East, a distance of 60.95 feet to an iron rod
2-48 set, for an angle corner of this tract;
2-49 5. South 01°32'05" East, a distance of 37.75 feet to an iron rod
2-50 set, for an angle corner of this tract;
2-51 6. South 00°10'30" East, a distance of 84.30 feet to an iron rod
2-52 set, for an angle corner of this tract;
2-53 7. South 01°44'34" East, at a distance of 2,783.22 feet pass the
2-54 Southwest corner of the remainder of the said Ruby tract, the same
2-55 being the Northwest corner of Ruby Ranch, Phase Four, a subdivision
2-56 recorded in Volume 8, Page 237, of the Plat Records of Hays County,
2-57 Texas, in all a total distance of 3,216.47 feet to an iron rod
2-58 found, for an angle corner of this tract;
2-59 8. South 03°10'19" East, a distance of 968.28 feet to an iron rod
2-60 found, for an angle corner of this tract;
2-61 9. North 89°35'58" East, a distance of 504.82 feet to an iron rod
2-62 found, for an angle corner of this tract;
2-63 10. South 01°05'33" East, a distance of 953.38 feet to an iron rod
2-64 found, for an angle corner of this tract;
2-65 11. South 01°23'50" East, a distance of 330.29 feet to an iron rod
2-66 found, for an angle corner of said Ruby Ranch, Phase Four, for an
2-67 angle corner of Ruby Ranch, Phase Five, a subdivision recorded in
2-68 Volume 8, Page 243, of the Plat Records of Hays County, Texas, for
2-69 the Southeast corner of the said Hudson tract, and for the Southeast

3-1 corner of this tract;
3-2 THENCE with the north line of said Ruby Ranch, Phase Five and the
3-3 south line of the said Hudson tract, the following ten (10) courses:
3-4 1. South 64°52'23" West, a distance of 550.25 feet to an iron rod
3-5 found, for an angle corner of this tract;
3-6 2. South 77°51'11" West, a distance of 513.00 feet to an iron rod
3-7 found, for an angle corner of this tract;
3-8 3. South 82°55'12" West, a distance of 174.93 feet to an iron rod
3-9 found, for an angle corner of this tract;
3-10 4. South 78°35'19" West, a distance of 196.55 feet to an iron rod
3-11 found, for an angle corner of this tract;
3-12 5. South 55°58'50" West, a distance of 313.22 feet to an iron rod
3-13 found, for an angle corner of this tract;
3-14 6. South 85°02'04" West, a distance of 35.39 feet to an iron rod
3-15 found, for an angle corner of this tract;
3-16 7. South 89°52'48" West, a distance of 481.44 feet to an iron rod
3-17 found, for an angle corner of this tract;
3-18 8. South 88°33'49" West, a distance of 16.35 feet to an iron rod
3-19 found, for an angle corner of this tract;
3-20 9. North 89°53'00" West, a distance of 87.21 feet to an iron rod
3-21 found, for an angle corner of this tract;
3-22 10. South 89°59'17" West, a distance of 420.72 feet to an iron rod
3-23 found in the west line of that certain tract of land as described in
3-24 a deed to P. R. Rutherford, recorded in Volume 211, Page 313, of the
3-25 Deed Records of Hays County, Texas, for the Northwest corner of said
3-26 Ruby Ranch, Phase Five, for the Southwest corner of the said Hudson
3-27 tract, and for the Southwest corner of this tract;
3-28 THENCE with the east line of the said Rutherford tract and a west
3-29 line of the said Hudson tract, the following five (5) courses:
3-30 1. North 01°12'13" West, a distance of 333.89 feet to an iron rod
3-31 set, for an angle corner of this tract;
3-32 2. North 00°55'39" West, a distance of 576.65 feet to an iron rod
3-33 set, for an angle corner of this tract;
3-34 3. North 00°50'24" West, a distance of 384.50 feet to an iron rod
3-35 set, for an angle corner of this tract;
3-36 4. North 01°09'38" West, a distance of 573.80 feet to an iron rod
3-37 set, for an angle corner of this tract;
3-38 5. North 00°50'20" West, a distance of 123.37 feet to an iron rod
3-39 found, for an angle corner of the said Hudson tract, and for an
3-40 angle corner of this tract;
3-41 THENCE with the north line of the said Rutherford tract and a south
3-42 line of the said Hudson tract, the following two (2) courses:
3-43 1. South 61°02'59" West, a distance of 628.69 feet to an iron rod
3-44 found, for an angle corner of this tract;
3-45 2. South 49°09'13" West, a distance of 569.46 feet to an iron rod
3-46 found, for the Southeast corner of that certain tract of land as
3-47 described in a deed to the City of Austin, recorded in Volume 2506,
3-48 Page 671, of the Official Public Records of Hays County, Texas, for
3-49 an angle corner of the said Hudson tract, and for an angle corner of
3-50 this tract;
3-51 THENCE with the west line of the said Hudson tract, the following
3-52 six (6) courses:
3-53 1. North 00°27'37" West, a distance of 2,946.82 feet to an iron rod
3-54 found, for an angle corner of this tract;
3-55 2. North 00°24'21" West, a distance of 2,352.61 feet to an iron rod
3-56 found, for an angle corner of this tract;
3-57 3. North 00°34'43" West, a distance of 532.11 feet to an iron rod
3-58 found, for an angle corner of this tract;
3-59 4. North 01°31'08" East, a distance of 27.58 feet to an iron rod
3-60 found, for an angle corner of this tract;
3-61 5. North 00°36'08" West, a distance of 745.49 feet to an iron rod
3-62 found, for the Northeast corner of the said City of Austin tract,
3-63 and for an angle corner of this tract;
3-64 6. North 00°09'42" West, a distance of 569.34 feet to an iron rod
3-65 found, for the Southwest corner of that certain tract of land as
3-66 described in a deed to Michael Waite and wife, Gaylene Waite,
3-67 recorded in Volume 1211, Page 729, of the Real Property Records of
3-68 Hays County, Texas, for the Northwest corner of the said Hudson
3-69 tract, and for the Northwest corner of this tract;

4-1 THENCE with the south line of the said Waite tract, common to the
4-2 said Hudson tract, South 87°23'55" East, a distance of 1,360.72 feet
4-3 to an iron rod found, for the Southeast corner of the said Waite
4-4 tract, for an angle corner of the said Hudson tract, and for an
4-5 angle corner of this tract;
4-6 THENCE with the east line of the said Waite tract, common to the
4-7 said Hudson tract, North 02°29'03" West, a distance of 470.77 feet
4-8 to an iron rod set, for the Northeast corner of the said Waite
4-9 tract, for the West corner of the said Hudson 11.30 acre tract, for
4-10 an angle corner of the said Hudson tract, and for an angle corner of
4-11 this tract;
4-12 THENCE with the south line of the said Hudson 11.30 acre tract and
4-13 the north line of the said Hudson tract, North 80°03'52" East, a
4-14 distance of 1,728.63 feet to the POINT OF BEGINNING, containing
4-15 573.231 acres of land, more or less.
4-16 FIELD NOTE DESCRIPTION FOR TRACT 2 - 11.297 ACRES OF LAND:
4-17 BEING A TRACT OR PARCEL OF LAND SITUATED IN HAYS COUNTY, TEXAS, AND
4-18 BEING OUT OF AND A PART OF THE THOMAS F. GRAY SURVEY NO. 11, AND
4-19 BEING ALL OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A DEED
4-20 WITHOUT WARRANTY WITH VENDOR'S LIEN TO DELTON HUDSON FROM SCOTT
4-21 NANCE, ET AL, DATED OCTOBER 21, 1998, AND RECORDED IN VOLUME 1468,
4-22 PAGE 733, OF THE REAL PROPERTY RECORDS OF HAYS COUNTY, TEXAS, AND
4-23 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:
4-24 COMMENCING at an iron rod found in the south right-of-way line of
4-25 State Highway F. M. 967, and in a curve to the left, for the
4-26 Northwest corner of that certain tract of land as described in a
4-27 Warranty Deed to James C. Ruby, Jr., Trustee of the James C. Ruby,
4-28 Jr. Family Trust from James C. Ruby, Sr., Trustee of the James C.
4-29 Ruby, Sr., Revocable Trust, dated July 30, 1992, and recorded in
4-30 Volume 945, Page 677, of the Official Public Records of Hays County,
4-31 Texas, for the Northeast corner of the said Hudson tract, and for
4-32 the Northeast corner and POINT OF BEGINNING of the herein described
4-33 tract;
4-34 THENCE with the west line of the said Ruby tract and the east line of
4-35 the said Hudson tract, South 00°55'20" East, a distance of 140.13
4-36 feet to an iron rod found, for the Northeast corner of that certain
4-37 tract of land said to contain 573.40 acres of land as described in a
4-38 Deed of Distribution by Trustee of Testamentary Trust to Dustin
4-39 Hudson from Delton Hudson, Trustee, dated September 2, 2004, and
4-40 recorded in Volume 2536, Page 139, of the Official Public Records of
4-41 Hays County, Texas, for the Southeast corner of the said Hudson
4-42 tract, and for the Southeast corner of this tract;
4-43 THENCE with the north line of the said Hudson 573.40 acre tract and
4-44 the said Hudson tract, South 80°03'52" West, a distance of 1,728.63
4-45 feet to an iron rod found, for the Northeast corner of that certain
4-46 tract of land as described in a deed to Michael Waite and wife,
4-47 Gaylene Waite, recorded in Volume 1211, Page 729, of the Real
4-48 Property Records of Hays County, Texas, for an angle corner of that
4-49 certain tract of land as described in a deed to Michael Waite and
4-50 wife, Gaylene Waite, recorded in Volume 1468, Page 759, of the
4-51 Official Public Records of Hays County, Texas, for the West corner
4-52 of the said Hudson tract, and for the West corner of this tract;
4-53 THENCE with the south line of the said Waite tract, North 56°42'25"
4-54 East, a distance of 1,356.90 feet to an iron rod found in the south
4-55 right-of-way line of said F. M. 967, for the Southeast corner of the
4-56 said Waite tract, for the North corner of the said Hudson tract, and
4-57 for the North corner of this tract;
4-58 THENCE with the south right-of- way line of said F.M. 967, the
4-59 following two (2) courses:
4-60 South 54°12'36" East, a distance of 116.15 feet to a concrete
4-61 right-of-way monument found at the beginning of a curve to the left;
4-62 Along said curve to the left an arc length of 531.10 feet, having a
4-63 radius of 1,678.05 feet, a delta angle of 18°08'02", a chord bearing
4-64 of South 63°11'28" East, and a chord distance of 528.88 feet to the
4-65 POINT OF BEGINNING, containing 11.297 acres of land, more or less.
4-66 FIELD NOTE DESCRIPTION FOR TRACT 3 - 22.229 ACRES OF LAND:
4-67 BEING A TRACT OR PARCEL OF LAND SITUATED IN HAYS COUNTY, TEXAS, AND
4-68 BEING OUT OF AND A PART OF THE THOMAS F. GRAY SURVEY NO, 11, AND
4-69 BEING ALL OF THAT CERTAIN TRACT OF LAND AS DESCRIBED IN A WARRANTY

5-1 DEED TO CINDI G. HUDSON FROM JAMES POG'UE, DATED MAY 31, 1994, AND
5-2 RECORDED IN VOLUME 1082, PAGE 753, OF THE REAL PROPERTY RECORDS OF
5-3 HAYS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES
5-4 AND BOUNDS AS FOLLOWS:
5-5 COMMENCING for a point of reference at an iron rod found in the
5-6 south right-of-way line of State Highway F. M. 967, and in a curve
5-7 to the left, for the Northwest corner of that certain tract of land
5-8 as described in a Warranty Deed to James C. Ruby, Jr., Trustee of
5-9 the James C. Ruby, Jr. Family Trust from James C. Ruby, Sr., Trustee
5-10 of the James C. Ruby, Sr. Revocable Trust, dated July 30, 1992, and
5-11 recorded in Volume 945, Page 677, of the Official Public Records of
5-12 Hays County, Texas, and for the Northeast corner of that certain
5-13 tract of land as described in a Deed Without Warranty with Vendor's
5-14 Lien to Delton Hudson from Scott Nance, dated October 21, 1998, and
5-15 recorded in Volume 1468, Page 733, of the Official Public Records of
5-16 Hays County, Texas;
5-17 THENCE with the west line of the said Ruby tract and the east line of
5-18 the said Hudson tract, South 00°55'20" East, a distance of 140.13
5-19 feet to an iron rod found, for the Northeast corner of that certain
5-20 tract of land said to contain 573.40 acres of land as described in a
5-21 Deed of Distribution by Trustee of Testamentary Trust to Dustin
5-22 Hodson from Delton Hudson, Trustee, dated September 2, 2004, and
5-23 recorded in Volume 2536, Page 139, of the Official Public Records of
5-24 Hays County, Texas, and for the Southeast corner of the said Hudson
5-25 tract;
5-26 THENCE continuing with the west line of the said Ruby tract and the
5-27 east line of the said Hudson 573.40 acre tract, South 00°50'35"
5-28 East, a distance of 101.29 feet to an iron found, for an angle
5-29 corner of the said Hudson 573.40 acre tract, for the Northeast
5-30 corner of the said Cindi Hudson tract, and for the Northeast corner
5-31 and POINT OF BEGINNING of the herein described tract;
5-32 THENCE with the west line of the said Ruby tract and the east line of
5-33 the said Cindi Hudson tract, the following three (3) courses:
5-34 1. South 00°54'40" East, a distance of 66.49 feet to an iron rod
5-35 found, for an angle corner of this tract;
5-36 2. South 00°44'47" East, a distance of 258.03 feet to an iron rod
5-37 found, for an angle corner of this tract;
5-38 3. South 00°57'03" East, a distance of 1,215.76 feet to an iron rod
5-39 found, for an angle corner of the said Hudson 573.40 acre tract, for
5-40 the Southeast corner of the said Cindi Hudson tract, and for the
5-41 Southeast corner of this tract;
5-42 THENCE with the south line of the said Cindi Hudson tract, common to
5-43 the said Hudson 573.40 acre tract, South 89°00'08" West, a distance
5-44 of 650.83 feet to an iron rod found, for the Southwest corner of the
5-45 said Cindi Hudson tract, for an angle corner of the said Hudson
5-46 573.40 acre tract, and for the Southwest corner of this tract;
5-47 THENCE with the west line of the said Cindi Hudson tract, common to
5-48 the said Hudson 573.40 acre tract, North 00°54'02" West, a distance
5-49 of 1,437.95 feet to an iron rod found, for the Northwest corner of
5-50 the said Cindi Hudson tract, for an angle corner of the said Hudson
5-51 573.40 acre tract, and for the Northwest corner of this tract;
5-52 THENCE with the north line of the said Cindi Hudson tract, common to
5-53 the said Hudson 573.40 acre tract, North 80°03'52" East, a distance
5-54 of 658.61 feet to the POINT OF BEGINNING, containing 22.229 acres of
5-55 land, more or less.

5-56 SECTION 3. (a) The creation of the Hudson Ranch Fresh Water
5-57 Supply District No. 1 by the Hays County Commissioners Court on May
5-58 1, 2007, and all elections conducted by the district are validated.
5-59 No further election is necessary to confirm the district.

5-60 (b) This section does not apply to any matter that on the
5-61 effective date of this Act:

5-62 (1) is involved in litigation if the litigation
5-63 ultimately results in the matter being held invalid by a final court
5-64 judgment; or

5-65 (2) has been held invalid by a final court judgment.

5-66 SECTION 4. (a) The legal notice of the intention to
5-67 introduce this Act, setting forth the general substance of this
5-68 Act, has been published as provided by law, and the notice and a
5-69 copy of this Act have been furnished to all persons, agencies,

6-1 officials, or entities to which they are required to be furnished
6-2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
6-3 Government Code.

6-4 (b) The governor, one of the required recipients, has
6-5 submitted the notice and Act to the Texas Commission on
6-6 Environmental Quality.

6-7 (c) The Texas Commission on Environmental Quality has filed
6-8 its recommendations relating to this Act with the governor, the
6-9 lieutenant governor, and the speaker of the house of
6-10 representatives within the required time.

6-11 (d) All requirements of the constitution and laws of this
6-12 state and the rules and procedures of the legislature with respect
6-13 to the notice, introduction, and passage of this Act are fulfilled
6-14 and accomplished.

6-15 SECTION 5. This Act takes effect immediately if it receives
6-16 a vote of two-thirds of all the members elected to each house, as
6-17 provided by Section 39, Article III, Texas Constitution. If this
6-18 Act does not receive the vote necessary for immediate effect, this
6-19 Act takes effect September 1, 2011.

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