A BILL TO BE ENTITLED

AN ACT
relating to the creation of the Cotton Center Municipal Utility District No. 2 of Caldwell County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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 8434 to read as follows:

CHAPTER 8434. COTTON CENTER MUNICIPAL UTILITY DISTRICT NO. 2 OF

## CALDWELL COUNTY

SUBCHAPTER A. GENERAL PROVISIONS
Sec. 8434.001. DEFINITIONS. In this chapter:
(1) "Board" means the district's board of directors.
(2) "Commission" means the Texas Commission on

Environmental Quality.
(3) "Director" means a board member.
(4) "District" means the Cotton Center Municipal Utility District No. 2 of Caldwell County.

Sec. 8434.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8434.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent

```
directors as provided by Section 49.102, Water Code.
    Sec. 8434.004. CONSENT OF MUNICIPALITY REQUIRED. The
temporary directors may not hold an election under Section 8434.003
until each municipality in whose corporate limits or
extraterritorial jurisdiction the district is located has
consented by ordinance or resolution to the creation of the
district and to the inclusion of land in the district.
    Sec. 8434.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
The district is created to serve a public purpose and benefit.
    (b) The district is created to accomplish the purposes of:
        (1) a municipal utility district as provided by
general law and Section 59, Article XVI, Texas Constitution; and
    (2) Section 52, Article III, Texas Constitution, that
relate to the construction, acquisition, improvement, operation,
or maintenance of macadamized, graveled, or paved roads, or
improvements, including storm drainage, in aid of those roads.
    Sec. 8434.006. INITIAL DISTRICT TERRITORY. (a) The
district is initially composed of the territory described by
Section 2 of the Act enacting this chapter.
(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:
(1) organization, existence, or validity;
(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;
```

(3) right to impose a tax; or
(4) legality or operation.

Sec. 8434.007. ELIGIBILITY FOR INCLUSION IN TAX INCREMENT REINVESTMENT ZONE. (a) The district is eligible to be included in a tax increment reinvestment zone created under Chapter 311, Tax Code.
(b) If the City of Martindale creates a tax increment reinvestment zone described by Subsection (a) that includes all or part of the territory of the district, the City of Martindale and the board of directors of the zone, by contract with the district, may grant money to the district from the tax increment fund to be used for a permissible purpose of the district, including the right to pledge the money as security for a bond or other obligation issued by the district and for any permissible purpose of a corporation under Section $380.002(\mathrm{~b})$, Local Government Code. SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8434.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.
(b) Except as provided by Section 8434.052, directors serve staggered four-year terms.

Sec. 8434.052. TEMPORARY DIRECTORS. (a) The temporary board consists of:
(1) Brandon D. Rabe;
(2) Garrod E. Huebner;
(3) Brendan K. Puthoff;
(4) Jeremy P. Poloskey; and
(5) Brian J. Kaucher.
(b) Temporary directors serve until the earlier of:
(1) the date permanent directors are elected under
Section 8434.003; or
(2) the fourth anniversary of the effective date of the Act enacting this chapter.
(c) If permanent directors have not been elected under Section 8434.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:
(1) the date permanent directors are elected under Section 8434.003; or
(2) the fourth anniversary of the date of the appointment or reappointment.
(d) If Subsection (c) applies, the owner or owners of a majority of the assessed value of the real property in the district may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

SUBCHAPTER C. POWERS AND DUTIES
Sec. 8434.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8434.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the
general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8434.103. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 8434.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.
(b) If a road project is not located in the corporate limits or extraterritorial jurisdiction of a municipality, the road project must meet all applicable construction standards, subdivision requirements, and regulations of each county in which the road project is located.
(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.

Sec. 8434.105. COSTS OF ROAD PROJECT. The district shall bear the cost of designing, maintaining, improving, and operating a road in the district authorized under Section 8434.103 in accordance with all applicable ordinances and rules of the political subdivision authorized to exercise jurisdiction over the
road, regardless of whether the district conveys the road to this state, a county, or a municipality.

Sec. 8434.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. (a) The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165 , Water Code, and that consents to the creation of the district or to the inclusion of land in the district.
(b) In addition to all the rights and remedies provided by other law, if the district violates the terms of an ordinance or resolution described by Subsection (a), the municipality is entitled to injunctive relief or a writ of mandamus issued by a court requiring the district and the district's officials to observe and comply with the terms of the ordinance or resolution.

Sec. 8434.107. MUNICIPAL CONSENT. Municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 8434.004 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

Sec. 8434.108. EFFECT OF ANNEXATION BY CITY OF MARTINDALE. Notwithstanding Section 54.016(f)(2), Water Code, an allocation agreement between the City of Martindale and the district that provides for the allocation of the taxes or revenues of the district and the city following the date of inclusion of all the district's territory in the corporate limits of the city may provide that the total annual ad valorem taxes collected by the city and the district from taxable property in the district may exceed the city's ad

```
valorem tax on that property.
    SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS
    Sec. 8434.151. DIVISION OF DISTRICT; PREREQUISITES. The
district may be divided into two or more new districts only if the
district:
    (1) has never issued any bonds; and
    (2) is not imposing ad valorem taxes.
    Sec. 8434.152. LAW APPLICABLE TO NEW DISTRICT. This
chapter applies to any new district created by division of the
district, and a new district has all the powers and duties of the
district.
    Sec. 8434.153. LIMITATION ON AREA OF NEW DISTRICT. A new
district created by the division of the district may not, at the
time the new district is created, contain any land outside the area
described by Section 2 of the Act enacting this chapter.
    Sec. 8434.154. DIVISION PROCEDURES. (a) The board, on its
own motion or on receipt of a petition signed by the owner or owners
of a majority of the assessed value of the real property in the
district, may adopt an order dividing the district.
(b) The board may adopt an order dividing the district
before or after the date the board holds an election under Section
8434.003 to confirm the district's creation.
    (c) An order dividing the district must:
        (1) name each new district;
        (2) include the metes and bounds description of the
territory of each new district;
    (3) appoint temporary directors for each new district;
```

```
and
    (4) provide for the division of assets and liabilities
    between the new districts.
    (d) On or before the 30th day after the date of adoption of
    an order dividing the district, the district shall file the order
    with the commission and record the order in the real property
    records of each county in which the district is located.
    Sec. 8434.155. CONFIRMATION ELECTION FOR NEW DISTRICT. (a)
    A new district created by the division of the district shall hold a
    confirmation and directors' election as required by Section
    8434.003.
    (b) If the creation of the new district is confirmed, the
new district shall provide the election date and results to the
commission.
Sec. 8434.156. TAX OR BOND ELECTION. Before a new district created by the division of the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes, the new district must hold an election as required by this chapter to obtain voter approval.
SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS
Sec. 8434.201. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:
(1) revenue other than ad valorem taxes; or
(2) contract payments described by Section 8434.203.
(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval
```


## before the district may impose an ad valorem tax or issue bonds

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

Sec. 8434.202. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8434.201, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.
(b) The board shall determine the tax rate. The rate may not exceed the rate approved at the election.

Sec. 8434.203. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.
(b) A contract approved by the district voters may contain a provision stating that the contract may be modified or amended by the board without further voter approval.

SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS
Sec. 8434.251. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district

```
purpose.
    Sec. 8434.252. TAXES FOR BONDS. At the time the district
issues bonds payable wholly or partly from ad valorem taxes, the
board shall provide for the annual imposition of a continuing
direct ad valorem tax, without limit as to rate or amount, while all
or part of the bonds are outstanding as required and in the manner
provided by Sections 54.601 and 54.602, Water Code.
Sec. 8434.253. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.
SECTION 2. The Cotton Center Municipal Utility District No. 2 of Caldwell County initially includes all the territory contained in the following area:
```


## DESCRIPTION

```
OF A 352.8 ACRE TRACT OF LAND SITUATED WITHIN THE CITY OF MARTINDALE ETJ AND WITHIN THE CITY LIMITS OF THE CITY OF MARTINDALE, BEING OUT OF THE WILLIAM PETTUS LEAGUE, ABSTRACT NO. 21; SAID 352.8 ACRES BEING A PORTION OF THAT CERTAIN 573.65 ACRE TRACT OF LAND, CALLED TRACT 1, THAT CERTAIN 51.72 ACRE TRACT OF LAND, CALLED TRACT 2 AND A PORTION OF THAT CERTAIN 86.45 ACRE TRACT OF LAND, CALLED TRACT 3, CONVEYED TO WALTON TEXAS LP BY DEED OF RECORD IN VOLUME 524, PAGE 599 OF THE OFFICIAL PUBLIC RECORDS OF CALDWELL COUNTY, TEXAS; SAID 352.8 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED IN FIVE (5) PARTS BY METES AND BOUNDS AS FOLLOWS:
PARCEL 1 - 172.5 ACRES
``` COMMENCING, at a point in the southeasterly line of that certain 150 acre tract of land conveyed to John MacMauldin by Deed of record in Volume 359, Page 673 of said Official Public Records, being in the northwesterly line of said Walton Tract 1, at the intersection with the City of Martindale City Limit Line, same being the westerly most corner of a future 5 foot wide City of Martindale Annexation Strip (not yet of record), from which the southwesterly corner of said Walton Tract 1 bears, \(S^{\circ} 9^{\circ} 5^{\prime} 19^{\prime \prime} W\), a distance of 533.94 feet; THENCE, N4905'19"E, leaving said City of Martindale City Limit Line, along a portion of the southeasterly line of said 150 acre tract of land, being a portion of the northwesterly line of said Walton Tract 1, also being the northwesterly line of said future 5 foot wide City of Martindale Annexation Strip, a distance of 307.94 feet to the northerly corner of said future 5 foot wide City of Martindale Annexation Strip, for the POINT OF BEGINNING and for the westerly corner hereof;
 5 foot wide City of Martindale Annexation Strip, continuing along a portion of the southeasterly line of said 150 acre tract of land, being a portion of the northwesterly line of said Walton Tract 1 , for the northwesterly line hereof, a distance of 2707.52 feet to a point at the intersection with the common line of the City of Martindale ETJ and the City of San Marcos 3.5 Mile ETJ, for the northerly corner hereof; THENCE, leaving the southeasterly line of said 150 acre tract of land, over and across said Walton Tract 1 , along said common line of the City of Martindale ETJ and the City of San Marcos 3.5 Mile ETJ,
for the northeasterly line hereof, the following four (4) courses and distances:
1) S65 \(05^{\prime} 35^{\prime \prime} \mathrm{E}\), a distance of 871.31 feet, for an angle point hereof;
2) N6938'20"E, a distance of 374.12 feet, for an angle point hereof;
3) S6922'30"E, a distance of 631.48 feet to the point of curvature of a curve to the right;
4) Along said curve, having a radius of 2746.11 feet, a central angle of 2652'25", an arc length of 1288.01 feet and a chord which bears, S534'19'E, a distance of 1276.24 feet to a point of intersection with the curving northwesterly right-of-way line of State Highway 142 (R.O.W. varies), being the southeasterly line of said Walton Tract 1 , for the easterly corner hereof;

THENCE, leaving said common line of the City of Martindale ETJ and the City of San Marcos 3.5 Mile ETJ, along a portion of the northwesterly right-of-way line of State Highway 142, being a portion of the irregular southeasterly line of said Walton Tract 1 , for a portion of the irregular southeasterly line hereof, the following three (3) courses and distances:
1) Along a non-radial compound curve, having a radius of 11389.16 feet, a central angle of 00³7'29", an arc length of 124.18 feet and a chord which bears, S49 \(46^{\prime} 55^{\prime}\) W, a distance of 124.18 feet to the end of said curve;
2) S50 \(05^{\prime} 40^{\prime \prime} W\), a distance of 792.65 feet, for an angle point hereof;
3) \(S 50^{\circ} 01^{\prime} 18{ }^{\prime \prime} W\), a distance of 1284.94 feet to a point for the
easterly corner of that certain 9.45 acre tract of land having been conveyed to Frank L. Caldwell by Deed in Volume 464, Page 657 of said Official Public Records, being an angle point in said irregular easterly line of said Walton Tract 1 and for an angle point hereof;

THENCE, leaving the northwesterly right-of-way line of State Highway 142, along the easterly, northwesterly and a portion of the southwesterly lines of said 9.45 acre tract of land, being a portion of the irregular southeasterly line of said Walton Tract 1 , for a portion of the irregular southeasterly line hereof, the following seven (7) courses and distances:
1) N14.04'46"W, a distance of 440.12 feet, for an angle point hereof;
2) N \(32^{\circ} 41^{\prime \prime} 40^{\prime \prime}\) E, a distance of 106.61 feet, for an angle point hereof;
3) N38.55'44"W, a distance of 302.19 feet, for an angle point hereof;
4) S55²9'57"W, a distance of 241.11 feet, for an angle point hereof;
5) S0406'18"E, a distance of 153.18 feet, for an angle point hereof;
6) S5213'29"W, a distance of 397.30 feet, for an angle point hereof;
7) S4043'27"E, a distance of 349.03 feet to a point for the northerly corner of that certain 0.97 acre tract of land having been conveyed to Hilmer and Frances Bierstedt by Deed in Volume 241, Page 303 of said Official Public Records, for an angle point in the
irregular southeasterly line of said Walton Tract 1 and for an angle point hereof;

THENCE, leaving the southwesterly line of said 9.45 acre tract of land, along the northwesterly and southwesterly lines of said 0.97 acre tract of land, being a portion of the irregular southeasterly line of said Walton Tract 1, for a portion of the irregular southeasterly line hereof, the following two (2) courses and distances:
1) S4611'36"W, a distance of 141.88 feet, for an angle point hereof;
2) \(S 40^{\circ} 58^{\prime} 24^{\prime \prime} \mathrm{E}, \mathrm{a}\) distance of 311.98 feet to a point in said northwesterly right-of-way line of state Highway 142 , being the southerly corner of said 0.97 acre tract of land, for an angle point in the irregular southeasterly line of said Walton Tract 1 and for an angle point hereof;

THENCE, S4850'31'W, leaving the southerly corner of said 0.97 acre tract of land, along said northwesterly right-of-way line of State Highway 142 , being the irregular southeasterly line of said Walton Tract 1 , for a portion of the irregular southeasterly line hereof , a distance of 19.66 feet to the intersection with the northeasterly line of said future 5 foot wide City of Martindale Annexation Strip, for the southerly corner hereof;

THENCE, leaving the northwesterly right-of-way line of state Highway 142 , over and across said Walton Tract 1 , along the northeasterly line of said future 5 foot wide City of Martindale Annexation Strip, for the southwesterly line hereof, the following two (2) courses and distances:
1) N73 \(53^{\prime} 09{ }^{\prime \prime} \mathrm{W}\), a distance of 598.09 feet, for an angle point hereof;
2) N62 58 '50"W, a distance of 2379.20 feet to the POINT OF BEGINNING, and containing an area of 172.5 acres of land, more or less, within these metes and bounds.

PARCEL 2-42.6 ACRES
BEGINNING, at a point in the southeasterly line of that certain 150 acre tract of land conveyed to John MacMauldin by Deed of record in Volume 359, Page 673 of said Official Public Records, being in the northwesterly line of said Walton Tract 1, at the intersection with the City of Martindale City Limit Line, same being a point for the westerly most corner of a future 5 foot wide City of Martindale Annexation Strip (not yet of record), for an angle point in the northwesterly line hereof, from which the southwesterly corner of said Walton Tract 1 bears, \(S^{\circ} 9^{\circ} 05^{\prime} 19{ }^{\prime} \mathrm{W}\), a distance of 533.94 feet; THENCE, S644'04"E, leaving the southeasterly line of said 150 acre tract of land, over and across said Walton Tract 1 , along said City of Martindale City Limit Line, same being the southwesterly line of said future 5 foot wide City of Martindale Annexation Strip, for a portion of the northwesterly line hereof, a distance of 5.46 feet to a point for southerly corner of said 5 foot wide City of Martindale Annexation Strip, for an angle point hereof;

THENCE, leaving said City of Martindale City Limit Line, over and across said Walton Tract 1 , along the southwesterly line of said future 5 foot wide City of Martindale Annexation Strip, for a portion of the northwesterly line and the northeasterly line
3) S73.53'09"E, a distance of 595.36 feet to a point in the northwesterly right-of-way line of state Highway 142 (R.O.W. varies), being the southeasterly line of said Walton Tract 1, also being the southeasterly corner of said future 5 foot wide City of Martindale Annexation Strip, for the easterly corner hereof;

THENCE, S4850'31"W, leaving the southwesterly line of said future 5 foot wide City of Martindale Annexation Strip, along a portion of the northwesterly right-of-way line of State Highway 142 , being a portion of the southeasterly line of said Walton Tract 1 , for the southeasterly line hereof, passing at a distance of 296.21 feet said City of Martindale City Limit Line, for a total distance of 440.97 feet to a point for the easterly corner of that certain 0.425 acre tract of land conveyed to Juan and Janie Parra by Deed of record in Volume 259, Page 638 of said Official Public Records, for the southerly corner hereof; THENCE, N3918'25"W, leaving the northwesterly right-of-way line of State Highway 142, along the northeasterly line of said 0.425 acre tract of land, being a portion of the southwesterly line of said Walton Tract 1, for a portion of the southwesterly line hereof, a distance of 203.96 feet to a point for the northerly corner of said
27 0.425 acre tract of land, for an angle point hereof;

THENCE, S4757'08"W, leaving the northerly corner of said 0.425 acre tract of land, along the northwesterly line of said 0.425 acre tract of land, the northwesterly line of that certain 0.270 acre tract of land conveyed to Frank and Erlinda Parra by Deed of record in Volume 342, Page 129 and the northwesterly line of that certain 0.267 acre tract of land conveyed to Elbira Parraby Deed of record in Volume 527, Page 257 , both of said Official Public Records, being a portion of the southwesterly line of said Walton Tract 1, for a portion of the southwesterly line hereof, a distance of 211.52 feet to a point for the northwesterly corner of said 0.267 acre tract of land, same being the northerly corner of that certain 0.918 acre tract of land conveyed to B.W. Bowden Properties, Inc. by Deed of record in Volume 510, Page 401, and also being the northeasterly corner of that certain 1.035 acre tract of land conveyed to Donald W. Bagley by Deed of record in Volume 397, Page 220, both of said Official Public Records, for an angle point hereof;

THENCE, N7037'35"W, leaving the northwesterly corner of said 0.267 acre tract of land, along the northeasterly line of said 1.035 acre tract of land and the northeasterly line of that certain 1.035 acre tract of land conveyed to Maebeth Bagley by Deed of record in Volume 501, Page 410 of said Official Public Records, being a portion of the southwesterly line of said Walton Tract 1 , for a portion of the southwesterly line hereof, a distance of 444.98 feet to a point for the northwesterly corner of said 1.035 acre Maebeth Bagley tract of land, same being the northeasterly corner of that certain 0.563 acre tract of land conveyed to Sharon Peters

LLC by Deed of record in Volume 525, Page 818 of said Official Public Records, for an angle point hereof;

THENCE, N7213'49"W, leaving the northwesterly corner of said 1.035 acre Maebeth Bagley tract of land, along the northeasterly line of said 0.563 acre tract of land, being a portion of the southwesterly line of said Walton Tract 1 , for a portion of the southwesterly line hereof, a distance of 99.83 feet to a point for the northwesterly corner of said 0.563 acre tract of land, same being the northeasterly corner of that certain 1.25 acre tract of land conveyed to Donald Walter Bagley by Deed of record in Volume 397, Page 2201 of said Official Public Records, for an angle point hereof;

THENCE, N6456'19"W, leaving the northwesterly corner of said 0.563 acre tract of land, along the northeasterly line of said 1.25 acre tract of land, being a portion of the southwesterly line of said Walton Tract 1, for a portion of the southwesterly line hereof, a distance of 272.66 feet to a point for the northwesterly corner of said 1.25 acre tract of land, same being the northeasterly corner of that certain 0.75 acre tract of land conveyed to Robert West Bagley and Joanna Kathryn Bagley by Deed of record in Volume 66, Page 63 of said Official Public Records, for an angle point hereof;

THENCE, leaving the northwesterly corner of said 1.25 acre tract of land, along the northeasterly and northwesterly line of said 0.75 acre tract of land, being a portion of the southwesterly line of said Walton Tract 1, for a portion of the southwesterly line hereof, the following two (2) courses and distances:

14 THENCE, N49ㅇ́'19"E, leaving the northeasterly right-of-way line of 15 State Highway 80, along the southeasterly line of said 150 acre 16 tract of land, being the northwesterly line of said Walton Tract 1 ,

27 THENCE, S6457'52"E, leaving the easterly corner of said 1.0 acre

Bluebonnet Electric Co-operative tract of land, along the southwesterly right-of-way line of State Highway 80, being the northeasterly line of said Walton Tract 2 , for a portion of the northeasterly line hereof, a distance of 1821.24 feet to a point for the northerly corner of that certain 1.0 acre tract of land conveyed to Robert \(W\). and Amanda Bagley by Deed of record in Volume 64, Page 190 of said Official Public Records, for an angle point hereof;

THENCE, leaving the southwesterly right-of-way line of state Highway 80, along the northwesterly, southwesterly and a portion of the southeasterly line of said 1.0 acre Bagley tract of land, being a portion of the northeasterly line of said Walton Tract 2 , for a portion of the northeasterly line hereof, the following three (3) courses and distances:
1) S22 \(22^{\prime} 16^{\prime \prime} W\), a distance of 207.40 feet to a point for the westerly corner of said 1.0 acre Bagley tract of land, for an angle point hereof;
2) S66³9'52"E, a distance of 231.91 feet to a point for the southerly corner of said 1.0 acre Bagley tract of land, for an angle point hereof;
3) N4415'05"E, a distance of 92.60 feet to a point for the westerly corner of that certain 3.12 acre tract of land conveyed to Crown Seed USA Inc. by Deed of record in Volume 624, Page 508 of said Official Public Records, for an angle point hereof; THENCE, S4228'23"E, leaving the southeasterly line of said 1.0 acre Bagley tract of land, along the southwesterly line of said 3.12 acre tract of land, being a portion of the northeasterly line

8 Records, for the easterly corner hereof;
9 THENCE, leaving the southwesterly line of said 1.04 acre tract of 10 land, along the northwesterly and a portion of the southwesterly line of said 2.71 acre tract of land, being a portion of the southeasterly line of said Walton Tract 2 , for a portion of the southeasterly line hereof, the following two (2) courses and distances:
1) S47* \(46^{\prime} 15 " \mathrm{~W}\), a distance of 443.05 feet to a point for the westerly corner of said 2.71 acre tract of land, for an angle point hereof;
2) S4042'01"E, a distance of 97.89 feet to a point for the northerly corner of that certain 0.919 acre tract of land conveyed to David E. and Deanna M. Murdoch by Deed of record in Volume 146, Page 646 of said Official Public Records, for an angle point hereof;

THENCE, S48¹7'46"W, leaving the southwesterly line of said 2.71 acre tract of land, along the northwesterly line of said 0.919 acre tract of land, being a portion of the southeasterly line of said Walton Tract 2 , for a portion of the southeasterly line hereof, a distance of 188.79 feet to a point for the westerly corner of said 0.919 acre tract of land, same being the northerly corner of that certain 0.54 acre tract of land conveyed to Frank Rodriguez Jr. by Deed of record in Volume 335, Page 120 of said Official Public Records, for an angle point hereof;

THENCE, S4812'41"W, leaving the westerly corner of said 0.919 acre tract of land, along the northwesterly line of said 0.54 acre tract of land and the northwesterly line of that certain 0.475 acre tract of land conveyed to George Jr. and Wanda Gail Rasmussen by Deed of record in Volume 520, Page 498 of said Official Public Records, being a portion of the southeasterly line of said Walton Tract 2 , for a portion of the southeasterly line hereof, a distance of 218.54 feet to a point for the westerly corner of said 0.475 acre tract of land, same being an easterly corner of that certain 1.594 acre tract of land conveyed to Mitchell Todd Warner by Deed of record in Volume 291, Page 767 of said Official Public Records, for the southerly corner hereof;

THENCE, leaving the westerly corner of said 0.475 acre tract of land, along a portion of the northeasterly and the northwesterly line of said 1.594 acre tract of land, being a portion of the southwesterly line of said Walton Tract 2 , for a portion of the southwesterly line hereof, the following two (2) courses and distances:
1) N42 \({ }^{\circ} 6^{\prime} 27{ }^{\prime \prime} W\), a distance of 295.13 feet to a point for the northerly corner of said 1.594 acre tract of land, for an angle point hereof;
2) \(550^{\circ} 02{ }^{\prime} 58 \mathrm{~W}\), a distance of 92.21 feet to a point for the northerly corner of that certain 0.982 acre tract of land conveyed

24 THENCE, N5015'12"W, leaving the northerly corner of said 251.8084 acre tract of land, along the northeasterly line of said
262.65 acre tract of land and the northeasterly line of that certain

27 0.762 acre tract of land conveyed to Dan Langan by Deed of record in

Volume 512, Page 356 of said Official Public Records, being a portion of the southwesterly line of said Walton Tract 2 , for a portion of the southwesterly line hereof, a distance of 519.84 feet to a point for the northerly corner of said 0.762 acre tract of land, same being the easterly corner of that certain 0.632 acre tract of land conveyed to Jason Derek McDaniel by Deed of record in Volume 511, Page 346 of said Official Public Records, for an angle point hereof;

THENCE, N5005'12"W, leaving the northerly corner of said 0.762 acre tract of land, along the northeasterly line of said 0.632 acre tract of land, being a portion of the southwesterly line of said Walton Tract 2, for a portion of the southwesterly line hereof, a distance of 229.50 feet to a point for the northerly corner of said 0.632 acre tract of land, same being the northerly corner of that certain 1.0 acre tract of land conveyed to Robert \(W\). and Amanda Bagley by Deed of record in Volume 64, Page 190, and also being the easterly corner of that certain 21.73 acre tract of land conveyed to Leslie D. and Lorraine Harrison by Deed of record in Volume 464, Page 830, both of said Official Public Records, for an angle point hereof;

THENCE, N6457'41"W, leaving the northerly corner of said 1.0 acre tract of land, along the northeasterly line of said 21.73 acre tract of land, being a portion of the southwesterly line of said Walton Tract 2, for a portion of the southwesterly line hereof, a distance of 1288.02 feet to a point in the southeasterly line of that certain 11.562 acre tract of land conveyed to Robert Deviney and James Deviney and Sandra Deviney by Deed of record in Volume 206, Page 485 of said Official Public Records, same being the northerly corner of said 21.73 acre tract of land and the westerly corner of said Walton Tract 2 , for the westerly corner hereof;

THENCE, N49ㅇ1'38"E, leaving the northerly corner of said 21.73 acre tract of land, along a portion of the southeasterly line of said 11.562 acre tract of land and the southeasterly line of said 1.0 acre Bluebonnet Electric Co-operative tract of land, being the northwesterly line of said Walton Tract 2, for the northwesterly line hereof, a distance of 889.03 feet to the POINT OF BEGINNING, and containing an area of 51.7 acres of land, more or less, within these metes and bounds.

PARCEL 4-48.2 ACRES
BEGINNING, at a point in the southeasterly right-of-way line of State Highway 142 (R.O.W. varies), being the westerly corner of that certain 17.28 acre tract of land conveyed to Ernest F. Garcia by Deed of record in Volume 395, Page 154 of said Official Public Records, same being the northerly corner of said Walton Tract 3, for the northerly corner hereof;

THENCE, S4149'05"E, leaving the southeasterly right-of-way line of State Highway 142, along the southwesterly line of said 17.28 acre tract of land, being the northeasterly line of said Walton Tract 3, for a portion of the northeasterly line hereof, a distance of 759.20 feet to a point for the southerly corner of said 17.28 acre tract of land, same being the westerly corner of that certain 4.000 acre tract of land having been conveyed to Nelda Flores by Deed of record in Volume 291, Page 312 of said Official Public Records, for an
angle point hereof;
THENCE, S4157'43"E, leaving the southerly corner of said 17.28 acre tract of land, along the southwesterly line of said 4.000 acre tract of land, being the northeasterly line of said Walton Tract 3, for a portion of the northeasterly line hereof, a distance of 217.17 feet to a point for the southerly corner of said 4.000 acre tract of land, same being the westerly corner of that certain 1.705 acre tract of land conveyed to Guadalupe Alvarez (Record Deed not available), for an angle point hereof; THENCE, S4159'23"E, leaving the southerly corner of said 4.000 acre tract of land, along the southwesterly line of said 1.705 acre tract of land, being the northeasterly line of said Walton Tract 3, for a portion of the northeasterly line hereof, a distance of 216.81 feet to a point for the southerly corner of said 1.705 acre tract of land, same being the westerly corner of that certain 0.498 acre tract of land conveyed to Steve Morris and wife, Maritsa G. Morris by Deed of record in Volume 393, Page 825 of said Official Public Records, for an angle point hereof; THENCE, S4150'02"E, leaving the southerly corner of said 1.705 acre tract of land, along the southwesterly line of said 0.498 acre tract of land, being the northeasterly line of said Walton Tract 3, for a portion of the northeasterly line hereof, a distance of 216.73 feet to a point for the southerly corner of said 0.498 acre tract of land, same being the westerly corner of that certain 5.01 acre tract of land conveyed to Merced F. Garcia and wife, Otilia F. Garcia \& Patricia Garcia by Deed of record in Volume 396, Page 278 of said Official Public Records, for an angle point
hereof;
THENCE, S4153'49"E, leaving the southerly corner of said 0.498 acre tract of land, along the southwesterly line of said 5.01 acre tract of land, being the northeasterly line of said Walton Tract 3, for a portion of the northeasterly line hereof, a distance of 216.46 feet to a point for the southerly corner of said 5.01 acre tract of land, same being the westerly corner of that certain 10.0 acre tract of land conveyed to Vivian Gonzales by Deed of record in Volume 20, Page 104 of said Official Public Records, for an angle point hereof; THENCE, S4159'29"E, leaving the southerly corner of said 5.01 acre tract of land, along a portion of the southwesterly line of said 10.0 acre tract of land, being the northeasterly line of said Walton Tract 3, for a portion of the northeasterly line hereof, a distance of 392.06 feet to a point for the northerly corner of a future 5 foot wide City of Martindale Annexation Strip (not yet of record), for the easterly corner hereof;

THENCE, S3406'42"W, leaving the southwesterly line of said 10.0 acre tract of land, along the northwesterly line of said future 5 foot wide City of Martindale Annexation Strip, over and across said Walton Tract 3 , for the southeasterly line hereof, a distance of 565.46 feet to a point in the City of Martindale City Limit Line, same being the westerly corner of said future 5 foot wide City of Martindale Annexation Strip, for the southerly corner hereof;

THENCE, leaving the westerly corner of said future 5 foot wide City of Martindale Annexation Strip, over and across said walton

Tract 3, along said City of Martindale City Limit Line, for a portion of the southwesterly line hereof, the following two (2) courses and distances:
1) N65¹1'09"W, a distance of 676.57 feet, for an angle point hereof;
2) N64.34'00"W, a distance of 1190.39 feet to a point in the northeasterly line of that certain 3.89 acre tract of land conveyed to Martindale Apartments Ltd. by Deed of record in Volume 97, Page 746 of said Official Public Records, for an angle point hereof; THENCE, N32ㅇ'ㅇ́"W, leaving said City of Martindale City Limit Line, along the northeasterly line of said 3.89 acre tract of land, being a portion of the southwesterly line of said Walton Tract 3, for a portion of the southwesterly line hereof, a distance of 494.79 feet to a point in the southeasterly right-of-way line of state Highway 142, same being the northerly corner of said 3.89 acre tract of land and the westerly corner of said Walton Tract 3, for the westerly corner hereof;

THENCE, leaving the northerly corner of said 3.89 acre tract of land, along the southeasterly right-of-way line of State Highway 142, being the northwesterly line of said Walton Tract 3, for the northwesterly line hereof, the following four (4) courses and distances:
1) N4909'30"E, a distance of 316.15 feet, for an angle point hereof;
2) \(N 65^{\circ} 48^{\prime} 08^{\prime \prime} E\), a distance of 69.19 feet, for an angle point hereof;
3) N4910'39"E, a distance of 19.56 feet, for an angle point
hereof;
4) N49.55'15"E, a distance of 789.52 feet to the POINT OF BEGINNING, and containing an area of 48.2 acres of land, more or less, within these metes and bounds.

PARCEL 5-37.8 ACRES
BEGINNING, at a point in the northeasterly right-of-way line of State Highway 80 (R.O.W. varies), being the westerly corner of that certain 33.7 acre portion of that certain 425.95 acre tract of land conveyed to Herbert Richard Conrads by Deed of record in Volume 90, Page 891 of said Official Public Records, same being the southerly corner of said Walton Tract 3, for the southerly corner hereof; THENCE, leaving the westerly corner of said 33.7 acre tract of land, along the northeasterly right-of-way line of State Highway 80, being a portion of the southwesterly line of said Walton Tract 3, for the southwesterly line hereof, the following thirteen (13) courses and distances:
1) N6457'06"W, a distance of 799.01 feet, for an angle point hereof;
2) N2439'33"E, a distance of 5.22 feet, for an angle point hereof; 3) N6453'40"W, a distance of 200.19 feet, for an angle point hereof;
4) N2506'20"E, a distance of 29.79 feet, for an angle point hereof;
5) N64.53'40"W, a distance of 300.00 feet, for an angle point hereof;
6) \(N 25^{\circ} 06^{\prime} 20^{\prime \prime} \mathrm{E}\), a distance of 65.00 feet, for an angle point hereof;

1 7) N6453'40"W, a distance of 300.00 feet, for an angle point 2 hereof;

3 8) S \(25^{\circ} 06^{\prime} 20^{\prime \prime} W\), a distance of 50.00 feet, for an angle point 4 hereof;

5 9) N64.53'40'W, a distance of 300.00 feet, for an angle point 6 hereof;

7 10) N26²4'46"E, a distance of 14.78 feet, for an angle point 8 hereof;

9 11) N6453'40"W, a distance of 400.00 feet, for an angle point 10 hereof;

11 12) S \(25^{\circ} 06^{\prime} 20^{\prime \prime} W\), a distance of 65.00 feet, for an angle point 12 hereof;

13 13) N6453'40"W, a distance of 155.67 feet to a point for the 14 southeasterly corner of that certain 0.44 acre tract of land 15 conveyed to Juan C. Ocampo and Maria DeLaluz by Deed of record in 16 Volume 610, Page 520 of said Official Public Records, same being the 17 southwesterly corner of said Walton Tract 3, for an angle point 18 hereof;

19 THENCE, N30³9'55"W, leaving the northeasterly right-of-way line of 20 State Highway 80, along the northeasterly line of said 0.44 acre 21 tract, being a portion of the southwesterly line of said Walton 22 Tract 3, for a portion of the southwesterly line hereof, a distance 23 of 309.75 feet to a point for the southerly corner of that certain 24 3.89 acre tract of land conveyed to Martindale Apartments Ltd. by 25 Deed of record in Volume 97, Page 746 of said Official Public

26 Records, same being the easterly corner of that certain 0.79 acre
27 tract of land conveyed to Robert D. Norris and wife, Dana Kaye

Norris by Deed of record in Volume 245, Page 510 of said Official Public Records and also being the northerly corner of said 0.44 acre tract, and for the westerly corner hereof;

THENCE, leaving the northerly corner of said 0.44 acre tract, same being the easterly corner of said 0.79 acre tract, along the southeasterly line and a portion of the northeasterly line of said 3.89 acre tract, being a portion of the southwesterly line of said Walton Tract 3, for a portion of the northwesterly line hereof, the following two (2) courses and distances:
1) N4839'51"E, a distance of 297.92 feet to a point for the easterly corner of said 3.89 acre tract, for an angle point hereof; 2) N32 \(05^{\prime} 06^{\prime \prime} W\), a distance of 104.72 feet to a point 5.00 feet parallel and southwesterly from the City of Martindale City Limit Line, for an angle point hereof; THENCE, leaving the northeasterly line of said 3.89 acre tract, along a line 5.00 feet parallel and southwesterly from said City of Martindale City Limit Line, over and across said Walton tract 3, for a portion of the northwesterly line hereof, the following two (2) courses and distances:
1) S6434'00"E, a distance of 1182.56 feet, for an angle point hereof;
2) S65¹1'09"E, a distance of 680.85 feet to a point 5.00 feet parallel and southwesterly from the City of Martindale City Limit Line, for an angle point hereof; THENCE, N3406'42"E, over and across said Walton Tract 3, for a portion of the northwesterly line hereof, a distance of 5.07 feet to a point in said City of Martindale City Limit Line, for an interior
corner of a future 5 foot wide City of Martindale Annexation Strip, and for an angle point hereof;

THENCE, leaving said City of Martindale City Limit Line, over and across said Walton Tract 3, along the interior lines of said future 5 foot wide City of Martindale Annexation Strip, for a portion of the northwesterly line, the northeasterly line and a portion of the southeasterly line hereof, the following five (5) courses and distances:
1) N3406'42"E, a distance of 558.25 feet to a point for the northerly corner hereof;
2) S4159'29"E, a distance of 33.53 feet, for an angle point hereof;
3) S4157'34"E, a distance of 215.40 feet, for an angle point hereof;
4) S4153'44"E, a distance of 831.66 feet to a point for the easterly corner hereof;
5) \(S 48^{\circ} 20^{\prime} 04^{\prime \prime} W\), a distance of 139.08 feet to a point in said City of Martindale City Limit Line, same being an interior corner of said future 5 foot wide City of Martindale Annexation Strip, for an angle point hereof;

THENCE, S63³9'51"E, along said City of Martindale City Limit Line, being a southwesterly line of said future 5 foot wide City of Martindale Annexation Strip, over and across said Walton Tract 3, for a portion of the southeasterly line hereof, a distance of 5.39 feet to a point in the southeasterly line of said Walton Tract 3, for the southeasterly corner of said future 5 foot wide City of Martindale Annexation Strip, same being the westerly corner of that certain 392.25 acre portion of that certain 425.95 acre tract of land conveyed to Herbert Richard Conrads by Deed of record in Volume 90, Page 891 of said Official Public Records, same also being the northerly corner of said 33.7 acre tract of land, for an angle point hereof;

THENCE, S4820'04"W, leaving said City of Martindale City Limit Line, along the northwesterly line of said 33.7 acre tract of land, being a portion of the southeasterly line of said Walton Tract 3, for a portion of the southeasterly line hereof, a distance of 550.94 feet to the POINT OF BEGINNING, and containing an area of 37.8 acres of land, more or less, within these metes and bounds.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.
(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.
(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, the lieutenant governor, and the speaker of the house of representatives within the required time.
(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect

\section*{to the notice, introduction, and passage of this Act are fulfilled} and accomplished.

SECTION 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8434, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8434.109 to read as follows:

Sec. 8434.109. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.
(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 5. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.```

