

1-1 By: M. Gonzalez of El Paso H.B. No. 3933  
 1-2 (Senate Sponsor - Rodriguez)  
 1-3 (In the Senate - Received from the House May 9, 2013;  
 1-4 May 9, 2013, read first time and referred to Committee on Natural  
 1-5 Resources; May 15, 2013, reported favorably by the following vote:  
 1-6 Yeas 9, Nays 0; May 15, 2013, sent to printer.)

1-7 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8  |     |     |        |     |
| 1-9  | X   |     |        |     |
| 1-10 | X   |     |        |     |
| 1-11 |     |     | X      |     |
| 1-12 | X   |     |        |     |
| 1-13 | X   |     |        |     |
| 1-14 |     |     | X      |     |
| 1-15 | X   |     |        |     |
| 1-16 | X   |     |        |     |
| 1-17 | X   |     |        |     |
| 1-18 | X   |     |        |     |
| 1-19 | X   |     |        |     |

1-20 A BILL TO BE ENTITLED  
 1-21 AN ACT

1-22 relating to the transfer of territory, assets, liabilities, and  
 1-23 duties of the former Cuadrilla Improvement Corporation to the Lower  
 1-24 Valley Water District.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. DEFINITIONS. In this Act:

1-27 (1) "Commission" means the Texas Commission on  
 1-28 Environmental Quality or, as appropriate, its predecessor, the  
 1-29 Texas Natural Resource Conservation Commission.

1-30 (2) "Corporation" means the Cuadrilla Improvement  
 1-31 Corporation.

1-32 (3) "Authority" means the Lower Valley Water District.

1-33 SECTION 2. FINDINGS. (a) On July 8, 1992, the County of El  
 1-34 Paso, Texas, by and through the county judge of El Paso County,  
 1-35 quitclaimed the county's right, title, and interest in and to the  
 1-36 property and any improvements to the property described by Section  
 1-37 3 of this Act, to the corporation by executing a quitclaim deed,  
 1-38 record number 009280, as recorded in the county records of El Paso  
 1-39 County.

1-40 (b) The El Paso Water Control and Improvement District No. 4  
 1-41 assumed the responsibilities as temporary manager of the  
 1-42 corporation, including the provision of water and wastewater  
 1-43 services to customers of the corporation by emergency order issued  
 1-44 by the commission on September 30, 1999, and confirmed by the  
 1-45 commission on October 27, 1999.

1-46 (c) The corporation was involuntarily dissolved by order of  
 1-47 the secretary of state on July 18, 2007.

1-48 (d) The El Paso Water Control and Improvement District No. 4  
 1-49 no longer wishes to continue providing service to the former  
 1-50 corporation's customers, and the authority is willing to provide  
 1-51 and capable of providing that service and of assuming any other  
 1-52 duties of the former corporation, provided that the authority is  
 1-53 granted any remaining assets of the former corporation, including  
 1-54 the real property and any improvements to the property described by  
 1-55 Section 3 of this Act.

1-56 (e) The transfer of any remaining assets of the former  
 1-57 corporation, including the real property and any improvements to  
 1-58 the property described by Section 3 of this Act, serves a public  
 1-59 purpose and benefits the land included in the transfer.

1-60 SECTION 3. AMENDMENT. Section 2, Chapter 780, Acts of the  
 1-61 69th Legislature, Regular Session, 1985, is amended by adding  
 1-62 Subsection (c) to read as follows:

1-63 (c) In addition to the territory described by Subsection (a)  
 1-64 of this section, the authority includes all of the property and any

2-1 improvements to the property contained in the following area:  
2-2 Property (including any improvements):

2-3 Parcel No. 1 Description

2-4 Being a 0.245 acre parcel of land out of Tract 2C, Block 40, San  
2-5 Elizario Grant in El Paso County, Texas and being more particularly  
2-6 described by metes and bounds as follows to wit:

2-7 Beginning at the most Westerly corner of said Tract 2C, Block 40,  
2-8 San Elizario Grant;

2-9 Thence, along the common line of said Tract 2C and the Cuadrilla  
2-10 Lateral, North 70° 24' East, 80.79 feet to a point for corner;

2-11 Thence, continuing along said common line of said Tract 2C and the  
2-12 Cuadrilla Lateral, North 63° 40' East, 167.05 feet to a point for  
2-13 corner;

2-14 Thence, South 30° 16' East, 59.35 feet to a point for corner;

2-15 Thence, South 61° 24' West, 106.11 feet to a point for corner;

2-16 Thence, North 89° 42' West, 162.58 feet to the point of beginning and  
2-17 containing 10,678.95 square feet or 0.245 acres of land more or  
2-18 less.

2-19 Parcel No. 2 Description

2-20 Being a 1.355 acre parcel of land out of Tract 11-A, Block 5, San  
2-21 Elizario Grant in El Paso County, Texas and being more particularly  
2-22 described by metes and bounds as follows, to wit:

2-23 Beginning at the Northwesterly corner of said Tract 11-A, Block 5,  
2-24 San Elizario Grant, said point also being on the East right-of-way  
2-25 line of San Francisco Street as shown on the Cuadrilla Townsite map;  
2-26 Thence, along the South line of the Cuadrilla Lateral, North 49° 34'  
2-27 East, 8.30 feet to a point for corner;

2-28 Thence, South 89° 42' East, 235.80 feet to a point for corner;

2-29 Thence, North 61° 24' East, 106.11 feet to a point for corner;

2-30 Thence, South 30° 16' East, 127.00 feet to a point on the North  
2-31 right-of-way line of the Cuadrilla Cut-Off Road;

2-32 Thence along the North right-of-way line of the Cuadrilla Cut-Off  
2-33 Road, South 59° 44' West, 355.59 feet to the point for corner;

2-34 Thence, North 21° 30' West, 251.47 feet to the point of beginning and  
2-35 containing 59,017.08 square feet or 1.355 acres of land more or  
2-36 less.

2-37 SECTION 4. TRANSFER OF ASSETS AND RESPONSIBILITIES. On the  
2-38 effective date of this Act, the authority shall assume:

2-39 (1) from the El Paso Water Control and Improvement  
2-40 District No. 4, the responsibility of providing water and  
2-41 wastewater services to the customers in the service area of the  
2-42 former corporation; and

2-43 (2) the powers, duties, liabilities, and remaining  
2-44 assets of the former corporation, including the property described  
2-45 by Section 3 of this Act.

2-46 SECTION 5. FINDINGS RELATED TO PROCEDURAL REQUIREMENTS.

2-47 (a) The legal notice of the intention to introduce this Act,  
2-48 setting forth the general substance of this Act, has been published  
2-49 as provided by law, and the notice and a copy of this Act have been  
2-50 furnished to all persons, agencies, officials, or entities to which  
2-51 they are required to be furnished under Section 59, Article XVI,  
2-52 Texas Constitution, and Chapter 313, Government Code.

2-53 (b) The governor, one of the required recipients, has  
2-54 submitted the notice and Act to the commission.

2-55 (c) The commission has filed its recommendations relating  
2-56 to this Act with the governor, the lieutenant governor, and the  
2-57 speaker of the house of representatives within the required time.

2-58 (d) All requirements of the constitution and laws of this  
2-59 state and the rules and procedures of the legislature with respect  
2-60 to the notice, introduction, and passage of this Act are fulfilled  
2-61 and accomplished.

2-62 SECTION 6. EFFECTIVE DATE. This Act takes effect  
2-63 immediately if it receives a vote of two-thirds of all the members  
2-64 elected to each house, as provided by Section 39, Article III, Texas  
2-65 Constitution. If this Act does not receive the vote necessary for  
2-66 immediate effect, this Act takes effect September 1, 2013.

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