

1-1 By: Taylor S.B. No. 1841  
1-2 (In the Senate - Filed March 18, 2013; March 20, 2013, read  
1-3 first time and referred to Committee on Intergovernmental  
1-4 Relations; April 11, 2013, reported favorably by the following  
1-5 vote: Yeas 5, Nays 0; April 11, 2013, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			

1-13 A BILL TO BE ENTITLED  
1-14 AN ACT

1-15 relating to the creation of the Harris County Water Control and  
1-16 Improvement District No. 161; granting the power of eminent domain;  
1-17 providing authority to issue bonds; providing authority to impose  
1-18 assessments, fees, or taxes.

1-19 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-20 SECTION 1. Subtitle I, Title 6, Special District Local Laws  
1-21 Code, is amended by adding Chapter 9047 to read as follows:

1-22 CHAPTER 9047. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT  
1-23 NO. 161

1-24 SUBCHAPTER A. GENERAL PROVISIONS

1-25 Sec. 9047.001. DEFINITIONS. In this chapter:

1-26 (1) "Board" means the district's board of directors.

1-27 (2) "Commission" means the Texas Commission on  
1-28 Environmental Quality.

1-29 (3) "Director" means a board member.

1-30 (4) "District" means the Harris County Water Control  
1-31 and Improvement District No. 161.

1-32 Sec. 9047.002. NATURE OF DISTRICT. The district is a water  
1-33 control and improvement district created under Section 59, Article  
1-34 XVI, Texas Constitution.

1-35 Sec. 9047.003. CONFIRMATION AND DIRECTORS' ELECTION  
1-36 REQUIRED. The temporary directors shall hold an election to  
1-37 confirm the creation of the district and to elect five permanent  
1-38 directors as provided by Section 49.102, Water Code.

1-39 Sec. 9047.004. CONSENT OF MUNICIPALITY REQUIRED. The  
1-40 temporary directors may not hold an election under Section 9047.003  
1-41 until each municipality in whose corporate limits or  
1-42 extraterritorial jurisdiction the district is located has  
1-43 consented by ordinance or resolution to the creation of the  
1-44 district and to the inclusion of land in the district.

1-45 Sec. 9047.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-46 (a) The district is created to serve a public purpose and benefit.

1-47 (b) The district is created to accomplish the purposes of:

1-48 (1) a water control and improvement district as  
1-49 provided by general law and Section 59, Article XVI, Texas  
1-50 Constitution; and

1-51 (2) Section 52, Article III, Texas Constitution, that  
1-52 relate to the construction, acquisition, improvement, operation,  
1-53 or maintenance of macadamized, graveled, or paved roads, or  
1-54 improvements, including storm drainage, in aid of those roads.

1-55 Sec. 9047.006. INITIAL DISTRICT TERRITORY. (a) The  
1-56 district is initially composed of the territory described by  
1-57 Section 2 of the Act creating this chapter.

1-58 (b) The boundaries and field notes contained in Section 2 of  
1-59 the Act creating this chapter form a closure. A mistake made in the  
1-60 field notes or in copying the field notes in the legislative process  
1-61 does not affect the district's:

- 2-1 (1) organization, existence, or validity;
- 2-2 (2) right to issue any type of bond for the purposes
- 2-3 for which the district is created or to pay the principal of and
- 2-4 interest on a bond;
- 2-5 (3) right to impose a tax; or
- 2-6 (4) legality or operation.

2-7 Sec. 9047.007. APPLICABILITY OF LAW GOVERNING METROPOLITAN  
 2-8 WATER CONTROL AND IMPROVEMENT DISTRICTS. (a) Except as otherwise  
 2-9 provided by this chapter, Chapter 702 (S.B. 1358), Acts of the 68th  
 2-10 Legislature, Regular Session, 1983 (Article 717r, Vernon's Texas  
 2-11 Civil Statutes), applies to the district.

2-12 (b) Section 3, Chapter 702 (S.B. 1358), Acts of the 68th  
 2-13 Legislature, Regular Session, 1983 (Article 717r, Vernon's Texas  
 2-14 Civil Statutes), does not apply to the district.

2-15 SUBCHAPTER B. BOARD OF DIRECTORS

2-16 Sec. 9047.051. GOVERNING BODY; TERMS. (a) The district is  
 2-17 governed by a board of five elected directors.

2-18 (b) Except as provided by Section 9047.052, directors serve  
 2-19 staggered four-year terms.

2-20 Sec. 9047.052. TEMPORARY DIRECTORS. (a) The temporary  
 2-21 board consists of:

- 2-22 (1) Jeff Safe;
- 2-23 (2) Katy Walston;
- 2-24 (3) Brandon Buell;
- 2-25 (4) Bob Mueller; and
- 2-26 (5) Chad Meacham.

2-27 (b) Temporary directors serve until the earlier of:  
 2-28 (1) the date permanent directors are elected under  
 2-29 Section 9047.003; or

2-30 (2) the fourth anniversary of the effective date of  
 2-31 the Act creating this chapter.

2-32 (c) If permanent directors have not been elected under  
 2-33 Section 9047.003 and the terms of the temporary directors have  
 2-34 expired, successor temporary directors shall be appointed or  
 2-35 reappointed as provided by Subsection (d) to serve terms that  
 2-36 expire on the earlier of:

- 2-37 (1) the date permanent directors are elected under  
 2-38 Section 9047.003; or
- 2-39 (2) the fourth anniversary of the date of the  
 2-40 appointment or reappointment.

2-41 (d) If Subsection (c) applies, the owner or owners of a  
 2-42 majority of the assessed value of the real property in the district  
 2-43 may submit a petition to the commission requesting that the  
 2-44 commission appoint as successor temporary directors the five  
 2-45 persons named in the petition. The commission shall appoint as  
 2-46 successor temporary directors the five persons named in the  
 2-47 petition.

2-48 SUBCHAPTER C. POWERS AND DUTIES

2-49 Sec. 9047.101. GENERAL POWERS AND DUTIES. The district has  
 2-50 the powers and duties necessary to accomplish the purposes for  
 2-51 which the district is created.

2-52 Sec. 9047.102. WATER CONTROL AND IMPROVEMENT DISTRICT  
 2-53 POWERS AND DUTIES. The district has the powers and duties provided  
 2-54 by the general law of this state, including Chapters 49 and 51,  
 2-55 Water Code, applicable to water control and improvement districts  
 2-56 created under Section 59, Article XVI, Texas Constitution.

2-57 Sec. 9047.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
 2-58 52, Article III, Texas Constitution, the district may design,  
 2-59 acquire, construct, finance, issue bonds for, improve, operate,  
 2-60 maintain, and convey to this state, a county, or a municipality for  
 2-61 operation and maintenance macadamized, graveled, or paved roads, or  
 2-62 improvements, including storm drainage, in aid of those roads.

2-63 Sec. 9047.104. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 2-64 road project must meet all applicable construction standards,  
 2-65 zoning and subdivision requirements, and regulations of each  
 2-66 municipality in whose corporate limits or extraterritorial  
 2-67 jurisdiction the road project is located.

2-68 (b) If a road project is not located in the corporate limits  
 2-69 or extraterritorial jurisdiction of a municipality, the road

3-1 project must meet all applicable construction standards, zoning and  
3-2 subdivision requirements, and regulations of each county in which  
3-3 the road project is located.

3-4 (c) If the state will maintain and operate the road, the  
3-5 Texas Transportation Commission must approve the plans and  
3-6 specifications of the road project.

3-7 Sec. 9047.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
3-8 OR RESOLUTION. The district shall comply with all applicable  
3-9 requirements of any ordinance or resolution that is adopted by the  
3-10 City of Houston, Texas, that consents to the creation of the  
3-11 district or to the inclusion of land in the district.

3-12 Sec. 9047.106. LIMITATION ON USE OF EMINENT DOMAIN. The  
3-13 district may not exercise the power of eminent domain outside the  
3-14 district boundaries to acquire:

3-15 (1) a site for a water treatment plant, water storage  
3-16 facility, wastewater treatment plant, or wastewater disposal  
3-17 plant;

3-18 (2) a site for a park, swimming pool, or other  
3-19 recreational facility, as defined by Section 49.462, Water Code;

3-20 (3) an exclusive easement through a county regional  
3-21 park; or

3-22 (4) a site or easement for a road project.

3-23 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-24 Sec. 9047.151. ELECTIONS REGARDING TAXES OR BONDS.

3-25 (a) The district may issue, without an election, bonds and other  
3-26 obligations secured by:

3-27 (1) revenue other than ad valorem taxes; or

3-28 (2) contract payments described by Section 9047.153.

3-29 (b) The district must hold an election in the manner  
3-30 provided by Chapters 49 and 51, Water Code, to obtain voter approval  
3-31 before the district may impose an ad valorem tax or issue bonds  
3-32 payable from ad valorem taxes.

3-33 (c) The district may not issue bonds payable from ad valorem  
3-34 taxes to finance a road project unless the issuance is approved by a  
3-35 vote of a two-thirds majority of the district voters voting at an  
3-36 election held for that purpose.

3-37 Sec. 9047.152. OPERATION AND MAINTENANCE TAX. (a) If  
3-38 authorized at an election held under Section 9047.151, the district  
3-39 may impose an operation and maintenance tax on taxable property in  
3-40 the district in accordance with Section 49.107, Water Code.

3-41 (b) The board shall determine the tax rate. The rate may not  
3-42 exceed the rate approved at the election.

3-43 Sec. 9047.153. CONTRACT TAXES. (a) In accordance with  
3-44 Section 49.108, Water Code, the district may impose a tax other than  
3-45 an operation and maintenance tax and use the revenue derived from  
3-46 the tax to make payments under a contract after the provisions of  
3-47 the contract have been approved by a majority of the district voters  
3-48 voting at an election held for that purpose.

3-49 (b) A contract approved by the district voters may contain a  
3-50 provision stating that the contract may be modified or amended by  
3-51 the board without further voter approval.

3-52 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-53 Sec. 9047.201. AUTHORITY TO ISSUE BONDS AND OTHER  
3-54 OBLIGATIONS. The district may issue bonds or other obligations  
3-55 payable wholly or partly from ad valorem taxes, impact fees,  
3-56 revenue, contract payments, grants, or other district money, or any  
3-57 combination of those sources, to pay for any authorized district  
3-58 purpose.

3-59 Sec. 9047.202. TAXES FOR BONDS. At the time the district  
3-60 issues bonds payable wholly or partly from ad valorem taxes, the  
3-61 board shall provide for the annual imposition of a continuing  
3-62 direct ad valorem tax, without limit as to rate or amount, while all  
3-63 or part of the bonds are outstanding as required and in the manner  
3-64 provided by Section 51.433, Water Code.

3-65 Sec. 9047.203. BONDS FOR ROAD PROJECTS. At the time of  
3-66 issuance, the total principal amount of bonds or other obligations  
3-67 issued or incurred to finance road projects and payable from ad  
3-68 valorem taxes may not exceed one-fourth of the assessed value of the  
3-69 real property in the district.

4-1 SECTION 2. The Harris County Water Control and Improvement  
 4-2 District No. 161 initially includes all the territory contained in  
 4-3 the following area:

4-4 Being 411.665 acres of land located in the Sylvester Murphy  
 4-5 League, Abstract 53, William Dobie 1/4 League, Abstract 16 and  
 4-6 James Routh Survey, Abstract 64, Harris County, Texas, more  
 4-7 particularly being all of that certain called 344.69 acre tract  
 4-8 (described herein as Tract 1) conveyed to Clear Dorado Land  
 4-9 Associates, L.P., by instrument of record in File No. 20070394486,  
 4-10 Official Public Records of Real Property, of said Harris County  
 4-11 (H.C.O.P.R.R.P.), and that certain called 66.96 acre tract  
 4-12 (described herein as Tract 2) conveyed to Clear Dorado Land  
 4-13 Associates, L.P., by instrument of record in File No. 20070394486,  
 4-14 and a portion of Clear Lake Substation, a Partial Replat, a  
 4-15 subdivision of record at Film Code No. 350118, Map Records, Harris  
 4-16 County, Texas (H.C.M.R.), said 411.665 acres being more  
 4-17 particularly described in two (2) parts by metes and bounds as  
 4-18 follows (all bearings referenced to the Texas State Plane  
 4-19 Coordinate System, South Central Zone, NAD 83, 2001 adjustment);

4-20 TRACT 1

4-21 Beginning at a 5/8-inch iron rod found for the Northeast  
 4-22 corner of Northfork, Section Seven, a subdivision of record under  
 4-23 Film Code No. 374011 of the Harris County Map Records (H.C.M.R),  
 4-24 same being a point on the southeasterly line of a called 50.342 acre  
 4-25 tract reserved by Exxon Corporation as recorded under File No.  
 4-26 P454723 of said H.C.O.P.R.R.P, and being the most westerly corner  
 4-27 of aforementioned 344.69 acre tract;

4-28 Thence, along the common line of said 50.342 acre tract and  
 4-29 said 344.69 acre tract the following four (4) courses;

4-30 1) North 34° 41' 55" East, 115.25 feet to a 5/8-inch  
 4-31 iron rod with cap stamped "SURVCON" found for corner;

4-32 2) South 30° 53' 52" East, 3.52 feet to a 5/8-inch iron  
 4-33 rod with cap stamped "SURVCON" found for corner;

4-34 3) North 36° 19' 04" East, 1,324.88 feet to a 5/8-inch  
 4-35 iron rod with cap stamped "SURVCON" found for corner;

4-36 4) North 35° 33' 30" East, 932.52 feet to a 5/8-inch  
 4-37 iron rod with cap stamped "SURVCON" found for corner, same being the  
 4-38 northwest corner of said 344.69 acre tract;

4-39 Thence, North 86° 13' 52" East, along the north line of said  
 4-40 344.69 acre tract and departing said common line, a distance of  
 4-41 4,426.85 feet to a 5/8-inch iron rod with cap stamped "SURVCON"  
 4-42 found for corner, same being the northeasterly corner of said  
 4-43 344.69 acre tract;

4-44 Thence, South 07° 01' 20" West, along the easterly line of  
 4-45 said 344.69 acre tract, 1,326.87 feet to a 5/8-inch iron rod with  
 4-46 cap stamped "SURVCON" found for corner, same being the most  
 4-47 northerly corner of a called 13.815 acre tract reserved by Exxon  
 4-48 Corporation as recorder under File No. P454723 of aforementioned  
 4-49 H.C.O.P.R.R.P;

4-50 Thence, South 52° 01' 20" West, along the northwesterly line  
 4-51 of said 13.815 acre tract 2,676.23 feet to a 5/8-inch iron rod with  
 4-52 aluminum disc found for corner, same being the southeast corner of  
 4-53 Restricted Reserve "A" as shown on the map of Clear Lake Substation  
 4-54 as recorded under Volume 345, Page 135 of Harris County Map Records;

4-55 Thence, departing said northwesterly line, along the  
 4-56 easterly, northerly and westerly lines of said Restricted Reserve  
 4-57 "A", the following five (5) courses;

4-58 1) North 04° 17' 13" West, 96.15 feet to a 5/8-inch iron  
 4-59 rod with aluminum disc found for corner;

4-60 2) South 52° 01' 20" West, 457.57 feet to a 5/8-inch  
 4-61 iron rod with aluminum disc found for corner;

4-62 3) North 37° 58' 40" West, 270.00 feet to a 5/8-inch  
 4-63 iron rod with aluminum disc found for corner;

4-64 4) South 52° 01' 20" West, 350.00 feet to a 5/8-inch  
 4-65 iron rod found for corner;

4-66 5) South 37° 58' 40" East, 350.00 feet to a 5/8-inch  
 4-67 iron rod with aluminum disc found for corner on the aforementioned  
 4-68 northwesterly line of said 13.815 acre tract;

4-69 Thence, along the northwesterly line of aforementioned

5-1 13.815 acre tract the following three (3) courses;  
5-2 1) South 52° 01' 20" West, 1,423.48 feet to a 5/8-inch  
5-3 iron rod, found for corner;  
5-4 2) South 51° 00' 38" West, 1,057.28 feet to a 5/8-inch  
5-5 iron rod, found for corner;  
5-6 3) South 53° 12' 58" West, 159.01 feet to a 5/8-inch  
5-7 iron rod with cap stamped "SURVCON" found for corner, the beginning  
5-8 of a curve, same being a point on the northeasterly right-of-way  
5-9 line of Almond Creek Drive (60 feet wide) as shown on Northfork  
5-10 Section Three, a subdivision of record at film Code No. 357077 of  
5-11 said Harris County Map Records;  
5-12 Thence 38.01 feet along said existing northeasterly  
5-13 right-of-way line of Almond Creek Drive and along the arc of a  
5-14 non-tangent curve to the right, having a radius of 570.00 feet, a  
5-15 central angle of 03° 49' 14" and a chord which bears North 35° 43' 49"  
5-16 West 38.00 feet to a 5/8-inch iron rod, found for corner;  
5-17 Thence, North 33° 49' 13" West, continuing along said existing  
5-18 northeasterly right-of-way line to the most southerly corner of Lot  
5-19 1, Block 4 of Northfork Section Three, 76.16 feet to a 5/8-inch  
5-20 iron rod, found for corner;  
5-21 Thence, North 51° 00' 33" East, along the southeasterly line  
5-22 of said Block 4, 732.55 feet to a 5/8-inch iron rod, found for  
5-23 corner, same being the southeast corner of Northfork Section Five,  
5-24 a subdivision of record at Film Code No. 371088 of said Harris  
5-25 County Map Records;  
5-26 Thence, North 30° 56' 29" West, along the northeasterly line  
5-27 of said Northfork Section Five, passing at 793.92 a found 5/8-inch  
5-28 iron rod for the common easterly corner of said Northfork Section  
5-29 Five and aforementioned Northfork Section Seven, continuing in all,  
5-30 2,682.04 feet to the POINT OF BEGINNING and containing 344.695  
5-31 acres of land.  
5-32 TRACT 2  
5-33 BEGINNING at a found 5/8-inch iron rod, found for the  
5-34 northeast corner of aforementioned 66.96 acre tract;  
5-35 Thence, South 07° 01' 17" West, 141.53 feet, to a 5/8-inch  
5-36 iron rod with cap stamped "LJA ENG", set for corner on the  
5-37 northwesterly line of Pine Brook Section Nine, a subdivision of  
5-38 record at Film Code 385128 of said H.C.M.R;  
5-39 Thence, South 52° 01' 20" West, along said northwesterly line  
5-40 of Pine Brook Section Nine, 1,000.00 feet to a point for corner,  
5-41 from which a found 5/8-inch iron rod bears North 16°52'22" West,  
5-42 0.47 feet;  
5-43 Thence, South 22° 07' 41" West, 2,004.76 feet to a point for  
5-44 corner, same being the northeasterly corner of Restricted Reserve  
5-45 "B", as shown on El Dorado Boulevard Fire Station, a subdivision of  
5-46 record at Film Code No. 358053 of the Harris County Map Records and  
5-47 an angle point on the southerly line of said 66.96 acre tract;  
5-48 Thence, along the common line of said Restricted Reserve "B"  
5-49 and said 66.96 acre tract the following four (4) courses;  
5-50 1) South 63° 49' 46" West, 344.32 feet to a point for  
5-51 corner, the beginning of a curve;  
5-52 2) 26.43 feet along the arc of a non-tangent curve to  
5-53 the left, having a radius of 3055.00 feet, a central angle of 00° 29'  
5-54 44", and a chord which bears South 63°55' 26" West, 26.43 feet to a  
5-55 point for corner, the beginning of a curve;  
5-56 3) 65.86 feet along the arc of a non-tangent curve to  
5-57 the left, having a radius of 2075.00 feet, a central angle of 01° 49'  
5-58 06", and a chord which bears North 35° 26' 45" West, 65.85 feet to a  
5-59 point for corner, the beginning of a curve;  
5-60 4) 352.28 feet along the arc of a non-tangent curve to  
5-61 the left, having a radius of 2575.00 feet, a central angle of 07° 50'  
5-62 18", and a chord which bears North 38° 19' 18" West, 352.00 feet to a  
5-63 point for corner, the beginning of a curve;  
5-64 Thence, along the northerly line of said Restricted Reserve  
5-65 "B" and the south line of said 66.96 acre tract, passing at an arc  
5-66 distance of 25.81 feet the northwesterly corner of said Restricted  
5-67 Reserve "B" and the easterly right-of-way line of said El Dorado  
5-68 Boulevard, passing at an arc distance of 128.72 feet the westerly  
5-69 right-of-way line of said El Dorado Boulevard and northeasterly

6-1 corner of Restricted Reserve "A" of said El Dorado Boulevard Fire  
 6-2 Station, passing at an arc distance of 502.38 feet the common  
 6-3 northerly corner of said Restricted Reserve "A" and a called  
 6-4 16.0808 acre tract, conveyed to Harris County Flood Control  
 6-5 District at File No. S990332 of the Harris County Official Public  
 6-6 Records of Real Property, and continuing in all, 823.58 feet along  
 6-7 the arc of a non-tangent curve to the left, having a radius of  
 6-8 3465.00 feet, a central angle of 13° 37' 06", and a chord which bears  
 6-9 South 55° 28' 50" West, 821.64 feet to a point for corner;

6-10 Thence, South 48° 40' 17" West, along the northerly line of  
 6-11 said 16.0808 acre tract and the south line of said 66.96 acre tract,  
 6-12 100.00 feet to a point for corner, the beginning of a curve;

6-13 Thence, with the common line of said 16.0808 acre tract and  
 6-14 said 66.96 acre tract, along the arc of a tangent curve to the  
 6-15 right, having a radius of 4,535.00 feet, passing at an arc distance  
 6-16 of 1,186.78 feet the northwest corner of said 16.0808 acre tract and  
 6-17 the northeast corner of Restricted Reserve "B" as shown on  
 6-18 Northfork Section Three, a subdivision of record as shown at Film  
 6-19 Code No. 357077 of the Harris County Map Records, continuing in all  
 6-20 a total arc length of 1,201.84 feet through a central angle of 15°  
 6-21 11' 03", and a chord which bears South 56° 15' 49" West, 1,198.32  
 6-22 feet to a point for corner;

6-23 Thence, South 30° 56' 24" East, along the westerly line of  
 6-24 said Restricted Reserve "B" 104.90 feet to a point for corner, same  
 6-25 being the northerly corner of Lot 9, Block 2 of said Northfork,  
 6-26 Section Three

6-27 Thence, South 86° 49' 38" West, along the northerly line of  
 6-28 said Northfork, Section Three and the most southwesterly line of  
 6-29 aforementioned 66.96 acre tract, 726.08 feet to a point for corner,  
 6-30 same being the northwest corner of Lot 23, Block 2 as shown on said  
 6-31 Northfork, Section Three and a point on the easterly right-of-way  
 6-32 line of Almond Creek Drive, (60 feet wide) as shown on the map of  
 6-33 Northfork, Section Three, a subdivision of record at Film Code  
 6-34 Number 357077, of the Harris County Map Records;

6-35 Thence, North 53° 17' 55" West, along the east right-of-way  
 6-36 line of said Almond Creek Drive and said 66.96 acre tract, 97.01  
 6-37 feet to a point for corner, the beginning of a curve;

6-38 Thence, along the common line of said Almond Creek Drive and  
 6-39 said 66.96 acre tract, 55.12 feet along the arc of a tangent curve  
 6-40 to the right, having a radius of 570.00 feet, a central angle of 05°  
 6-41 32' 27", and a chord which bears North 50° 31' 41" West, 55.10 feet  
 6-42 to a point for corner, same being the Northwest corner of said 66.96  
 6-43 acre tract, and a point on the northeasterly right-of-way line of  
 6-44 said Almond Creek Drive, and the most southerly corner of a called  
 6-45 13.815 acre tract reserved by Exxon Corporation as recorded under  
 6-46 File No. P454723 of the Harris County Official Public Records of  
 6-47 Real Property (H.C.O.P.R.R.P);

6-48 Thence along the southerly line of said 13.815 acre tract and  
 6-49 the north line of said 66.96 acre tract the following three (3)  
 6-50 courses;

6-51 1) North 53° 12' 58" East 150.62 feet to a point for  
 6-52 corner;

6-53 2) Thence, North 51° 00' 38" East, 1,058.39 feet to a  
 6-54 point for corner;

6-55 3) Thence, North 52° 01' 20" East, 4,753.03 feet to the  
 6-56 POINT OF BEGINNING and containing 66.970 acres of land.

6-57 Said Tract 1 and Tract 2, containing a total of 411.665 acres  
 6-58 of land.

6-59 SECTION 3. (a) The legal notice of the intention to  
 6-60 introduce this Act, setting forth the general substance of this  
 6-61 Act, has been published as provided by law, and the notice and a  
 6-62 copy of this Act have been furnished to all persons, agencies,  
 6-63 officials, or entities to which they are required to be furnished  
 6-64 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
 6-65 Government Code.

6-66 (b) The governor, one of the required recipients, has  
 6-67 submitted the notice and Act to the Texas Commission on  
 6-68 Environmental Quality.

6-69 (c) The Texas Commission on Environmental Quality has filed

7-1 its recommendations relating to this Act with the governor, the  
7-2 lieutenant governor, and the speaker of the house of  
7-3 representatives within the required time.

7-4 (d) All requirements of the constitution and laws of this  
7-5 state and the rules and procedures of the legislature with respect  
7-6 to the notice, introduction, and passage of this Act are fulfilled  
7-7 and accomplished.

7-8 SECTION 4. (a) Section 9047.106, Special District Local  
7-9 Laws Code, as added by Section 1 of this Act, takes effect only if  
7-10 this Act receives a two-thirds vote of all the members elected to  
7-11 each house.

7-12 (b) If this Act does not receive a two-thirds vote of all the  
7-13 members elected to each house, Subchapter C, Chapter 9047, Special  
7-14 District Local Laws Code, as added by Section 1 of this Act, is  
7-15 amended by adding Section 9047.106 to read as follows:

7-16 Sec. 9047.106. NO EMINENT DOMAIN POWER. The district may  
7-17 not exercise the power of eminent domain.

7-18 (c) This section is not intended to be an expression of a  
7-19 legislative interpretation of the requirements of Subsection (c),  
7-20 Section 17, Article I, Texas Constitution.

7-21 SECTION 5. This Act takes effect immediately if it receives  
7-22 a vote of two-thirds of all the members elected to each house, as  
7-23 provided by Section 39, Article III, Texas Constitution. If this  
7-24 Act does not receive the vote necessary for immediate effect, this  
7-25 Act takes effect September 1, 2013.

7-26

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