

By: Isaac

H.B. No. 4183

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Hays County Municipal Utility District No. 7; 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 7916 to read as follows:

CHAPTER 7916. HAYS COUNTY MUNICIPAL UTILITY DISTRICT NO. 7

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7916.001. 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 Hays County Municipal Utility District No. 7.

Sec. 7916.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7916.003. 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.

1 Sec. 7916.004. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section 7916.003
3 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 7916.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
8 The district is created to serve a public purpose and benefit.

9 (b) The district is created to accomplish the purposes of:
10 (1) a municipal utility district as provided by
11 general law and Section 59, Article XVI, Texas Constitution; and
12 (2) Section 52, Article III, Texas Constitution, that
13 relate to the construction, acquisition, improvement, operation,
14 or maintenance of macadamized, graveled, or paved roads, or
15 improvements, including storm drainage, in aid of those roads.

16 Sec. 7916.006. INITIAL DISTRICT TERRITORY. (a) The
17 district is initially composed of the territory described by
18 Section 2 of the Act enacting this chapter.

19 (b) The boundaries and field notes contained in Section 2 of
20 the Act enacting this chapter form a closure. A mistake made in the
21 field notes or in copying the field notes in the legislative process
22 does not affect the district's:

23 (1) organization, existence, or validity;
24 (2) right to issue any type of bond for the purposes
25 for which the district is created or to pay the principal of and
26 interest on a bond;
27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 7916.051. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 7916.052, directors serve
6 staggered four-year terms.

7 Sec. 7916.052. TEMPORARY DIRECTORS. (a) On or after the
8 effective date of the Act enacting this chapter, the owner or owners
9 of a majority of the assessed value of the real property in the
10 district may submit a petition to the commission requesting that
11 the commission appoint as temporary directors the five persons
12 named in the petition. The commission shall appoint as temporary
13 directors the five persons named in the petition.

14 (b) Temporary directors serve until the earlier of:

15 (1) the date permanent directors are elected under
16 Section 7916.003; or

17 (2) the fourth anniversary of the effective date of
18 the Act enacting this chapter.

19 (c) If permanent directors have not been elected under
20 Section 7916.003 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 7916.003; or

26 (2) the fourth anniversary of the date of the
27 appointment or reappointment.

1 (d) If Subsection (c) applies, the owner or owners of a
2 majority of the assessed value of the real property in the district
3 may submit a petition to the commission requesting that the
4 commission appoint as successor temporary directors the five
5 persons named in the petition. The commission shall appoint as
6 successor temporary directors the five persons named in the
7 petition.

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 7916.101. GENERAL POWERS AND DUTIES. The district has
10 the powers and duties necessary to accomplish the purposes for
11 which the district is created.

12 Sec. 7916.102. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES. The district has the powers and duties provided by the
14 general law of this state, including Chapters 49 and 54, Water Code,
15 applicable to municipal utility districts created under Section 59,
16 Article XVI, Texas Constitution.

17 Sec. 7916.103. AUTHORITY FOR ROAD PROJECTS. Under Section
18 52, Article III, Texas Constitution, the district may design,
19 acquire, construct, finance, issue bonds for, improve, operate,
20 maintain, and convey to this state, a county, or a municipality for
21 operation and maintenance macadamized, graveled, or paved roads, or
22 improvements, including storm drainage, in aid of those roads.

23 Sec. 7916.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
24 project must meet all applicable construction standards, zoning and
25 subdivision requirements, and regulations of each municipality in
26 whose corporate limits or extraterritorial jurisdiction the road
27 project is located.

1 (b) If a road project is not located in the corporate limits
2 or extraterritorial jurisdiction of a municipality, the road
3 project must meet all applicable construction standards,
4 subdivision requirements, and regulations of each county in which
5 the road project is located.

6 (c) If the state will maintain and operate the road, the
7 Texas Transportation Commission must approve the plans and
8 specifications of the road project.

9 Sec. 7916.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
10 OR RESOLUTION. The district shall comply with all applicable
11 requirements of any ordinance or resolution that is adopted under
12 Section 54.016 or 54.0165, Water Code, and that consents to the
13 creation of the district or to the inclusion of land in the
14 district.

15 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

16 Sec. 7916.151. DIVISION OF DISTRICT; PREREQUISITES. The
17 district may be divided into two or more new districts only if the
18 district:

19 (1) has never issued any bonds; and

20 (2) is not imposing ad valorem taxes.

21 Sec. 7916.152. LAW APPLICABLE TO NEW DISTRICT. This
22 chapter applies to any new district created by division of the
23 district, and a new district has all the powers and duties of the
24 district.

25 Sec. 7916.153. LIMITATION ON AREA OF NEW DISTRICT. A new
26 district created by the division of the district may not, at the
27 time the new district is created, contain any land outside the area

1 described by Section 2 of the Act enacting this chapter.

2 Sec. 7916.154. DIVISION PROCEDURES. (a) The board, on its
3 own motion or on receipt of a petition signed by the owner or owners
4 of a majority of the assessed value of the real property in the
5 district, may adopt an order dividing the district.

6 (b) The board may adopt an order dividing the district
7 before or after the date the board holds an election under Section
8 7916.003 to confirm the district's creation.

9 (c) An order dividing the district must:

10 (1) name each new district;

11 (2) include the metes and bounds description of the
12 territory of each new district;

13 (3) appoint temporary directors for each new district;

14 and

15 (4) provide for the division of assets and liabilities
16 between the new districts.

17 (d) On or before the 30th day after the date of adoption of
18 an order dividing the district, the district shall file the order
19 with the commission and record the order in the real property
20 records of each county in which the district is located.

21 Sec. 7916.155. CONFIRMATION ELECTION FOR NEW DISTRICT. (a)
22 A new district created by the division of the district shall hold a
23 confirmation and directors' election as required by Section
24 7916.003.

25 (b) If the creation of the new district is confirmed, the
26 new district shall provide the election date and results to the
27 commission.

1 Sec. 7916.156. TAX OR BOND ELECTION. Before a new district
2 created by the division of the district may impose a maintenance tax
3 or issue bonds payable wholly or partly from ad valorem taxes, the
4 new district must hold an election as required by this chapter to
5 obtain voter approval.

6 Sec. 7916.157. MUNICIPAL CONSENT. Municipal consent to the
7 creation of the district and to the inclusion of land in the
8 district granted under Section 7916.004 acts as municipal consent
9 to the creation of any new district created by the division of the
10 district and to the inclusion of land in the new district.

11 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

12 Sec. 7916.201. ELECTIONS REGARDING TAXES OR BONDS. (a) The
13 district may issue, without an election, bonds and other
14 obligations secured by:

15 (1) revenue other than ad valorem taxes; or

16 (2) contract payments described by Section 7916.203.

17 (b) The district must hold an election in the manner
18 provided by Chapters 49 and 54, Water Code, to obtain voter approval
19 before the district may impose an ad valorem tax or issue bonds
20 payable from ad valorem taxes.

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

25 Sec. 7916.202. OPERATION AND MAINTENANCE TAX. (a) If
26 authorized at an election held under Section 7916.201, the district
27 may impose an operation and maintenance tax on taxable property in

1 the district in accordance with Section 49.107, Water Code.

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

4 Sec. 7916.203. CONTRACT TAXES. (a) In accordance with
5 Section 49.108, Water Code, the district may impose a tax other than
6 an operation and maintenance tax and use the revenue derived from
7 the tax to make payments under a contract after the provisions of
8 the contract have been approved by a majority of the district voters
9 voting at an election held for that purpose.

10 (b) A contract approved by the district voters may contain a
11 provision stating that the contract may be modified or amended by
12 the board without further voter approval.

13 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

14 Sec. 7916.251. AUTHORITY TO ISSUE BONDS AND OTHER
15 OBLIGATIONS. The district may issue bonds or other obligations
16 payable wholly or partly from ad valorem taxes, impact fees,
17 revenue, contract payments, grants, or other district money, or any
18 combination of those sources, to pay for any authorized district
19 purpose.

20 Sec. 7916.252. TAXES FOR BONDS. At the time the district
21 issues bonds payable wholly or partly from ad valorem taxes, the
22 board shall provide for the annual imposition of a continuing
23 direct ad valorem tax, without limit as to rate or amount, while all
24 or part of the bonds are outstanding as required and in the manner
25 provided by Sections 54.601 and 54.602, Water Code.

26 Sec. 7916.253. BONDS FOR ROAD PROJECTS. At the time of
27 issuance, the total principal amount of bonds or other obligations

1 issued or incurred to finance road projects and payable from ad
2 valorem taxes may not exceed one-fourth of the assessed value of the
3 real property in the district.

4 SECTION 2. The Hays County Municipal Utility District No. 7
5 initially includes all the territory contained in the following
6 area:

7 DESCRIPTION OF NINE (9) PARCELS OF LAND (1) CALLED TO BE
8 1051.23 ACRES OF LAND OUT OF THE ANTHONY G. DAVY SURVEY NO. 38,
9 A-148, THE MARCUS D. RAPER SURVEY NO. 37, A-394, AND THE EDWARD W.
10 BROWN SURVEY NO. 136, A-44, DESCRIBED IN A DEED TO ANARENE
11 INVESTMENTS, LTD., OF RECORD IN VOLUME 2639, PAGE 410, OF THE
12 OFFICIAL PUBLIC RECORDS OF HAYS COUNTY TEXAS, (2) CALLED TO BE 206.2
13 ACRES OF LAND OUT OF THE EDWARD W. BROWN SURVEY NO. 136, A-44, AND
14 THE PHILIP A. SMITH SURVEY NO. 26, A-415, DESCRIBED IN A DEED TO
15 ANARENE INVESTMENTS, LTD., OF RECORD IN VOLUME 2639, PAGE 403, OF
16 THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, (3) CALLED TO BE
17 139.16 ACRES OUT OF THE ANTHONY G. DAVY SURVEY NO. 38, A-148,
18 DESCRIBED AS TRACT 1, (4) CALLED TO BE 11.02 ACRES OUT OF THE
19 ANTHONY G. DAVY SURVEY NO. 39, A-148, DESCRIBED AS TRACT 2, (5)
20 CALLED TO BE 11.00 ACRES OUT OF THE ANTHONY G. DAVY SURVEY NO. 38,
21 A-148, DESCRIBED AS TRACT 3, (6) CALLED TO BE 11.05 ACRES OUT OF THE
22 ANTHONY G. DAVY SURVEY NO. 38, A-148, DESCRIBED AS TRACT 4, (7)
23 CALLED TO BE 226.11 ACRES OUT OF THE EDWARD W. BROWN SURVEY NO. 136,
24 A-44, DESCRIBED AS TRACT 5, SAVE AND EXCEPT 25.7398 ACRES DESCRIBED
25 IN A DEED TO THE CITY OF DRIPPING SPRINGS, OF RECORD IN VOLUME 4467,
26 PAGE 508, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, (8)
27 CALLED TO BE 17.80 ACRES OUT OF THE GEORGE W. LINDSEY SURVEY NO.

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138, A-280, AND THE EDWARD W. BROWN SURVEY NO. 136, A-44, (3-8) ALL DESCRIBED IN A DEED TO ANARENE INVESTMENTS, LTD., OF RECORD IN VOLUME 2639, PAGE 420, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS, AND (9) CALLED TO BE 29.78 ACRES, DESCRIBED IN A DEED TO ANARENE INVESTMENTS, LTD, OF RECORD IN VOLUME 2639, PAGE 400, OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS. THE FOLLOWING DESCRIPTION IS A COMPILATION OF INFORMATION FROM THE ABOVE MENTIONED DEEDS OF RECORD AND IN NO WAY REPRESENTS A SURVEY ON THE GROUND.

BEGINNING in the easterly right-of-way of Ranch Road 12, at the northwest corner of said 1051.23 acre tract;

THENCE, with the northerly and easterly lines of said 1051.23 acre tract the following nineteen (19) courses:

- 1) N 84° 54' 13" E, 41.10 feet;
- 2) S 54° 58' 12" E, 349.54 feet;
- 3) S 46° 30' 30" E, 373.94 feet;
- 4) S 75° 31' 52" E, 280.39 feet;
- 5) S 87° 28' 36" E, 509.18 feet;
- 6) N 70° 52' 58" E, 436.06 feet;
- 7) N 74° 15' 19" E, 335.56 feet;
- 8) S 60° 04' 22" E, 195.80 feet;
- 9) S 28° 26' 22" E, 244.50 feet;
- 10) S 01° 37' 38" W, 503.50 feet;
- 11) S 16° 09' 38" W, 587.50 feet;
- 12) S 34° 41' 38" W, 697.70 feet;
- 13) S 09° 57' 38" W, 414.80 feet;
- 14) S 20° 16' 22" E, 327.40 feet;

1 15) S 37° 29' 22" E, 126.60 feet;
2 16) S 54° 33' 38" W, 280.20 feet;
3 17) S 62° 30' 22" E, 466.67 feet;
4 18) S 58° 21' 22" E, 511.36 feet;
5 19) S 27° 42' 18" W, 4426.48 feet to the most northerly
6 corner of said 29.78 acre tract;

7 THENCE, with the easterly line of said 29.78 acre tract, the
8 following two (2) courses:

9 1) S 29° 36' 26" E, 931/41 feet;
10 2) S 60° 36' 50" W 1551.06 feet to the northeast corner of
11 said 206.2 acre tract;

12 THENCE, with the east line of said 206.2 acre tract the
13 following fifteen (15) courses:

14 1) S 24° 30' 16" E, 46.65 feet;
15 2) S 15° 29' 56" E, 280.55 feet;
16 3) S 15° 36' 02" E, 182.44 feet;
17 4) S 06° 30' 37" W, 104.00 feet;
18 5) S 02° 19' 28" E, 55.08 feet;
19 6) S 14° 50' 58" W, 71.24 feet;
20 7) S 07° 20' 07" W, 154.45 feet;
21 8) S 07° 07' 05" W, 263.18 feet;
22 9) S 17° 20' 44" W, 196.99 feet;
23 10) S 01° 55' 39" W 330.60 feet;
24 11) S 01° 28' 16" W, 273.89 feet;
25 12) S 04° 26' 22" E, 42.77 feet;
26 13) S 00° 29' 14" E 238.72 feet;
27 14) S 00° 26' 31" W, 353.54 feet;

1 15) S 01° 05' 28" W, 706.28 feet to the southeast corner of
2 said 206.2 acre tract;

3 THENCE, with the south line of said 206.28 acre tract, the
4 following three (3) courses:

5 1) N 87° 23' W, 482.22 feet;

6 2) N 84° 43' W, 425.43 feet;

7 3) N 84° 47' W, 587.97 feet to the southwest corner of said
8 206.2 acre tract;

9 THENCE, with the westerly line of said 206.2 acre tract, the
10 following four (4) courses:

11 1) N 35° 19' 20" W, 1263.76 feet;

12 2) N 41° 23' 11" W, 1696.56 feet;

13 3) N 41° 43' 03" W, 764.40 feet;

14 4) N 41° 16' 40" W, 437.00 feet to a point in the south line
15 of said 1051.23 acre tract at the northwest corner of said 206.2
16 acre tract;

17 THENCE, S 88° 07' 17"W, approximately 443.3 feet (calculated)
18 to the most southerly southwest corner of said 1051.23 acre tract;

19 THENCE, with a westerly line of said 1051.23 acre tract, the
20 following nine (9) courses:

21 1) N 03° 04' 29" W, 631.00 feet;

22 2) N 74° 12' 57" E, 295.30 feet;

23 3) N 64° 28' 29" E, 427.51 feet;

24 4) N 02° 32' 52" E 669.83 feet;

25 5) N 86 13' 48" W, 349.56 feet;

26 6) N 03° 46' 12" E, 50.00 feet;

27 7) N 86° 13' 48" W, 120.00 feet;

1 8) N 03° 46' 12" E, 40.00 feet;

2 9) N 86° 13' 48" W, 418.83 feet to a point in the west
3 right-of-way line of said Ranch Road 12, at the most westerly
4 southwest corner of said 1051.23 acre tract;

5 THENCE, S 26° 09' 19" W, across said Ranch Road 12, 456.1 feet
6 (calculated), to the southeast corner of said 226.11 acre tract;

7 THENCE, N 27° 34' W, with the south line of said 226.11 acre
8 tract, 325.2 feet (calculated) to the southeast corner of said
9 25.7398 acre tract out of said 226.11 acre tract;

10 THENCE, N 14° 36' 32" E, with the easterly line of said 25.7398
11 acre tract, 1469.96 feet;

12 THENCE, N 49° 13' 13" W, with the northerly line of said
13 25.7398 acre tract, 598.82 feet;

14 THENCE, S 45° 59' 39" W, with the westerly line of said 25.7398
15 acre tract, 1153.28 feet to a point in the south line of said 226.11
16 acre tract, at the southwest corner of said 25.7398 acre tract;

17 THENCE, N 46° 16' W, with the southerly line of said 226.11
18 acre tract, 4567.50 feet to the southwest corner of said 226.11 acre
19 tract;

20 THENCE, with the west line of said 226.11 acre tract, the
21 following five (5) courses:

22 1) N 00° 25' W, 453.14 feet;

23 2) N 00° 31' W 460.69 feet;

24 3) N 00° 13' W, 335.96 feet;

25 4) N 00° 10' W, 332.87 feet;

26 5) N 00° 02' E, 70.40 feet to the northwest corner of said
27 226.11 acre tract;

1 THENCE, S 60° 00' E, with the northerly line of said 226.11
2 acre tract, 4804.0 feet (calculated) to the southwest corner of
3 said 17.80 acre tract;

4 THENCE, with the westerly line of said 17.80 acre tract, the
5 following three (3) courses:

6 1) N 29° 48' E, 406.76 feet;

7 2) N 62° 27' W, 425.33 feet;

8 3) N 29° 48' E, 385.15 feet passing the southerly
9 right-of-way line of a 50 foot roadway easement, and continuing for
10 a total distance of 410.34 feet to a point in the centerline of said
11 roadway easement at the northwest corner of said 17.80 acre tract;

12 THENCE, with the centerline of said right-of-way easement,
13 the following five (5) courses:

14 1) S 67° 33' E, 21.40 feet;

15 2) A curve to the left having an arc distance of 192.52 feet,
16 the chord of which bears S 86° 40' E, 188.97 feet;

17 3) N 74° 13' E, 544.89 feet;

18 4) A curve to the right having an arc distance of 192.03
19 feet, the chord of which bears S 86° 04' E, 188.26 feet;

20 5) S 66° 20' E, 109.07 feet to a point in the westerly
21 right-of-way line of said Ranch Road 12, at the northeast corner of
22 said 17.80 acre tract;

23 THENCE, with the westerly right-of-way line of said Ranch
24 Road 12, a curve to the right having a radius of 1959.86 feet, an arc
25 distance of 511.4 feet, and a chord which bears N 36° 06' 22" E,
26 510.0 feet (calculated) to the most southerly corner of said 11.05
27 acre tract;

1 THENCE, with the westerly line of said 11.05 acre tract, said
2 11.00 acre tract, and said 11.02 acre tract, the following four (4)
3 courses:

4 1) N 04° 48' W, 327.50 feet;

5 2) N 41° 55' E, 114.00 feet;

6 3) S 75° 06' E, 117.50 feet;

7 4) N 09° 37' W, at 852.55 feet passing the northwesterly
8 corner of said 11.05 acre tract, same being the southwesterly
9 corner of said 11.00 acre tract, at 1402.67 feet, passing the
10 northwesterly corner of said 11.00 acre tract, same being the
11 southwesterly corner of said 11.02 acre tract, and continuing for a
12 total distance of 1833.86 feet to the northwesterly corner of said
13 11.02 acre tract;

14 THENCE, S 58° 44' E, with the northerly line of said 11.02 acre
15 tract, 1614.18 feet to a point in the westerly right-of-way line of
16 said Ranch Road 12, at the northeasterly corner of said 11.02 acre
17 tract;

18 THENCE, N 29° 01' 42" E, with the westerly right-of-way line
19 of said Ranch Road 12, 1614.9 feet (calculated) to the most easterly
20 southeast corner of said 139.16 acre tract;

21 THENCE, N 58° 44' W, with the easterly south line of said
22 139.16 acre tract, 600.00 feet to an ell corner of said 139.16 acre
23 tract;

24 THENCE, with an easterly line of said 139.16 acre tract, the
25 following four (4) courses:

26 1) S 31° 16' W, 446.38 feet;

27 2) S 39° 56' W, 156.68 feet;

1 3) S 08° 04' E, 37.25 feet;

2 4) S 31° 16' W, 469.92 feet to the most southerly southeast
3 corner of said 139.16 acre tract;

4 THENCE, N 58° 44' W, with the westerly south line of said
5 139.16 acre tract, 1466.48 feet to the most southerly southwest
6 corner of said 139.16 acre tract;

7 THENCE, with the westerly line of said 139.16 acre tract, the
8 following four (4) courses:

9 1) N 09° 36' W, 910.69 feet;

10 2) N 29° 46' E, 541.97 feet;

11 3) N 29° 51' E, 867.20 feet;

12 4) N 29° 58' E, 537.44 feet to the northwest corner of said
13 139.16 acre tract;

14 THENCE, with the northerly line of said 139.16 acre tract,
15 the following thirteen (13) courses:

16 1) S 42° 30' E, 225.80 feet;

17 2) S 17° 52' E, 395.01 feet;

18 3) S 37° 43' E, 432.07 feet;

19 4) S 57° 56' E, 741.70 feet;

20 5) S 41° 58' E, 328.55 feet;

21 6) S 59° 20' E, 143.73 feet;

22 7) S 88° 59' E, 220.97 feet;

23 8) N 74° 41' E, 139.23 feet;

24 9) S 70° 49' E, 284.34 feet;

25 10) S 52° 43' E, 247.45 feet;

26 11) S 68° 29' E, 358.25 feet;

27 12) N 51° 55' E, 134.38 feet;

1 13) S 58° 25' E, 379.90 feet to a point in the westerly
2 right-of-way line of said Ranch Road 12, at the northeast corner of
3 said 139.16 acre tract;

4 THENCE, S 56° 03' 31" E, across said Ranch Road 12, 137.2 feet
5 (calculated), to the POINT OF BEGINNING.

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

13 (b) The governor, one of the required recipients, has
14 submitted the notice and Act to the Texas Commission on
15 Environmental Quality.

16 (c) The Texas Commission on Environmental Quality has filed
17 its recommendations relating to this Act with the governor, the
18 lieutenant governor, and the speaker of the house of
19 representatives within the required time.

20 (d) All requirements of the constitution and laws of this
21 state and the rules and procedures of the legislature with respect
22 to the notice, introduction, and passage of this Act are fulfilled
23 and accomplished.

24 SECTION 4. (a) If this Act does not receive a two-thirds
25 vote of all the members elected to each house, Subchapter C, Chapter
26 7916, Special District Local Laws Code, as added by Section 1 of
27 this Act, is amended by adding Section 7916.106 to read as follows:

1 Sec. 7916.106. NO EMINENT DOMAIN POWER. The district may
2 not exercise the power of eminent domain.

3 (b) This section is not intended to be an expression of a
4 legislative interpretation of the requirements of Section 17(c),
5 Article I, Texas Constitution.

6 SECTION 5. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2015.