

By: Hancock

S.B. No. 1162

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the nonsubstantive revision of certain local laws  
3 concerning water and wastewater special districts, including  
4 conforming amendments.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 ARTICLE 1. NONSUBSTANTIVE REVISION OF LOCAL LAWS

7 SECTION 1.01. Subtitle A, Title 6, Special District Local  
8 Laws Code, is amended by adding Chapters 6610, 6611, 6612, 6613, and  
9 6614 to read as follows:

10 CHAPTER 6610. SAN PATRICIO COUNTY DRAINAGE DISTRICT

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 6610.001. DEFINITIONS

13 Sec. 6610.002. NATURE OF DISTRICT

14 Sec. 6610.003. FINDINGS OF BENEFIT AND PURPOSE

15 Sec. 6610.004. DISTRICT TERRITORY

16 Sec. 6610.005. LIBERAL CONSTRUCTION OF CHAPTER

17 SUBCHAPTER B. DISTRICT ADMINISTRATION

18 Sec. 6610.051. COMPOSITION OF BOARD; TERMS

19 Sec. 6610.052. QUALIFICATIONS FOR OFFICE

20 Sec. 6610.053. DIRECTOR'S BOND

21 Sec. 6610.054. COMPENSATION OF DIRECTORS

22 Sec. 6610.055. BOARD VACANCY

23 Sec. 6610.056. BOARD MEETINGS

24 Sec. 6610.057. DISTRICT OFFICE

- 1 Sec. 6610.058. DISTRICT EMPLOYEES
- 2                                   SUBCHAPTER C. POWERS AND DUTIES
- 3 Sec. 6610.101. GENERAL POWERS
- 4 Sec. 6610.102. GENERAL RECLAMATION AND DRAINAGE POWERS
- 5 Sec. 6610.103. ACQUISITION OF PROPERTY; EMINENT DOMAIN
- 6 Sec. 6610.104. CONSTRUCTION ON PUBLIC LAND
- 7 Sec. 6610.105. COST OF RELOCATING OR ALTERING PROPERTY
- 8 Sec. 6610.106. DISPOSAL OF DISTRICT PROPERTY
- 9 Sec. 6610.107. DISPOSAL OF IMPOUNDED WATER
- 10 Sec. 6610.108. CONTRACTS AND COOPERATION WITH STATE
- 11                                   AND POLITICAL SUBDIVISIONS
- 12 Sec. 6610.109. ARRANGEMENTS WITH UNITED STATES
- 13                                   SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
- 14 Sec. 6610.151. DISBURSEMENT OF MONEY
- 15 Sec. 6610.152. ACCOUNTS, CONTRACTS, AND OTHER RECORDS;
- 16                                   PUBLIC INSPECTION
- 17 Sec. 6610.153. FILING OF COPIES OF AUDIT REPORT
- 18 Sec. 6610.154. DEPOSITORY
- 19                                   SUBCHAPTER E. TAXES
- 20 Sec. 6610.201. AD VALOREM TAX FOR MAINTENANCE AND
- 21                                   OPERATION
- 22 Sec. 6610.202. ELECTION FOR MAINTENANCE AND OPERATION
- 23                                   TAX
- 24 Sec. 6610.203. TAX ASSESSOR-COLLECTOR
- 25 Sec. 6610.204. CERTIFICATION OF TAX RATE

SUBCHAPTER F. BONDS

Sec. 6610.251. AUTHORITY TO ISSUE BONDS; TAXES FOR

BONDS

Sec. 6610.252. FORM OF BONDS

Sec. 6610.253. MATURITY

Sec. 6610.254. ELECTION REQUIRED

Sec. 6610.255. USE OF BOND PROCEEDS

CHAPTER 6610. SAN PATRICIO COUNTY DRAINAGE DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6610.001. DEFINITIONS. In this chapter:

(1) "Board" means the board of directors of the district.

(2) "Commissioners court" means the San Patricio County Commissioners Court.

(3) "Director" means a member of the board.

(4) "District" means the San Patricio County Drainage District. (Acts 61st Leg., R.S., Ch. 187, Sec. 1 (part); New.)

Sec. 6610.002. NATURE OF DISTRICT. The district is a conservation and reclamation district created under Section 59, Article XVI, Texas Constitution, to provide drainage for the district and reclamation and drainage of the district's overflowed lands and other lands needing drainage. (Acts 61st Leg., R.S., Ch. 187, Sec. 1 (part).)

Sec. 6610.003. FINDINGS OF BENEFIT AND PURPOSE. (a) All property in the district and in this state will benefit from the district, the improvements and facilities acquired or constructed under this chapter, and all the provisions of this chapter.

1 (b) The creation of the district is essential to accomplish  
2 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
3 61st Leg., R.S., Ch. 187, Secs. 1 (part), 17.)

4 Sec. 6610.004. DISTRICT TERRITORY. The district's  
5 boundaries are coextensive with the boundaries of San Patricio  
6 County unless the district's territory has been modified under:

- 7 (1) Subchapter J, Chapter 49, Water Code; or  
8 (2) other law. (Acts 61st Leg., R.S., Ch. 187, Sec. 1  
9 (part); New.)

10 Sec. 6610.005. LIBERAL CONSTRUCTION OF CHAPTER. This  
11 chapter shall be liberally construed to effect its purposes. (Acts  
12 61st Leg., R.S., Ch. 187, Sec. 16.)

13 SUBCHAPTER B. DISTRICT ADMINISTRATION

14 Sec. 6610.051. COMPOSITION OF BOARD; TERMS. (a) The board  
15 consists of five directors appointed by the commissioners court as  
16 follows:

17 (1) one director appointed from each county  
18 commissioners precinct; and

19 (2) one director appointed from the county at large.

20 (b) Directors serve staggered two-year terms, with the  
21 terms of two directors expiring on January 31 of each even-numbered  
22 year and the terms of three directors expiring on January 31 of each  
23 odd-numbered year.

24 (c) In January of each year, the commissioners court shall  
25 appoint directors to succeed directors whose term of office will  
26 expire January 31. The appointed directors' terms begin on  
27 February 1 of that year. (Acts 61st Leg., R.S., Ch. 187, Sec. 4

1 (part).)

2 Sec. 6610.052. QUALIFICATIONS FOR OFFICE. (a) A director  
3 must:

- 4 (1) be at least 18 years of age;
- 5 (2) be a resident of this state; and
- 6 (3) own land subject to taxation in the district.

7 (b) A director appointed from a county commissioners  
8 precinct must be a resident of the precinct for which the director  
9 is appointed.

10 (c) A person is not eligible to serve as a director if the  
11 person owes delinquent taxes to San Patricio County. (Acts 61st  
12 Leg., R.S., Ch. 187, Sec. 4 (part).)

13 Sec. 6610.053. DIRECTOR'S BOND. (a) Each director shall  
14 furnish a bond for \$5,000 payable to the district and conditioned on  
15 faithful performance of the director's duties.

16 (b) The bonds must be submitted to the commissioners court  
17 for approval. (Acts 61st Leg., R.S., Ch. 187, Sec. 4 (part).)

18 Sec. 6610.054. COMPENSATION OF DIRECTORS. (a) Each  
19 director shall receive compensation as set by the commissioners  
20 court in an amount not to exceed the sum of \$2,400 in any one  
21 calendar year.

22 (b) In all areas of conflict with Subsection (a) of this  
23 section, Section 49.060, Water Code, takes precedence.

24 (c) A director's compensation may be increased as  
25 authorized by Section 49.060, Water Code, by resolution adopted by  
26 the board in accordance with Subsection (e) of that section on or  
27 after September 1, 1995. (Acts 61st Leg., R.S., Ch. 187, Sec. 8

1 (part); New.)

2           Sec. 6610.055. BOARD VACANCY. If a vacancy occurs in the  
3 office of director, the commissioners court shall appoint a  
4 director for the unexpired term. (Acts 61st Leg., R.S., Ch. 187,  
5 Sec. 4 (part).)

6           Sec. 6610.056. BOARD MEETINGS. (a) The board shall hold  
7 regular meetings at least once each calendar month at times  
8 prescribed by order adopted by the board.

9           (b) The board shall hold special meetings when called by the  
10 board president or by any two other directors. The board secretary  
11 shall give written notice of a special meeting to each director. A  
12 director may waive the notice. (Acts 61st Leg., R.S., Ch. 187, Sec.  
13 5 (part).)

14           Sec. 6610.057. DISTRICT OFFICE. The board shall designate  
15 the location of the district's principal office at any place within  
16 the district. (Acts 61st Leg., R.S., Ch. 187, Sec. 6 (part).)

17           Sec. 6610.058. DISTRICT EMPLOYEES. (a) The board shall set  
18 the compensation of the general manager, attorneys, engineers, and  
19 all other employees of the district.

20           (b) The board shall set the term and time of employment of  
21 all employees of the district and the method by which an employee  
22 may be discharged. (Acts 61st Leg., R.S., Ch. 187, Sec. 8 (part).)

23                                   SUBCHAPTER C. POWERS AND DUTIES

24           Sec. 6610.101. GENERAL POWERS. (a) The district has the  
25 powers of government and may exercise the rights, privileges, and  
26 functions provided under this chapter.

27           (b) The district may perform any act necessary or proper to

1 carry out a district purpose. (Acts 61st Leg., R.S., Ch. 187, Secs.  
2 1 (part), 10 (part).)

3 Sec. 6610.102. GENERAL RECLAMATION AND DRAINAGE POWERS.

4 The district may:

5 (1) devise plans and construct works to lessen and  
6 control floods and excess water;

7 (2) reclaim land in the district;

8 (3) provide drainage facilities and improvements for  
9 the reclamation and drainage of the overflowed land and other land  
10 in the district that needs drainage;

11 (4) acquire and construct properties, facilities, and  
12 improvements inside or outside the district that in the judgment of  
13 the board are necessary to lessen and control floods in the district  
14 or to facilitate drainage and reclamation of land in the district;

15 (5) remove natural or artificial obstructions from  
16 streams and watercourses; and

17 (6) clean, straighten, widen, and maintain streams,  
18 watercourses, and drainage ditches. (Acts 61st Leg., R.S., Ch.  
19 187, Sec. 10 (part).)

20 Sec. 6610.103. ACQUISITION OF PROPERTY; EMINENT DOMAIN.

21 (a) The district, by gift, devise, purchase, lease, or  
22 condemnation, may acquire an easement, right-of-way, or other  
23 property needed to carry on the work of the district.

24 (b) The district may exercise the power of eminent domain.  
25 Procedures with reference to condemnation, the assessment and  
26 estimation of damages, payment, appeal, and entrance on property  
27 pending appeal, and all other procedures prescribed by Chapter 21,

1 Property Code, apply to the district. (Acts 61st Leg., R.S., Ch.  
2 187, Sec. 10 (part).)

3       Sec. 6610.104. CONSTRUCTION ON PUBLIC LAND. (a) The  
4 district may construct, acquire, own, and operate works, ditches,  
5 canals, or other improvements over, across, through, under, or  
6 along:

7             (1) a public stream, canal, road, or highway; or

8             (2) land belonging to this state.

9       (b) A plan for an improvement under Subsection (a) on a  
10 state highway is subject to the approval of the Texas Department of  
11 Transportation.

12       (c) A plan for an improvement under Subsection (a) on Texas  
13 Department of Criminal Justice land is subject to the approval of  
14 the Texas Board of Criminal Justice.

15       (d) A plan for an improvement of a public water supply canal  
16 or public stream under Subsection (a) is subject to the approval of  
17 the state or federal agency that has jurisdiction over or that owns  
18 the public water supply canal or stream. (Acts 61st Leg., R.S., Ch.  
19 187, Sec. 10 (part).)

20       Sec. 6610.105. COST OF RELOCATING OR ALTERING PROPERTY.

21 (a) In this section, "sole expense" means the actual cost of  
22 relocating, raising, lowering, rerouting, changing the grade of, or  
23 altering the construction of a facility described by Subsection (b)  
24 in providing comparable replacement without enhancement of the  
25 facility, after deducting from that cost the net salvage value of  
26 the old facility.

27       (b) If the district's exercise of the power of eminent



1 domain, the power of relocation, or any other power makes necessary  
2 the relocating, raising, lowering, rerouting, changing the grade  
3 of, or altering the construction of a railroad, the necessary  
4 action shall be accomplished at the sole expense of the district.  
5 (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

6 Sec. 6610.106. DISPOSAL OF DISTRICT PROPERTY. (a) The  
7 district may sell, trade, or otherwise dispose of property or a  
8 property right that is no longer needed for a district purpose.

9 (b) District land that adjoins privately owned land shall  
10 revert to the adjoining landowner when no longer needed for a  
11 district purpose. (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

12 Sec. 6610.107. DISPOSAL OF IMPOUNDED WATER. The district  
13 may sell or otherwise dispose of any water impounded by a district  
14 improvement under conditions, contracts, and terms determined by  
15 the board, subject to the approval of any other political  
16 subdivision that has been granted rights to the water before May 13,  
17 1969. (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

18 Sec. 6610.108. CONTRACTS AND COOPERATION WITH STATE AND  
19 POLITICAL SUBDIVISIONS. The district may cooperate and contract  
20 with an agency or political subdivision of this state to carry out a  
21 district purpose. (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

22 Sec. 6610.109. ARRANGEMENTS WITH UNITED STATES. (a) The  
23 district may cooperate with, contract with, or receive a grant,  
24 loan, or advancement from the United States to carry out a district  
25 power or to further a district purpose.

26 (b) The district may contribute to the United States in  
27 connection with any project that is undertaken by the United States

1 and affects or relates to a district purpose. (Acts 61st Leg.,  
2 R.S., Ch. 187, Sec. 10 (part).)

3 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4 Sec. 6610.151. DISBURSEMENT OF MONEY. The district may  
5 disburse its money only by a check, draft, order, or other written  
6 instrument signed by a person authorized to sign the instrument by  
7 board order or resolution. (Acts 61st Leg., R.S., Ch. 187, Sec. 7  
8 (part).)

9 Sec. 6610.152. ACCOUNTS, CONTRACTS, AND OTHER RECORDS;  
10 PUBLIC INSPECTION. (a) The board shall keep complete and accurate  
11 accounts conforming to approved methods of bookkeeping.

12 (b) The accounts and all contracts, documents, and records  
13 of the district shall be maintained at a place or places in the  
14 district designated by the board.

15 (c) All contracts, documents, and records of the district  
16 shall be open for public inspection at all reasonable times. (Acts  
17 61st Leg., R.S., Ch. 187, Sec. 7 (part).)

18 Sec. 6610.153. FILING OF COPIES OF AUDIT REPORT. Copies of  
19 the audit report prepared under Subchapter G, Chapter 49, Water  
20 Code, shall be certified to by the accountant who performed the  
21 audit and filed:

- 22 (1) as required by Section [49.194](#), Water Code; and  
23 (2) with the state auditor. (Acts 61st Leg., R.S., Ch.  
24 187, Sec. 7 (part); New.)

25 Sec. 6610.154. DEPOSITORY. (a) The board shall designate  
26 one or more banks in the district to serve as a depository for  
27 district money.

1 (b) All district money shall be deposited in a depository  
2 bank, except that sufficient money shall be remitted to the  
3 appropriate bank of payment to pay the principal of and interest on  
4 the district's outstanding bonds on or before the maturity date of  
5 the principal and interest.

6 (c) To the extent that money in a depository bank is not  
7 insured by the Federal Deposit Insurance Corporation, the money  
8 must be secured in the manner provided by law for the security of  
9 county funds.

10 (d) If the board designates a depository bank as the  
11 treasurer of the district, the bank shall serve as the treasurer.  
12 (Acts 61st Leg., R.S., Ch. 187, Sec. 9.)

13 SUBCHAPTER E. TAXES

14 Sec. 6610.201. AD VALOREM TAX FOR MAINTENANCE AND  
15 OPERATION. (a) The board may impose an annual ad valorem tax at a  
16 rate not to exceed 35 cents on each \$100 valuation of taxable  
17 property in the district for the maintenance, operation, upkeep,  
18 and improvement of the district and the district's facilities,  
19 properties, and improvements.

20 (b) The board may hold elections to increase, reduce, or  
21 abate a tax imposed under this section, subject to the limitation  
22 prescribed by Subsection (a).

23 (c) An election to authorize the imposition of the tax or a  
24 subsequent tax election must be held as provided by Section  
25 6610.202. (Acts 61st Leg., R.S., Ch. 187, Sec. 14 (part).)

26 Sec. 6610.202. ELECTION FOR MAINTENANCE AND OPERATION TAX.

27 (a) The order calling an election under Section 6610.201 must

1 specify:

- 2 (1) the date of the election;
- 3 (2) the location of the voting places; and
- 4 (3) the presiding judge for each voting place.

5 (b) Notice of the election must be given by publishing a  
6 substantial copy of the order calling the election in a newspaper of  
7 general circulation in San Patricio County. The notice must be  
8 published once each week for two consecutive weeks. The first  
9 publication must be at least 14 days before the date of the  
10 election.

11 (c) In addition to the requirements of the Election Code,  
12 the ballots for an election for the imposition of a maintenance and  
13 operation tax must have printed on them "For Maintenance tax" and  
14 the contrary of that proposition.

15 (d) The failure of an election does not prohibit subsequent  
16 elections for the same purpose. (Acts 61st Leg., R.S., Ch. 187,  
17 Secs. 2 (part), 14 (part).)

18 Sec. 6610.203. TAX ASSESSOR-COLLECTOR. The San Patricio  
19 County tax assessor-collector shall assess and collect taxes  
20 imposed by the board. (Acts 61st Leg., R.S., Ch. 187, Sec. 15  
21 (part).)

22 Sec. 6610.204. CERTIFICATION OF TAX RATE. Each year, the  
23 board shall certify to the San Patricio County tax  
24 assessor-collector the rate or rates of tax that the board has  
25 imposed for bond and maintenance purposes. (Acts 61st Leg., R.S.,  
26 Ch. 187, Sec. 15 (part).)

SUBCHAPTER F. BONDS

Sec. 6610.251. AUTHORITY TO ISSUE BONDS; TAXES FOR BONDS.

(a) The board may issue district bonds to acquire money to accomplish any district purpose or carry out any power granted under this chapter to the district.

(b) The board may impose continuing direct annual ad valorem taxes on all taxable property in the district sufficient to:

(1) provide for the payment of the interest on the bonds as the interest accrues; and

(2) create and provide for a sinking fund to pay the principal of the bonds as the principal matures. (Acts 61st Leg., R.S., Ch. 187, Sec. 11 (part).)

Sec. 6610.252. FORM OF BONDS. District bonds and any interest coupons appurtenant to the bonds must be signed and executed as provided by the board in the order authorizing the issuance of the bonds. (Acts 61st Leg., R.S., Ch. 187, Sec. 11 (part).)

Sec. 6610.253. MATURITY. District bonds must mature not later than 40 years after their date of issuance. (Acts 61st Leg., R.S., Ch. 187, Sec. 11 (part).)

Sec. 6610.254. ELECTION REQUIRED. (a) Bonds, other than refunding bonds, may not be issued under Section 6610.251 unless first authorized by a majority of the voters voting at an election held to determine whether the bonds should be issued and whether a tax should be imposed to pay the principal of and interest on the bonds.

(b) If a majority of the voters voting at a district bond

1 election vote in favor of the issuance of bonds and the imposition  
2 of taxes, the board may:

3 (1) issue, sell, and deliver the bonds;

4 (2) receive and use the proceeds for district  
5 purposes; and

6 (3) impose taxes on all taxable property in the  
7 district sufficient to pay the interest on and principal of the  
8 bonds.

9 (c) Notice of the election shall be given in the manner  
10 provided by Section 6610.202.

11 (d) In addition to the requirements of the Election Code,  
12 the ballots must have printed on them "For the bonds and levy of  
13 taxes in payment thereof" and the contrary of that proposition.  
14 (Acts 61st Leg., R.S., Ch. 187, Sec. 11 (part); New.)

15 Sec. 6610.255. USE OF BOND PROCEEDS. (a) The board may  
16 appropriate or set aside out of proceeds from the sale of district  
17 bonds an amount for:

18 (1) the payment of interest expected to accrue during  
19 the period of construction of improvements or facilities; and

20 (2) the payment of all expenses incurred and to be  
21 incurred in the issuance, sale, and delivery of the bonds.

22 (b) For purposes of this section, the period of construction  
23 may not exceed three years. (Acts 61st Leg., R.S., Ch. 187, Sec.  
24 13(a).)

25 CHAPTER 6611. WILLACY COUNTY DRAINAGE DISTRICT NO. 2

26 SUBCHAPTER A. GENERAL PROVISIONS

27 Sec. 6611.001. DEFINITIONS

- 1 Sec. 6611.002. NATURE OF DISTRICT  
2 Sec. 6611.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
3 Sec. 6611.004. DISTRICT TERRITORY  
4 SUBCHAPTER B. DISTRICT ADMINISTRATION  
5 Sec. 6611.051. COMPOSITION OF BOARD  
6 Sec. 6611.052. DUTIES OF COUNTY OFFICIALS IN  
7 CONNECTION WITH DISTRICT; DISTRICT  
8 OFFICERS, EMPLOYEES, AND AGENTS  
9 SUBCHAPTER C. POWERS AND DUTIES  
10 Sec. 6611.101. GENERAL POWERS AND DUTIES  
11 Sec. 6611.102. DISTRICT POWERS  
12 Sec. 6611.103. EMINENT DOMAIN  
13 Sec. 6611.104. COST OF RELOCATING OR ALTERING PROPERTY  
14 Sec. 6611.105. ADDITION OF TERRITORY TO DISTRICT  
15 SUBCHAPTER D. TAXES  
16 Sec. 6611.151. AD VALOREM TAX FOR MAINTENANCE AND  
17 OPERATIONS  
18 Sec. 6611.152. TAX ASSESSOR-COLLECTOR  
19 SUBCHAPTER E. BONDS  
20 Sec. 6611.201. AUTHORITY TO ISSUE BONDS; TAXES FOR  
21 BONDS  
22 Sec. 6611.202. LIMITATION ON DEBT  
23 Sec. 6611.203. MATURITY  
24 Sec. 6611.204. BOND ELECTION

25 CHAPTER 6611. WILLACY COUNTY DRAINAGE DISTRICT NO. 2

26 SUBCHAPTER A. GENERAL PROVISIONS

- 27 Sec. 6611.001. DEFINITIONS. In this chapter:

1           (1) "Board" means the board of directors of the  
2 district.

3           (2) "Director" means a member of the board.

4           (3) "District" means the Willacy County Drainage  
5 District No. 2. (Acts 61st Leg., R.S., Ch. 11, Sec. 1 (part); New.)

6           Sec. 6611.002. NATURE OF DISTRICT. The district is a  
7 conservation and reclamation district created under Section 59,  
8 Article XVI, Texas Constitution, for the sole purpose of the  
9 reclamation and drainage of the district's overflowed lands and  
10 other lands needing drainage. (Acts 61st Leg., R.S., Ch. 11, Secs.  
11 1 (part), 3 (part).)

12           Sec. 6611.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
13 The district is created to serve a public use and benefit.

14           (b) All land and other property included in the district  
15 will benefit from the creation of the district and the improvements  
16 the district will purchase, construct, or otherwise acquire.

17           (c) The district is essential to accomplish the purposes of  
18 Section 59, Article XVI, Texas Constitution. (Acts 61st Leg.,  
19 R.S., Ch. 11, Secs. 11, 13.)

20           Sec. 6611.004. DISTRICT TERRITORY. The district is  
21 composed of the territory described by Section 2, Chapter 11, Acts  
22 of the 61st Legislature, Regular Session, 1969, as that territory  
23 may have been modified under:

24           (1) Subchapter G, Chapter 53, Water Code, before  
25 September 1, 1995;

26           (2) Subchapter J, Chapter 49, Water Code; or

27           (3) other law. (New.)



1                   SUBCHAPTER B. DISTRICT ADMINISTRATION

2           Sec. 6611.051. COMPOSITION OF BOARD. The board consists of  
3 five elected directors. (Acts 61st Leg., R.S., Ch. 11, Sec. 5  
4 (part).)

5           Sec. 6611.052. DUTIES OF COUNTY OFFICIALS IN CONNECTION  
6 WITH DISTRICT; DISTRICT OFFICERS, EMPLOYEES, AND AGENTS. (a) The  
7 county tax assessor-collector, county treasurer, and county  
8 depository of Willacy County shall perform all duties in connection  
9 with the district that they are required to perform by law in  
10 connection with official matters for Willacy County.

11           (b) The board may employ a general manager for the district  
12 and any other agents, attorneys, engineers, and employees  
13 considered necessary in connection with the purposes of this  
14 chapter. All compensation for a person employed under this  
15 subsection may be payable from funds created under this chapter for  
16 the maintenance and operation of the district. (Acts 61st Leg.,  
17 R.S., Ch. 11, Sec. 7.)

18                   SUBCHAPTER C. POWERS AND DUTIES

19           Sec. 6611.101. GENERAL POWERS AND DUTIES. To accomplish  
20 the purpose of reclaiming and draining the district's overflowed  
21 lands and other lands needing drainage, the district has all the  
22 rights, powers, privileges, and duties provided by general law  
23 applicable to a fresh water supply district created under Section  
24 59, Article XVI, Texas Constitution, including the power to  
25 conserve, transport, and distribute fresh water. (Acts 61st Leg.,  
26 R.S., Ch. 11, Sec. 3 (part).)

27           Sec. 6611.102. DISTRICT POWERS. (a) The district may

1 construct, acquire, improve, enlarge, extend, repair, maintain, or  
2 replace any wall, dam, dike, levee, embankment, canal, drain, tank,  
3 lateral, or pump that the board considers necessary to carry out the  
4 district's purpose.

5 (b) The district may make, construct, or otherwise acquire  
6 an improvement inside or outside the district's boundaries as  
7 necessary to carry out the powers granted by this chapter or general  
8 law. (Acts 61st Leg., R.S., Ch. 11, Sec. 3 (part).)

9 Sec. 6611.103. EMINENT DOMAIN. The district's power of  
10 eminent domain is confined to Willacy County. (Acts 61st Leg.,  
11 R.S., Ch. 11, Sec. 4.)

12 Sec. 6611.104. COST OF RELOCATING OR ALTERING  
13 PROPERTY. (a) In this section, "sole expense" means the actual  
14 cost of relocating, raising, lowering, rerouting, changing the  
15 grade of, or altering the construction of a facility described by  
16 Subsection (b) in providing comparable replacement without  
17 enhancement of the facility, after deducting from that cost the net  
18 salvage value of the old facility.

19 (b) If the district's exercise of the power of eminent  
20 domain, the power of relocation, or any other power granted under  
21 this chapter makes necessary relocating, raising, rerouting,  
22 changing the grade of, or altering the construction of a highway,  
23 railroad, electric transmission line, telephone or telegraph  
24 property or facility, or pipeline, the necessary action shall be  
25 accomplished at the sole expense of the district. (Acts 61st Leg.,  
26 R.S., Ch. 11, Sec. 3 (part).)

27 Sec. 6611.105. ADDITION OF TERRITORY TO DISTRICT. (a) In

1 addition to adding land as provided by Subchapter J, Chapter 49,  
2 Water Code, the district may add land as provided by this section.  
3 Land added to the district need not be contiguous to the district.

4 (b) The owner or owners of land may request by petition that  
5 the board include the land in the district.

6 (c) A petition under Subsection (b) must be filed with the  
7 board and describe the land to be added to the district. The  
8 description may be by metes and bounds or by lot and block number.  
9 The petition must be signed and executed in the manner provided by  
10 law for the conveyance of real estate.

11 (d) The board shall hear and consider a petition filed under  
12 this section. The board may grant the petition and add the land to  
13 the district if the board considers the addition to be to the  
14 advantage of the district.

15 (e) A petition granted under this section shall be filed and  
16 recorded in the deed records of Willacy County. (Acts 61st Leg.,  
17 R.S., Ch. 11, Sec. 12.)

18 SUBCHAPTER D. TAXES

19 Sec. 6611.151. AD VALOREM TAX FOR MAINTENANCE AND  
20 OPERATIONS. (a) The board may impose a tax at a rate not to exceed  
21 25 cents on each \$100 valuation of taxable property in the district  
22 to pay the cost of maintaining district property and operating the  
23 district.

24 (b) An election to authorize the imposition of the tax must  
25 be called by the board in the manner provided by Section 6611.204.  
26 (Acts 61st Leg., R.S., Ch. 11, Sec. 10 (part).)

27 Sec. 6611.152. TAX ASSESSOR-COLLECTOR. The Willacy County

1 tax assessor-collector is the tax assessor-collector for the  
2 district. (Acts 61st Leg., R.S., Ch. 11, Sec. 10 (part); New.)

3 SUBCHAPTER E. BONDS

4 Sec. 6611.201. AUTHORITY TO ISSUE BONDS; TAXES FOR BONDS.

5 (a) The board may issue district bonds to acquire money to  
6 accomplish any district purpose or carry out any power granted  
7 under this chapter to the district.

8 (b) The board may impose a tax on all taxable property in the  
9 district, as shown by the most recent certified appraisal roll of  
10 the district, sufficient to:

11 (1) provide for the payment of the interest on the  
12 bonds as the interest accrues; and

13 (2) create a sinking fund for the redemption of the  
14 bonds as the bonds mature. (Acts 61st Leg., R.S., Ch. 11, Sec. 8(a)  
15 (part).)

16 Sec. 6611.202. LIMITATION ON DEBT. The total principal  
17 amount of bonds issued under Section 6611.201 that the district may  
18 have outstanding at any time may not exceed 15 percent of the  
19 assessed value of all taxable property in the district as shown by  
20 the most recent appraisal roll of the district. (Acts 61st Leg.,  
21 R.S., Ch. 11, Sec. 8(a) (part).)

22 Sec. 6611.203. MATURITY. District bonds issued under  
23 Section 6611.201 must mature not later than 30 years after their  
24 date of issuance. (Acts 61st Leg., R.S., Ch. 11, Sec. 8(e) (part).)

25 Sec. 6611.204. BOND ELECTION. (a) The board may submit a  
26 proposition for the issuance of district bonds under Section  
27 6611.201 at an election called for that purpose at any time the

1 board considers proper.

2 (b) Chapter 1251, Government Code, applies to a district  
3 bond election except to the extent of any conflict with this  
4 chapter.

5 (c) If a majority of the voters voting at a district bond  
6 election vote in favor of the issuance of bonds and the imposition  
7 of taxes, the board may:

8 (1) issue, sell, and deliver the bonds;

9 (2) receive, use, and apply the proceeds for district  
10 purposes; and

11 (3) impose taxes on all property subject to taxation  
12 in the district. (Acts 61st Leg., R.S., Ch. 11, Secs. 8(b) (part),  
13 (c) (part).)

14 CHAPTER 6612. CAMERON COUNTY DRAINAGE DISTRICT NO. 1

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 6612.001. DEFINITIONS

17 Sec. 6612.002. NATURE OF DISTRICT

18 Sec. 6612.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

19 Sec. 6612.004. DISTRICT TERRITORY

20 SUBCHAPTER B. BOARD OF DIRECTORS

21 Sec. 6612.051. COMPOSITION OF BOARD

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 6612.101. GENERAL POWERS AND DUTIES

24 CHAPTER 6612. CAMERON COUNTY DRAINAGE DISTRICT NO. 1

25 SUBCHAPTER A. GENERAL PROVISIONS

26 Sec. 6612.001. DEFINITIONS. In this chapter:

27 (1) "Board" means the board of directors of the

1 district.

2 (2) "Commissioners court" means the Cameron County  
3 Commissioners Court.

4 (3) "Director" means a member of the board.

5 (4) "District" means the Cameron County Drainage  
6 District No. 1. (Acts 41st Leg., R.S., Ch. 145, Sec. 5 (part);  
7 New.)

8 Sec. 6612.002. NATURE OF DISTRICT. The district is a  
9 conservation and reclamation district in Cameron County created  
10 under Section 59, Article XVI, Texas Constitution, for all purposes  
11 of that section, including the reclamation and drainage of its  
12 seeped, salty, waterlogged, and overflowed land and other land  
13 needing drainage. (Acts 41st Leg., R.S., Ch. 145, Secs. 1 (part), 2  
14 (part), 5 (part).)

15 Sec. 6612.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
16 The conversion of the district into a conservation and reclamation  
17 district under Section 59, Article XVI, Texas Constitution, and the  
18 provision to the district of the powers conferred by that section:

19 (1) will benefit the residents and property in the  
20 district; and

21 (2) benefit all property included in the district.

22 (b) No property which is benefited is not included in the  
23 district.

24 (c) The district is essential to accomplish the purposes of  
25 Section 59, Article XVI, Texas Constitution. (Acts 41st Leg.,  
26 R.S., Ch. 145, Secs. 2 (part), 11 (part).)

27 Sec. 6612.004. DISTRICT TERRITORY. The district is

1 composed of the territory described by Section 1, Chapter 145, Acts  
2 of the 41st Legislature, Regular Session, 1929, as that territory  
3 may have been modified under:

- 4 (1) Subchapter I, Chapter 56, Water Code, before  
5 September 1, 1995;
- 6 (2) Subchapter J, Chapter 56, Water Code;
- 7 (3) Subchapter J, Chapter 49, Water Code; or
- 8 (4) other law. (New.)

9 SUBCHAPTER B. BOARD OF DIRECTORS

10 Sec. 6612.051. COMPOSITION OF BOARD. The board consists of  
11 three directors appointed by the commissioners court. (Acts 41st  
12 Leg., R.S., Ch. 145, Sec. 4 (part).)

13 SUBCHAPTER C. POWERS AND DUTIES

14 Sec. 6612.101. GENERAL POWERS AND DUTIES. (a) The district  
15 has the:

- 16 (1) rights, powers, functions, and privileges  
17 provided to a conservation and reclamation district by the Texas  
18 Constitution and general law;
- 19 (2) rights, powers, privileges, and duties provided to  
20 a drainage district created under Section 59, Article XVI, Texas  
21 Constitution, and organized under general law, including Chapters  
22 49 and 56, Water Code; and
- 23 (3) powers of government and the authority to exercise  
24 the rights, privileges, and functions conferred by this chapter.

25 (b) The district has the right and power of a drainage  
26 district organized under Chapter 56, Water Code, to impose taxes  
27 and issue bonds. (Acts 41st Leg., R.S., Ch. 145, Secs. 1 (part), 5

1 (part), 7 (part), 11 (part); New.)

2 CHAPTER 6613. CAMERON COUNTY DRAINAGE DISTRICT NO. 3

3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 6613.001. DEFINITIONS

5 Sec. 6613.002. NATURE OF DISTRICT

6 Sec. 6613.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

7 Sec. 6613.004. DISTRICT TERRITORY

8 SUBCHAPTER B. BOARD OF DIRECTORS

9 Sec. 6613.051. COMPOSITION OF BOARD

10 Sec. 6613.052. COMPENSATION OF DIRECTORS

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 6613.101. GENERAL POWERS

13 Sec. 6613.102. CONTROL, CONSTRUCTION, AND REPAIR OF

14 DISTRICT IMPROVEMENTS; CONTRACTS FOR

15 NEW CONSTRUCTION

16 SUBCHAPTER D. FINANCIAL PROVISIONS

17 Sec. 6613.151. TAXES

18 Sec. 6613.152. DISTRICT FUNDS

19 CHAPTER 6613. CAMERON COUNTY DRAINAGE DISTRICT NO. 3

20 SUBCHAPTER A. GENERAL PROVISIONS

21 Sec. 6613.001. DEFINITIONS. In this chapter:

22 (1) "Board" means the board of directors of the  
23 district.

24 (2) "Director" means a member of the board.

25 (3) "District" means the Cameron County Drainage  
26 District No. 3. (Acts 41st Leg., R.S., Ch. 45, Secs. 3 (part), 10  
27 (part); New.)



1           Sec. 6613.002. NATURE OF DISTRICT. The district is a  
2 drainage district created as a conservation and reclamation  
3 district under Section 59, Article XVI, Texas Constitution. (Acts  
4 41st Leg., R.S., Ch. 45, Secs. 3 (part), 10 (part).)

5           Sec. 6613.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
6 The conversion of the district into a conservation and reclamation  
7 district under Section 59, Article XVI, Texas Constitution:

8                   (1) is feasible, practicable, and needed;

9                   (2) will be a public benefit and a public utility; and

10                   (3) will benefit all land and property included in the  
11 district.

12           (b) All property in the district is benefited, and no  
13 property benefited is not included in the district.

14           (c) No land is included in the district except land that  
15 will be benefited. (Acts 41st Leg., R.S., Ch. 45, Secs. 2 (part), 3  
16 (part).)

17           Sec. 6613.004. DISTRICT TERRITORY. The district is  
18 composed of the territory described by Section 2, Chapter 45, Acts  
19 of the 41st Legislature, Regular Session, 1929, as that territory  
20 may have been modified under:

21                   (1) Subchapter J, Chapter 49, Water Code; or

22                   (2) other law. (New.)

23                                   SUBCHAPTER B. BOARD OF DIRECTORS

24           Sec. 6613.051. COMPOSITION OF BOARD. The board consists of  
25 three directors. (Acts 41st Leg., R.S., Ch. 45, Sec. 6 (part);  
26 New.)

27           Sec. 6613.052. COMPENSATION OF DIRECTORS. (a) A director

1 shall receive for the director's services not more than \$5 per day  
2 for the time the director is actually engaged in the work of the  
3 district, which shall be set by order of the commissioners court.

4 (b) In all areas of conflict with Subsection (a) of this  
5 section, Section 49.060, Water Code, takes precedence.

6 (c) A director's compensation may be increased as  
7 authorized by Section 49.060, Water Code, by resolution adopted by  
8 the board in accordance with Subsection (e) of that section on or  
9 after September 1, 1995. (Acts 41st Leg., R.S., Ch. 45, Sec. 6  
10 (part); New.)

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 6613.101. GENERAL POWERS. The district has the  
13 powers, functions, and privileges provided under Section 59,  
14 Article XVI, Texas Constitution, and the general laws governing  
15 drainage districts. (Acts 41st Leg., R.S., Ch. 45, Secs. 9 (part),  
16 10 (part).)

17 Sec. 6613.102. CONTROL, CONSTRUCTION, AND REPAIR OF  
18 DISTRICT IMPROVEMENTS; CONTRACTS FOR NEW CONSTRUCTION. (a) The  
19 board may control and supervise the construction and maintenance of  
20 canals, drains, ditches, levees, and other improvements of the  
21 district and shall keep them in repair.

22 (b) The board may construct new improvements necessary for  
23 the drainage of land in the district.

24 (c) A contract for new construction may or may not be let on  
25 bids and contracts as provided by law, within the discretion of the  
26 board as may seem for the best interest of the district. (Acts 41st  
27 Leg., R.S., Ch. 45, Sec. 4.)



1 Sec. 6614.002. NATURE OF DISTRICT

2 Sec. 6614.003. FINDINGS OF BENEFIT

3 Sec. 6614.004. GOVERNING LAW

4 SUBCHAPTER B. POWERS

5 Sec. 6614.051. GENERAL POWERS

6 CHAPTER 6614. OLD RIVER DRAINAGE DISTRICT OF LIBERTY COUNTY,  
7 TEXAS, NO. 1

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 6614.001. DEFINITION. In this chapter, "district"  
10 means the Old River Drainage District of Liberty County, Texas, No.  
11 1. (New.)

12 Sec. 6614.002. NATURE OF DISTRICT. The district is a  
13 conservation and reclamation district under Section 59, Article  
14 XVI, Texas Constitution. (Acts 41st Leg., 4th C.S., Ch. 4, S.L.,  
15 Sec. 2 (part).)

16 Sec. 6614.003. FINDINGS OF BENEFIT. The conversion of the  
17 district into a conservation and reclamation district under Section  
18 59, Article XVI, Texas Constitution, and the provision to the  
19 district of the powers conferred by that section will benefit the  
20 residents of and property in the district. (Acts 41st Leg., 4th  
21 C.S., Ch. 4, S.L., Sec. 2 (part).)

22 Sec. 6614.004. GOVERNING LAW. The general laws applicable  
23 to conservation and reclamation districts govern the district.  
24 (Acts 41st Leg., 4th C.S., Ch. 4, S.L., Sec. 4.)

25 SUBCHAPTER B. POWERS

26 Sec. 6614.051. GENERAL POWERS. The district has the powers  
27 conferred by Section 59, Article XVI, Texas Constitution, to a

1 conservation and reclamation district. (Acts 41st Leg., 4th C.S.,  
2 Ch. 4, S.L., Sec. 2 (part).)

3 SECTION 1.02. Subtitle B, Title 6, Special District Local  
4 Laws Code, is amended by adding Chapters 6910, 6912, 6914, and 6915  
5 to read as follows:

6 CHAPTER 6910. HULL FRESH WATER SUPPLY DISTRICT

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 6910.001. DEFINITIONS

9 Sec. 6910.002. NATURE OF DISTRICT

10 Sec. 6910.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

11 Sec. 6910.004. DISTRICT TERRITORY

12 SUBCHAPTER B. BOARD OF SUPERVISORS

13 Sec. 6910.051. COMPOSITION OF BOARD

14 SUBCHAPTER C. POWERS AND DUTIES

15 Sec. 6910.101. GENERAL POWERS AND DUTIES

16 Sec. 6910.102. ACQUISITION OF IMPROVEMENTS

17 Sec. 6910.103. LIMIT ON EMINENT DOMAIN POWER

18 Sec. 6910.104. COST OF RELOCATING OR ALTERING PROPERTY

19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20 Sec. 6910.151. DISTRICT TAX ASSESSOR-COLLECTOR

21 CHAPTER 6910. HULL FRESH WATER SUPPLY DISTRICT

22 SUBCHAPTER A. GENERAL PROVISIONS

23 Sec. 6910.001. DEFINITIONS. In this chapter:

24 (1) "Board" means the board of supervisors of the  
25 district.

26 (2) "District" means the Hull Fresh Water Supply  
27 District.

1           (3) "Supervisor" means a member of the board. (Acts  
2 57th Leg., R.S., Ch. 533, Sec. 1 (part); New.)

3           Sec. 6910.002. NATURE OF DISTRICT. The district is:

4           (1) a conservation and reclamation district in Liberty  
5 County under Section 59, Article XVI, Texas Constitution;

6           (2) a fresh water supply district; and

7           (3) a municipal corporation. (Acts 57th Leg., R.S.,  
8 Ch. 533, Secs. 1 (part), 5 (part), 6 (part).)

9           Sec. 6910.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
10 The district is created to serve a public use and benefit.

11           (b) All land and other property included in the district  
12 will benefit from the creation of the district and the improvements  
13 that the district will purchase, construct, or otherwise acquire.

14           (c) The district is essential to accomplish the purposes of  
15 Section 59, Article XVI, Texas Constitution. (Acts 57th Leg.,  
16 R.S., Ch. 533, Secs. 5 (part), 6 (part).)

17           Sec. 6910.004. DISTRICT TERRITORY. The district is  
18 composed of the territory described by Section 1, Chapter 533, Acts  
19 of the 57th Legislature, Regular Session, 1961, as that territory  
20 may have been modified under:

21           (1) Subchapter G, Chapter 53, Water Code, before  
22 September 1, 1995;

23           (2) Subchapter J, Chapter 49, Water Code; or

24           (3) other law. (New.)

25                           SUBCHAPTER B. BOARD OF SUPERVISORS

26           Sec. 6910.051. COMPOSITION OF BOARD. The board consists of  
27 five elected supervisors. (Acts 57th Leg., R.S., Ch. 533, Sec. 3

1 (part).)

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 6910.101. GENERAL POWERS AND DUTIES. The district has  
4 all the rights, powers, privileges, and duties provided by general  
5 law applicable to a fresh water supply district created under  
6 Section 59, Article XVI, Texas Constitution, including Chapters 49  
7 and 53, Water Code. (Acts 57th Leg., R.S., Ch. 533, Sec. 2 (part).)

8 Sec. 6910.102. ACQUISITION OF IMPROVEMENTS. The district  
9 may make, construct, or otherwise acquire improvements inside or  
10 outside the district that are necessary to carry out a power granted  
11 to the district under this chapter or a general law described by  
12 Section 6910.101. (Acts 57th Leg., R.S., Ch. 533, Sec. 2 (part).)

13 Sec. 6910.103. LIMIT ON EMINENT DOMAIN POWER. The district  
14 may not exercise the power of eminent domain outside the district.  
15 (Acts 57th Leg., R.S., Ch. 533, Sec. 2 (part).)

16 Sec. 6910.104. COST OF RELOCATING OR ALTERING PROPERTY.

17 (a) In this section, "sole expense" means the actual cost of  
18 relocating, raising, lowering, rerouting, changing the grade of, or  
19 altering the construction of a facility described by Subsection (b)  
20 in providing comparable replacement without enhancement of the  
21 facility, after deducting from that cost the net salvage value of  
22 the old facility.

23 (b) If the district's exercise of the power of eminent  
24 domain, the power of relocation, or any other power granted under  
25 this chapter makes necessary relocating, raising, rerouting,  
26 changing the grade of, or altering the construction of a highway,  
27 railroad, electric transmission line, telephone or telegraph

1 property or facility, or pipeline, the necessary action shall be  
2 accomplished at the sole expense of the district. (Acts 57th Leg.,  
3 R.S., Ch. 533, Sec. 2 (part).)

4 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

5 Sec. 6910.151. DISTRICT TAX ASSESSOR-COLLECTOR. (a) The  
6 board shall appoint a tax assessor-collector for the district for a  
7 term not to exceed the term of office of the supervisors making the  
8 appointment.

9 (b) The district's tax assessor-collector is not required  
10 to be a resident or voter of the district. (Acts 57th Leg., R.S.,  
11 Ch. 533, Sec. 4 (part).)

12 CHAPTER 6912. MEMORIAL VILLAGES WATER AUTHORITY

13 SUBCHAPTER A. GENERAL PROVISIONS

- 14 Sec. 6912.001. DEFINITIONS
  - 15 Sec. 6912.002. NATURE OF AUTHORITY
  - 16 Sec. 6912.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
  - 17 Sec. 6912.004. AUTHORITY TERRITORY
  - 18 Sec. 6912.005. CORRECTION OF INVALID PROCEDURES
  - 19 Sec. 6912.006. LIBERAL CONSTRUCTION OF CHAPTER
- 20 SUBCHAPTER B. BOARD OF SUPERVISORS
- 21 Sec. 6912.051. COMPOSITION OF BOARD
  - 22 Sec. 6912.052. QUALIFICATIONS FOR OFFICE
  - 23 Sec. 6912.053. ELIGIBILITY FOR CANDIDACY FOR BOARD
- 24 POSITIONS
- 25 Sec. 6912.054. SUPERVISORS' ELECTION
  - 26 Sec. 6912.055. BALLOT PROCEDURE FOR CANDIDATES
  - 27 Sec. 6912.056. SUPERVISOR'S BOND



1 Sec. 6912.057. VACANCIES

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 6912.101. GENERAL POWERS

4 Sec. 6912.102. CONTRACTS TO SUPPLY WATER OR SEWAGE

5 SERVICES

6 Sec. 6912.103. COST OF RELOCATING OR ALTERING PROPERTY

7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

8 Sec. 6912.151. TAX METHOD

9 Sec. 6912.152. IMPOSITION OF TAXES; TAX

10 ASSESSOR-COLLECTOR

11 Sec. 6912.153. DEPOSITORY

12 Sec. 6912.154. PAYMENT OF TAX OR ASSESSMENT NOT

13 REQUIRED

14 SUBCHAPTER E. BONDS

15 Sec. 6912.201. BONDS EXEMPT FROM TAXATION

16 CHAPTER 6912. MEMORIAL VILLAGES WATER AUTHORITY

17 SUBCHAPTER A. GENERAL PROVISIONS

18 Sec. 6912.001. DEFINITIONS. In this chapter:

19 (1) "Authority" means the Memorial Villages Water  
20 Authority.

21 (2) "Board" means the board of supervisors of the  
22 authority.

23 (3) "Supervisor" means a member of the board. (Acts  
24 57th Leg., 3rd C.S., Ch. 20, Sec. 1 (part); New.)

25 Sec. 6912.002. NATURE OF AUTHORITY. The authority is a  
26 conservation and reclamation district created under Section 59,  
27 Article XVI, Texas Constitution, and a political subdivision of

1 this state. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 1 (part).)

2 Sec. 6912.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

3 The authority is created to serve a public use and benefit.

4 (b) All land included in the boundaries of the authority  
5 will benefit from the authority.

6 (c) The authority is essential to the accomplishment of the  
7 preservation and conservation of the natural resources of this  
8 state.

9 (d) This chapter addresses a subject in which the state and  
10 general public are interested.

11 (e) Because the accomplishment of the purposes stated in  
12 this chapter is for the benefit of the people of this state and for  
13 the improvement of their property and industries, the authority in  
14 carrying out the purposes of this chapter will be performing an  
15 essential public function under the Texas Constitution. (Acts 57th  
16 Leg., 3rd C.S., Ch. 20, Secs. 2 (part), 9 (part), 11 (part).)

17 Sec. 6912.004. AUTHORITY TERRITORY. The authority is  
18 composed of the territory described by Section 1, Chapter 20, Acts  
19 of the 57th Legislature, 3rd Called Session, 1962, as that  
20 territory may have been modified under:

21 (1) Subchapter G, Chapter 53, Water Code, before  
22 September 1, 1995;

23 (2) Subchapter J, Chapter 49, Water Code; or

24 (3) other law. (New.)

25 Sec. 6912.005. CORRECTION OF INVALID PROCEDURES. If a  
26 court holds that any procedure under this chapter violates the  
27 constitution of this state or of the United States, the authority by

1 resolution may provide an alternative procedure that conforms with  
2 the constitution. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 12  
3 (part).)

4 Sec. 6912.006. LIBERAL CONSTRUCTION OF CHAPTER. This  
5 chapter shall be liberally construed to effect its purposes. (Acts  
6 57th Leg., 3rd C.S., Ch. 20, Sec. 11 (part).)

7 SUBCHAPTER B. BOARD OF SUPERVISORS

8 Sec. 6912.051. COMPOSITION OF BOARD. The board consists of  
9 seven elected supervisors. (Acts 57th Leg., 3rd C.S., Ch. 20, Secs.  
10 3(a) (part), (b) (part).)

11 Sec. 6912.052. QUALIFICATIONS FOR OFFICE. A supervisor  
12 must:

13 (1) be at least 18 years of age; and

14 (2) reside in and own land in the authority. (Acts  
15 57th Leg., 3rd C.S., Ch. 20, Sec. 3(a) (part).)

16 Sec. 6912.053. ELIGIBILITY FOR CANDIDACY FOR BOARD  
17 POSITIONS. (a) To be eligible as a candidate for Position 1 or  
18 Position 2, a person must at the time be a resident of the City of  
19 Hedwig Village, Texas.

20 (b) To be eligible as a candidate for Position 3 or Position  
21 4, a person must at the time be a resident of the City of Hunters  
22 Creek Village, Texas.

23 (c) To be eligible as a candidate for Position 5 or Position  
24 6, a person must at the time be a resident of the City of Piney Point  
25 Village, Texas.

26 (d) Position 7 is an at-large position. (Acts 57th Leg.,  
27 3rd C.S., Ch. 20, Sec. 3(c) (part).)

1           Sec. 6912.054. SUPERVISORS' ELECTION. (a) Notice of a  
2 supervisors' election must be published once in a newspaper of  
3 general circulation in Harris County at least 30 days before the  
4 date of the election.

5           (b) The election order must state the time, place, and  
6 purpose of the election. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec.  
7 3(e) (part).)

8           Sec. 6912.055. BALLOT PROCEDURE FOR CANDIDATES. (a) A  
9 person who wants the person's name printed on the ballot as a  
10 candidate for supervisor must submit a petition to the board's  
11 secretary requesting that action.

12           (b) The petition must be signed by at least 10 residents of  
13 the authority who are qualified to vote at the election. (Acts 57th  
14 Leg., 3rd C.S., Ch. 20, Sec. 3(f) (part).)

15           Sec. 6912.056. SUPERVISOR'S BOND. Each supervisor shall  
16 give a bond in the amount of \$5,000 for the faithful performance of  
17 the supervisor's duties. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec.  
18 3(a) (part).)

19           Sec. 6912.057. VACANCIES. A vacancy on the board shall be  
20 filled by appointment by the remaining supervisors until the next  
21 election of supervisors for the authority. If the position is not  
22 scheduled to be filled at the election, the person elected to fill  
23 the position shall serve only for the remainder of the unexpired  
24 term. (Acts 57th Leg., 3rd C.S., Ch. 20, Secs. 3(b) (part), (d)  
25 (part).)

26                                   SUBCHAPTER C. POWERS AND DUTIES

27           Sec. 6912.101. GENERAL POWERS. The authority has all the

1 rights, powers, and privileges provided by general law applicable  
2 to a fresh water supply district created under Section 59, Article  
3 XVI, Texas Constitution, including Chapters 49 and 53, Water Code,  
4 and by all other laws that are helpful in carrying out the purposes  
5 for which the authority is created. (Acts 57th Leg., 3rd C.S., Ch.  
6 20, Sec. 4 (part).)

7       Sec. 6912.102. CONTRACTS TO SUPPLY WATER OR SEWAGE  
8 SERVICES. (a) The authority may contract with a municipality or  
9 other entity to supply to the entity water or sewage services. A  
10 municipality or other entity may contract with the authority to  
11 supply to the authority water or sewage services.

12       (b) The authority may contract with a municipality for the  
13 rental or leasing of or for the operation of the municipality's  
14 water production, water supply, water filtration, or purification  
15 and water supply facilities or sewerage system or facilities. A  
16 municipality may contract with the authority for the rental or  
17 leasing of or for the operation of the authority's water  
18 production, water supply, water filtration, or purification and  
19 water supply facilities or sewerage system or facilities.

20       (c) A contract may be:

21           (1) on the terms and for the consideration agreed to by  
22 the parties; and

23           (2) for any period not to exceed 50 years.

24       (d) An election is not required by a municipality for  
25 approval of a water, sewer, or water and sewer contract. A contract  
26 may be entered into without the necessity of an election. (Acts  
27 57th Leg., 3rd C.S., Ch. 20, Sec. 10.)

1           Sec. 6912.103. COST OF RELOCATING OR ALTERING PROPERTY.

2   (a)   In this section, "sole expense" means the actual cost of  
3   relocating, raising, lowering, rerouting, changing the grade of, or  
4   altering the construction of a facility described by Subsection (b)  
5   in providing comparable replacement without enhancement of the  
6   facility, after deducting from that cost the net salvage value of  
7   the old facility.

8           (b)   If the authority's exercise of the power of eminent  
9   domain, the power of relocation, or any other power makes necessary  
10   relocating, raising, rerouting, changing the grade of, or altering  
11   the construction of a highway, railroad, electric transmission  
12   line, telephone or telegraph property or facility, or pipeline, the  
13   necessary action shall be accomplished at the sole expense of the  
14   authority. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 5.)

15                   SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16           Sec. 6912.151. TAX METHOD. (a) The authority shall use the  
17   ad valorem plan of taxation.

18           (b)   The board is not required to hold a hearing on the  
19   adoption of a plan of taxation. (Acts 57th Leg., 3rd C.S., Ch. 20,  
20   Sec. 2 (part).)

21           Sec. 6912.152. IMPOSITION                   OF           TAXES;           TAX  
22   ASSESSOR-COLLECTOR. (a) Except as provided by this section, all  
23   provisions of the general laws governing fresh water supply  
24   districts that relate to the imposition of ad valorem taxes apply to  
25   the authority.

26           (b)   The board shall appoint a tax assessor-collector for the  
27   authority.

1 (c) The tax assessor-collector:

2 (1) shall serve at the pleasure of the board; and

3 (2) is not required to be a resident or voter of the  
4 authority. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 6 (part).)

5 Sec. 6912.153. DEPOSITORY. (a) The board shall designate  
6 one or more banks inside or outside the authority to serve as a  
7 depository for authority money.

8 (b) All authority money shall be deposited in a depository  
9 bank, except that sufficient money shall be remitted to the  
10 appropriate bank of payment to pay the principal of and interest on  
11 the authority's outstanding bonds on or before the maturity date of  
12 the principal and interest.

13 (c) To the extent that money in a depository bank is not  
14 insured by the Federal Deposit Insurance Corporation, the money  
15 must be secured in the manner provided by law for the security of  
16 county funds.

17 (d) Membership on the board of an officer or director of a  
18 bank does not disqualify the bank from being designated as a  
19 depository. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 8.)

20 Sec. 6912.154. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.  
21 The authority is not required to pay a tax or assessment on an  
22 authority project or any part of the project. (Acts 57th Leg., 3rd  
23 C.S., Ch. 20, Sec. 9 (part).)

24 SUBCHAPTER E. BONDS

25 Sec. 6912.201. BONDS EXEMPT FROM TAXATION. An authority  
26 bond, the transfer of the bond, and income from the bond, including  
27 profits made on the sale of the bond, are exempt from taxation in

1 this state. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 9 (part).)

2 CHAPTER 6914. PETTUS MUNICIPAL UTILITY DISTRICT

3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 6914.001. DEFINITIONS

5 Sec. 6914.002. NATURE OF DISTRICT

6 Sec. 6914.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

7 Sec. 6914.004. DISTRICT TERRITORY

8 SUBCHAPTER B. BOARD OF SUPERVISORS

9 Sec. 6914.051. COMPOSITION OF BOARD

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 6914.101. GENERAL POWERS AND DUTIES

12 Sec. 6914.102. ACQUISITION OF IMPROVEMENTS

13 Sec. 6914.103. COST OF RELOCATING OR ALTERING PROPERTY

14 Sec. 6914.104. ADDITION OF TERRITORY TO DISTRICT

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16 Sec. 6914.151. DISTRICT TAX ASSESSOR-COLLECTOR

17 CHAPTER 6914. PETTUS MUNICIPAL UTILITY DISTRICT

18 SUBCHAPTER A. GENERAL PROVISIONS

19 Sec. 6914.001. DEFINITIONS. In this chapter:

20 (1) "Board" means the board of supervisors of the  
21 district.

22 (2) "District" means the Pettus Municipal Utility  
23 District.

24 (3) "Supervisor" means a member of the board. (Acts  
25 57th Leg., 3rd C.S., Ch. 38, Sec. 1 (part); New.)

26 Sec. 6914.002. NATURE OF DISTRICT. The district is:

27 (1) a conservation and reclamation district in Bee



1 County under Section 59, Article XVI, Texas Constitution;

2 (2) a fresh water supply district; and

3 (3) a municipal corporation. (Acts 57th Leg., 3rd  
4 C.S., Ch. 38, Secs. 1 (part), 5 (part), 7 (part).)

5 Sec. 6914.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
6 The district is created to serve a public use and benefit.

7 (b) All land and other property included in the district  
8 will benefit from the creation of the district and the improvements  
9 that the district will purchase, construct, or otherwise acquire.

10 (c) The district is essential to accomplish the purposes of  
11 Section 59, Article XVI, Texas Constitution. (Acts 57th Leg., 3rd  
12 C.S., Ch. 38, Secs. 5 (part), 7 (part).)

13 Sec. 6914.004. DISTRICT TERRITORY. The district is  
14 composed of the territory described by Section 1, Chapter 38, Acts  
15 of the 57th Legislature, 3rd Called Session, 1962, as that  
16 territory may have been modified under:

17 (1) Subchapter G, Chapter 53, Water Code, before  
18 September 1, 1995;

19 (2) Subchapter J, Chapter 49, Water Code; or

20 (3) other law. (New.)

21 SUBCHAPTER B. BOARD OF SUPERVISORS

22 Sec. 6914.051. COMPOSITION OF BOARD. The board consists of  
23 five elected supervisors. (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 3  
24 (part).)

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 6914.101. GENERAL POWERS AND DUTIES. The district has  
27 all the rights, powers, privileges, and duties provided by general

1 law applicable to a fresh water supply district created under  
2 Section 59, Article XVI, Texas Constitution, including Chapters 49  
3 and 53, Water Code. (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 2  
4 (part).)

5 Sec. 6914.102. ACQUISITION OF IMPROVEMENTS. (a) The  
6 district may make, construct, or otherwise acquire improvements  
7 inside or outside the district but wholly in Bee County, that are  
8 necessary to carry out a power granted to the district under this  
9 chapter or a general law described by Section 6914.101.

10 (b) Before awarding a contract for the construction of an  
11 improvement, the district must submit a plan and specifications for  
12 the improvement to the Texas Commission on Environmental Quality  
13 for approval. Any substantial change made to the plan after  
14 submission must also be submitted to the commission for approval.  
15 (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 2 (part).)

16 Sec. 6914.103. COST OF RELOCATING OR ALTERING PROPERTY.

17 (a) In this section, "sole expense" means the actual cost of  
18 relocating, raising, lowering, rerouting, changing the grade of, or  
19 altering the construction of a facility described by Subsection (b)  
20 in providing comparable replacement without enhancement of the  
21 facility, after deducting from that cost the net salvage value of  
22 the old facility.

23 (b) If the district's exercise of the power of eminent  
24 domain, the power of relocation, or any other power granted under  
25 this chapter makes necessary relocating, raising, rerouting,  
26 changing the grade of, or altering the construction of a highway,  
27 railroad, electric transmission line, telephone or telegraph

1 property or facility, or pipeline, the necessary action shall be  
2 accomplished at the sole expense of the district. (Acts 57th Leg.,  
3 3rd C.S., Ch. 38, Sec. 2 (part).)

4 Sec. 6914.104. ADDITION OF TERRITORY TO DISTRICT. (a) The  
5 district may be composed of noncontiguous territory.

6 (b) In addition to adding land as provided by Subchapter J,  
7 Chapter 49, Water Code, the district may add land as provided by  
8 this section. Land added to the district need not be contiguous to  
9 the district.

10 (c) The owner of land may request by petition that the board  
11 include the land in the district.

12 (d) A petition under Subsection (c) must be filed with the  
13 board and describe the land to be added to the district. The  
14 description may be by metes and bounds or by lot and block number.  
15 The petition must be signed and executed in the manner provided by  
16 law for the conveyance of real estate.

17 (e) The board shall hear and consider a petition filed under  
18 this section. The board may grant the petition and add the land to  
19 the district if the board considers the addition to be to the  
20 advantage of the district.

21 (f) A petition granted under this section shall be filed and  
22 recorded in the office of the Bee County Clerk. (Acts 57th Leg.,  
23 3rd C.S., Ch. 38, Sec. 6.)

24 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

25 Sec. 6914.151. DISTRICT TAX ASSESSOR-COLLECTOR. (a) The  
26 board shall appoint a tax assessor-collector for the district for a  
27 term not to exceed the term of office of the supervisors making the

1 appointment.

2 (b) The district's tax assessor-collector is not required  
3 to be a resident or voter of the district. (Acts 57th Leg., 3rd  
4 C.S., Ch. 38, Sec. 4 (part).)

5 CHAPTER 6915. PORT MANSFIELD PUBLIC UTILITY DISTRICT

6 SUBCHAPTER A. GENERAL PROVISIONS

7 Sec. 6915.001. DEFINITIONS

8 Sec. 6915.002. NATURE OF DISTRICT

9 Sec. 6915.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

10 Sec. 6915.004. DISTRICT TERRITORY

11 SUBCHAPTER B. DISTRICT ADMINISTRATION

12 Sec. 6915.051. COMPOSITION OF BOARD

13 Sec. 6915.052. TERMS

14 Sec. 6915.053. QUALIFICATIONS FOR OFFICE

15 Sec. 6915.054. EMPLOYEES

16 SUBCHAPTER C. POWERS AND DUTIES

17 Sec. 6915.101. GENERAL POWERS AND DUTIES

18 Sec. 6915.102. ACQUISITION OF IMPROVEMENTS

19 Sec. 6915.103. LIMIT ON EMINENT DOMAIN POWER

20 Sec. 6915.104. COST OF RELOCATING OR ALTERING PROPERTY

21 Sec. 6915.105. DURATION OF CONTRACT FOR WATER PURCHASE

22 OR SALE

23 Sec. 6915.106. ADDITION OF TERRITORY TO DISTRICT

24 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

25 Sec. 6915.151. AUTHORIZATION OF CERTAIN DISTRICT

26 OBLIGATIONS

27 Sec. 6915.152. DISTRICT TAX ASSESSOR-COLLECTOR

1 CHAPTER 6915. PORT MANSFIELD PUBLIC UTILITY DISTRICT

2 SUBCHAPTER A. GENERAL PROVISIONS

3 Sec. 6915.001. DEFINITIONS. In this chapter:

4 (1) "Board" means the board of supervisors of the  
5 district.

6 (2) "District" means the Port Mansfield Public Utility  
7 District.

8 (3) "Supervisor" means a member of the board. (Acts  
9 58th Leg., R.S., Ch. 4, Sec. 1 (part); New.)

10 Sec. 6915.002. NATURE OF DISTRICT. The district is:

11 (1) a conservation and reclamation district in Willacy  
12 County under Section 59, Article XVI, Texas Constitution;

13 (2) a fresh water supply district; and

14 (3) a municipal corporation. (Acts 58th Leg., R.S.,  
15 Ch. 4, Secs. 1 (part), 7 (part), 8 (part).)

16 Sec. 6915.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
17 The district is created to serve a public use and benefit.

18 (b) All land and other property included in the district  
19 will benefit from the creation of the district and the improvements  
20 that the district will purchase, construct, or otherwise acquire.

21 (c) The district is essential to accomplish the purposes of  
22 Section 59, Article XVI, Texas Constitution. (Acts 58th Leg.,  
23 R.S., Ch. 4, Secs. 7 (part), 8 (part).)

24 Sec. 6915.004. DISTRICT TERRITORY. The district is  
25 composed of the territory described by Section 1, Chapter 4, Acts of  
26 the 58th Legislature, Regular Session, 1963, as that territory may  
27 have been modified under:

1           (1) Subchapter G, Chapter 53, Water Code, before  
2 September 1, 1995;

3           (2) Subchapter J, Chapter 49, Water Code; or

4           (3) other law. (New.)

5                       SUBCHAPTER B. DISTRICT ADMINISTRATION

6           Sec. 6915.051. COMPOSITION OF BOARD.   (a) The board  
7 consists of five supervisors, appointed by the board of navigation  
8 and canal commissioners of the Willacy County Navigation District,  
9 and the port director of the Willacy County Navigation District.

10          (b) The port director of the Willacy County Navigation  
11 District:

12           (1) serves as an ex officio member of the board;

13           (2) does not have voting rights at board meetings; and

14           (3) is not counted for purposes of establishing a  
15 quorum. (Acts 58th Leg., R.S., Ch. 4, Sec. 3 (part).)

16          Sec. 6915.052. TERMS. Supervisors serve staggered two-year  
17 terms, with the terms of three supervisors expiring on January 15 of  
18 each odd-numbered year and the terms of two supervisors expiring on  
19 January 15 of each even-numbered year. (Acts 58th Leg., R.S., Ch.  
20 4, Sec. 3 (part).)

21          Sec. 6915.053. QUALIFICATIONS FOR OFFICE. A supervisor  
22 must be a resident of Willacy County. A supervisor is not required  
23 to reside in or own land in the district. (Acts 58th Leg., R.S., Ch.  
24 4, Sec. 3 (part).)

25          Sec. 6915.054. EMPLOYEES. The board shall employ all  
26 necessary employees for the proper handling and operation of the  
27 district, and may employ a general manager, attorney, bookkeeper,

1 and engineer and assistants and laborers as may be required, on the  
2 terms and for the compensation set by the board. (Acts 58th Leg.,  
3 R.S., Ch. 4, Sec. 6.)

4 SUBCHAPTER C. POWERS AND DUTIES

5 Sec. 6915.101. GENERAL POWERS AND DUTIES. The district has  
6 all the rights, powers, privileges, and duties provided by general  
7 law applicable to a fresh water supply district created under  
8 Section 59, Article XVI, Texas Constitution, including Chapters 49  
9 and 53, Water Code. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

10 Sec. 6915.102. ACQUISITION OF IMPROVEMENTS. The district  
11 may make, construct, or otherwise acquire improvements inside or  
12 outside the district that are necessary to carry out a power granted  
13 to the district under this chapter or a general law described by  
14 Section 6915.101. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

15 Sec. 6915.103. LIMIT ON EMINENT DOMAIN POWER.  
16 Notwithstanding any other provision of this chapter, the district  
17 may not exercise the power of eminent domain outside Willacy  
18 County. (Acts 58th Leg., R.S., Ch. 4, Sec. 2A.)

19 Sec. 6915.104. COST OF RELOCATING OR ALTERING PROPERTY.  
20 (a) In this section, "sole expense" means the actual cost of  
21 relocating, raising, lowering, rerouting, changing the grade of, or  
22 altering the construction of a facility described by Subsection (b)  
23 in providing comparable replacement without enhancement of the  
24 facility, after deducting from that cost the net salvage value of  
25 the old facility.

26 (b) If the district's exercise of the power of eminent  
27 domain, the power of relocation, or any other power granted under

1 this chapter makes necessary relocating, raising, rerouting,  
2 changing the grade of, or altering the construction of a highway,  
3 railroad, electric transmission line, telephone or telegraph  
4 property or facility, or pipeline, the necessary action shall be  
5 accomplished at the sole expense of the district. (Acts 58th Leg.,  
6 R.S., Ch. 4, Sec. 2 (part).)

7       Sec. 6915.105. DURATION OF CONTRACT FOR WATER PURCHASE OR  
8 SALE. A district contract for the purchase or sale of water may not  
9 exceed 40 years. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

10       Sec. 6915.106. ADDITION OF TERRITORY TO DISTRICT. (a) In  
11 addition to the procedures provided by Subchapter J, Chapter 49,  
12 Water Code, the district may add land that is contiguous to the  
13 district as provided by this section.

14       (b) The owner or owners of land may request by petition that  
15 the board include the land in the district.

16       (c) A petition under Subsection (b) must be filed with the  
17 board and describe the land to be added to the district. The  
18 description may be by metes and bounds or by lot and block number.  
19 The petition must be signed and executed in the manner provided by  
20 law for the conveyance of real estate.

21       (d) The board shall hear and consider a petition filed under  
22 this section. The board may grant the petition and add the land to  
23 the district if the board considers the addition to be to the  
24 advantage of the district.

25       (e) A petition granted under this section shall be filed and  
26 recorded in the deed records of Willacy County. (Acts 58th Leg.,  
27 R.S., Ch. 4, Sec. 5.)



1                   SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2           Sec. 6915.151. AUTHORIZATION OF CERTAIN DISTRICT  
3 OBLIGATIONS. It is not necessary to have an election to authorize a  
4 district obligation that is payable from any source other than ad  
5 valorem taxation. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

6           Sec. 6915.152. DISTRICT TAX ASSESSOR-COLLECTOR. The tax  
7 assessor-collector for Willacy County is, ex officio, the tax  
8 assessor-collector for the district. (Acts 58th Leg., R.S., Ch. 4,  
9 Sec. 4 (part).)

10           SECTION 1.03. Subtitle C, Title 6, Special District Local  
11 Laws Code, is amended by adding Chapter 7216 to read as follows:

12                   CHAPTER 7216. JOHNSON COUNTY SPECIAL UTILITY DISTRICT

13                           SUBCHAPTER A. GENERAL PROVISIONS

14   Sec. 7216.001. DEFINITIONS

15   Sec. 7216.002. NATURE OF DISTRICT

16   Sec. 7216.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

17   Sec. 7216.004. DISTRICT TERRITORY

18                           SUBCHAPTER B. BOARD OF DIRECTORS

19   Sec. 7216.051. COMPOSITION OF BOARD

20                           SUBCHAPTER C. POWERS AND DUTIES

21   Sec. 7216.101. SPECIAL UTILITY DISTRICT POWERS

22   Sec. 7216.102. LIMITATION OF CERTAIN POWERS

23   Sec. 7216.103. DISTRICT RULES

24   Sec. 7216.104. CONFLICT WITH MUNICIPAL REGULATION

25                   SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

26   Sec. 7216.151. TAX-EXEMPT BOND FINANCING; SALES TAX

27                           EXEMPTION

1 CHAPTER 7216. JOHNSON COUNTY SPECIAL UTILITY DISTRICT

2 SUBCHAPTER A. GENERAL PROVISIONS

3 Sec. 7216.001. DEFINITIONS. In this chapter:

4 (1) "Board" means the board of directors of the  
5 district.

6 (2) "Director" means a member of the board.

7 (3) "District" means the Johnson County Special  
8 Utility District. (Acts 78th Leg., R.S., Ch. 780, Secs. 1(a)  
9 (part), 2; New.)

10 Sec. 7216.002. NATURE OF DISTRICT. The district is a  
11 conservation and reclamation district in Johnson, Hill, Ellis, and  
12 Tarrant Counties created under Section 59, Article XVI, Texas  
13 Constitution. (Acts 78th Leg., R.S., Ch. 780, Secs. 1(a) (part),  
14 (b) (part).)

15 Sec. 7216.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
16 The district is created to serve a public use and benefit.

17 (b) All land and other property included in the district  
18 will benefit from the works and projects accomplished by the  
19 district under the powers conferred by Section 59, Article XVI,  
20 Texas Constitution.

21 (c) The district is essential to accomplish the purposes of  
22 Section 59, Article XVI, Texas Constitution. (Acts 78th Leg.,  
23 R.S., Ch. 780, Secs. 1(b) (part), 5.)

24 Sec. 7216.004. DISTRICT TERRITORY. (a) The district is  
25 composed of the territory described by Section 3, Chapter 780, Acts  
26 of the 78th Legislature, Regular Session, 2003, as that territory  
27 may have been modified under:

- 1           (1) Subchapter J, Chapter 49, Water Code;
- 2           (2) Subchapter H, Chapter 65, Water Code; or
- 3           (3) other law.

4           (b) The boundaries and field notes of the district form a  
5 closure. A mistake in the field notes or in copying the field notes  
6 in the legislative process does not affect:

- 7           (1) the district's organization, existence, or  
8 validity;
- 9           (2) the district's right to issue bonds or refunding  
10 bonds or to pay the principal of and interest on the bonds; or
- 11           (3) the legality or operation of the district or the  
12 board. (Acts 78th Leg., R.S., Ch. 780, Sec. 4; New.)

13                           SUBCHAPTER B. BOARD OF DIRECTORS

14           Sec. 7216.051. COMPOSITION OF BOARD. The district is  
15 governed by a board of not fewer than 5 or more than 11 elected  
16 directors. (Acts 78th Leg., R.S., Ch. 780, Secs. 8(a) (part), (c)  
17 (part).)

18                           SUBCHAPTER C. POWERS AND DUTIES

19           Sec. 7216.101. SPECIAL UTILITY DISTRICT POWERS. Except as  
20 specifically limited by Section 7216.102, the district has all of  
21 the rights, powers, privileges, authority, functions, and duties  
22 provided by general law applicable to a special utility district  
23 created under Section 59, Article XVI, Texas Constitution,  
24 including those provided by Chapters 49 and 65, Water Code. (Acts  
25 78th Leg., R.S., Ch. 780, Sec. 6(a) (part).)

26           Sec. 7216.102. LIMITATION OF CERTAIN POWERS. (a) Before  
27 June 20, 2009, the district:

1           (1) shall limit the exercise of its powers related to  
2 the provision of public water utility service to territory that is  
3 located within the boundaries of the district or as authorized by  
4 Certificate of Convenience and Necessity No. 10081; and

5           (2) may not provide wastewater service, solid waste  
6 service, firefighting service, or stormwater, flood control, and  
7 drainage services and may not convert to or otherwise become a  
8 municipal utility district, absent the express written consent of  
9 any municipality with extraterritorial jurisdiction that overlaps  
10 the district's boundaries.

11          (b) On or after June 20, 2009, to exercise a power  
12 restricted by this section, the district must file an application  
13 with the Texas Commission on Environmental Quality, if allowed by  
14 the law in existence at that time, to exercise that additional  
15 power. In addition to filing an application seeking expansion of  
16 the district's powers, the district must apply for a sewer  
17 certificate of convenience and necessity for the district to  
18 provide retail wastewater service. The district shall provide  
19 notice and a copy of an application for expansion of powers to each  
20 municipality whose jurisdiction, including extraterritorial  
21 jurisdiction, overlaps the district's boundaries, in addition to  
22 complying with any other applicable notice requirements.

23          (c) If a municipality that is entitled to the notice  
24 required by Subsection (b) files a request for a contested case  
25 hearing within 60 days after receipt of the notice, the Texas  
26 Commission on Environmental Quality shall directly refer the  
27 application to the State Office of Administrative Hearings for a

1 contested case hearing. (Acts 78th Leg., R.S., Ch. 780, Secs. 6(a)  
2 (part), (c).)

3 Sec. 7216.103. DISTRICT RULES. The district may adopt and  
4 enforce reasonable rules. (Acts 78th Leg., R.S., Ch. 780, Sec. 11.)

5 Sec. 7216.104. CONFLICT WITH MUNICIPAL REGULATION. (a) If  
6 a municipality asserts regulatory authority, including water  
7 quality standards, over a geographic area located within the  
8 district's jurisdiction, the municipality's regulation controls  
9 over the district's regulation if there is a regulatory conflict.

10 (b) This section does not apply to:

11 (1) potable water quality standards; or

12 (2) a dispute relating to retail water utility service  
13 areas. (Acts 78th Leg., R.S., Ch. 780, Sec. 7.)

14 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

15 Sec. 7216.151. TAX-EXEMPT BOND FINANCING; SALES TAX  
16 EXEMPTION. This chapter may not be construed to impair the  
17 district's ability or right to obtain tax-exempt bond financing or  
18 a state sales tax exemption. (Acts 78th Leg., R.S., Ch. 780, Sec.  
19 6(b) (part).)

20 SECTION 1.04. Subtitle F, Title 6, Special District Local  
21 Laws Code, is amended by adding Chapters 8228, 8371, 8372, 8386,  
22 8392, 8408, 8409, 8411, 8412, 8415, 8440, 8481, 8482, 8485, and 8486  
23 to read as follows:

24 CHAPTER 8228. WOOD TRACE MUNICIPAL UTILITY DISTRICT NO. 1, OF  
25 MONTGOMERY COUNTY, TEXAS

26 SUBCHAPTER A. GENERAL PROVISIONS

27 Sec. 8228.001. DEFINITIONS

1 Sec. 8228.002. NATURE OF DISTRICT

2 Sec. 8228.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

3 Sec. 8228.004. DISTRICT TERRITORY

4 SUBCHAPTER B. BOARD OF DIRECTORS

5 Sec. 8228.051. COMPOSITION OF BOARD; TERMS

6 SUBCHAPTER C. POWERS AND DUTIES

7 Sec. 8228.101. MUNICIPAL UTILITY DISTRICT POWERS AND

8 DUTIES

9 CHAPTER 8228. WOOD TRACE MUNICIPAL UTILITY DISTRICT NO. 1, OF

10 MONTGOMERY COUNTY, TEXAS

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 8228.001. DEFINITIONS. In this chapter:

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

14 (2) "Director" means a member of the board.

15 (3) "District" means the Wood Trace Municipal Utility

16 District No. 1, of Montgomery County, Texas. (Acts 72nd Leg.,

17 R.S., Ch. 218, Sec. 2; New.)

18 Sec. 8228.002. NATURE OF DISTRICT. The district is a

19 conservation and reclamation district in Montgomery County created

20 under Section 59, Article XVI, Texas Constitution. (Acts 72nd

21 Leg., R.S., Ch. 218, Secs. 1(a) (part), (b) (part).)

22 Sec. 8228.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

23 The district is created to serve a public use and benefit.

24 (b) All land and other property included in the district

25 will benefit from the works and projects accomplished by the

26 district under the powers conferred by Section 59, Article XVI,

27 Texas Constitution.

1 (c) The creation of the district is essential to accomplish  
2 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
3 72nd Leg., R.S., Ch. 218, Secs. 1(b) (part), 5.)

4 Sec. 8228.004. DISTRICT TERRITORY. (a) The district is  
5 composed of the territory described by Section 3, Chapter 218, Acts  
6 of the 72nd Legislature, Regular Session, 1991, as that territory  
7 may have been modified under:

8 (1) Subchapter H, Chapter 54, Water Code;

9 (2) Subchapter J, Chapter 49, Water Code; or

10 (3) other law.

11 (b) The boundaries and field notes of the district form a  
12 closure. A mistake in the field notes or in copying the field notes  
13 in the legislative process does not affect:

14 (1) the district's organization, existence, or  
15 validity;

16 (2) the district's right to impose a tax; or

17 (3) the legality or operation of the district or its  
18 governing body. (Acts 72nd Leg., R.S., Ch. 218, Sec. 4; New.)

19 SUBCHAPTER B. BOARD OF DIRECTORS

20 Sec. 8228.051. COMPOSITION OF BOARD; TERMS. (a) The  
21 district is governed by a board of five directors.

22 (b) Directors serve staggered four-year terms. (Acts 72nd  
23 Leg., R.S., Ch. 218, Secs. 7(a), (d).)

24 SUBCHAPTER C. POWERS AND DUTIES

25 Sec. 8228.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
26 DUTIES. The district has the rights, powers, privileges,  
27 functions, and duties provided by general law, including Chapters

1 49, 50, and 54, Water Code, applicable to a municipal utility  
2 district created under Section 59, Article XVI, Texas Constitution.  
3 (Acts 72nd Leg., R.S., Ch. 218, Sec. 6(a) (part); New.)

4 CHAPTER 8371. SAGEMEADOW UTILITY DISTRICT

5 SUBCHAPTER A. GENERAL PROVISIONS

6 Sec. 8371.001. DEFINITIONS

7 Sec. 8371.002. NATURE OF DISTRICT

8 Sec. 8371.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

9 Sec. 8371.004. DISTRICT TERRITORY

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 8371.051. COMPOSITION OF BOARD

12 Sec. 8371.052. BOARD VACANCY

13 SUBCHAPTER C. POWERS AND DUTIES

14 Sec. 8371.101. MUNICIPAL UTILITY DISTRICT POWERS

15 CHAPTER 8371. SAGEMEADOW UTILITY DISTRICT

16 SUBCHAPTER A. GENERAL PROVISIONS

17 Sec. 8371.001. DEFINITIONS. In this chapter:

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

19 (2) "Director" means a member of the board.

20 (3) "District" means the Sagemeadow Utility District.

21 (Acts 62nd Leg., R.S., Ch. 679, Sec. 1 (part); New.)

22 Sec. 8371.002. NATURE OF DISTRICT. The district is a  
23 conservation and reclamation district in Harris County created  
24 under Section 59, Article XVI, Texas Constitution. (Acts 62nd  
25 Leg., R.S., Ch. 679, Sec. 1 (part).)

26 Sec. 8371.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

27 The district is created to serve a public use and benefit.



1 (b) All land and other property included in the boundaries  
2 of the district will benefit from the works and projects  
3 accomplished by the district under the powers conferred by Section  
4 59, Article XVI, Texas Constitution.

5 (c) The creation of the district is essential to accomplish  
6 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
7 62nd Leg., R.S., Ch. 679, Secs. 1 (part), 3.)

8 Sec. 8371.004. DISTRICT TERRITORY. (a) The district is  
9 composed of the territory described by Section 4, Chapter 679, Acts  
10 of the 62nd Legislature, Regular Session, 1971, as that territory  
11 may have been modified under:

- 12 (1) Subchapter H, Chapter 54, Water Code;  
13 (2) Subchapter J, Chapter 49, Water Code; or  
14 (3) other law.

15 (b) The boundaries and field notes of the district form a  
16 closure. A mistake in copying the field notes in the legislative  
17 process or another mistake in the field notes does not affect:

- 18 (1) the district's organization, existence, or  
19 validity;  
20 (2) the district's right to issue any type of bond for  
21 the purpose for which the district is created or to pay the  
22 principal of and interest on the bond;  
23 (3) the district's right to impose a tax; or  
24 (4) the legality or operation of the district or its  
25 governing body. (Acts 62nd Leg., R.S., Ch. 679, Sec. 2; New.)

26 SUBCHAPTER B. BOARD OF DIRECTORS

27 Sec. 8371.051. COMPOSITION OF BOARD. The board is composed

1 of five elected directors. (Acts 62nd Leg., R.S., Ch. 679, Sec. 6  
2 (part).)

3 Sec. 8371.052. BOARD VACANCY. (a) Except as provided by  
4 Subsection (b), a vacancy in the office of director shall be filled  
5 in the manner provided by Section 49.105, Water Code.

6 (b) The Texas Commission on Environmental Quality shall  
7 appoint directors to fill all of the vacancies on the board whenever  
8 the number of qualified directors is fewer than three. (Acts 62nd  
9 Leg., R.S., Ch. 679, Sec. 6 (part); New.)

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 8371.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
12 district has the rights, powers, privileges, and functions  
13 conferred by general law applicable to a municipal utility  
14 district, including Chapters 49 and 54, Water Code. (Acts 62nd  
15 Leg., R.S., Ch. 679, Sec. 5 (part); New.)

16 CHAPTER 8372. SHASLA PUBLIC UTILITY DISTRICT

17 SUBCHAPTER A. GENERAL PROVISIONS

18 Sec. 8372.001. DEFINITIONS

19 Sec. 8372.002. NATURE OF DISTRICT

20 Sec. 8372.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

21 Sec. 8372.004. DISTRICT TERRITORY

22 SUBCHAPTER B. BOARD OF DIRECTORS

23 Sec. 8372.051. COMPOSITION OF BOARD

24 Sec. 8372.052. BOARD VACANCY

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 8372.101. MUNICIPAL UTILITY DISTRICT POWERS

27 CHAPTER 8372. SHASLA PUBLIC UTILITY DISTRICT

1 SUBCHAPTER A. GENERAL PROVISIONS

2 Sec. 8372.001. DEFINITIONS. In this chapter:

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

4 (2) "Director" means a member of the board.

5 (3) "District" means the Shasla Public Utility  
6 District. (Acts 62nd Leg., R.S., Ch. 412, Sec. 1 (part); New.)

7 Sec. 8372.002. NATURE OF DISTRICT. The district is a  
8 conservation and reclamation district in Harris County created  
9 under Section 59, Article XVI, Texas Constitution. (Acts 62nd Leg.,  
10 R.S., Ch. 412, Sec. 1 (part).)

11 Sec. 8372.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
12 The district is created to serve a public use and benefit.

13 (b) All land and other property included in the boundaries  
14 of the district will benefit from the works and projects  
15 accomplished by the district under the powers conferred by Section  
16 59, Article XVI, Texas Constitution.

17 (c) The creation of the district is essential to accomplish  
18 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
19 62nd Leg., R.S., Ch. 412, Secs. 1 (part), 3.)

20 Sec. 8372.004. DISTRICT TERRITORY. (a) The district is  
21 composed of the territory described by Section 4, Chapter 412, Acts  
22 of the 62nd Legislature, Regular Session, 1971, as that territory  
23 may have been modified under:

24 (1) Subchapter H, Chapter 54, Water Code;

25 (2) Subchapter J, Chapter 49, Water Code; or

26 (3) other law.

27 (b) The boundaries and field notes of the district form a

1 closure. A mistake in copying the field notes in the legislative  
2 process or another mistake in the field notes does not affect:

3 (1) the district's organization, existence, or  
4 validity;

5 (2) the district's right to issue any type of bond for  
6 a purpose for which the district is created or to pay the principal  
7 of and interest on the bond;

8 (3) the district's right to impose a tax; or

9 (4) the legality or operation of the district or its  
10 governing body. (Acts 62nd Leg., R.S., Ch. 412, Sec. 2; New.)

11 SUBCHAPTER B. BOARD OF DIRECTORS

12 Sec. 8372.051. COMPOSITION OF BOARD. The board is composed  
13 of five elected directors. (Acts 62nd Leg., R.S., Ch. 412, Sec. 6  
14 (part).)

15 Sec. 8372.052. BOARD VACANCY. (a) Except as provided by  
16 Subsection (b), a vacancy in the office of director shall be filled  
17 in the manner provided by Section 49.105, Water Code.

18 (b) The Texas Commission on Environmental Quality shall  
19 appoint directors to fill all of the vacancies on the board whenever  
20 the number of qualified directors is fewer than three. (Acts 62nd  
21 Leg., R.S., Ch. 412, Sec. 6 (part); New.)

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 8372.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
24 district has the rights, powers, privileges, and functions  
25 conferred by general law applicable to a municipal utility  
26 district, including Chapters 49 and 54, Water Code. (Acts 62nd  
27 Leg., R.S., Ch. 412, Sec. 5 (part); New.)

1 CHAPTER 8386. SPANISH COVE PUBLIC UTILITY DISTRICT

2 SUBCHAPTER A. GENERAL PROVISIONS

3 Sec. 8386.001. DEFINITIONS

4 Sec. 8386.002. NATURE OF DISTRICT

5 Sec. 8386.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

6 Sec. 8386.004. DISTRICT TERRITORY

7 SUBCHAPTER B. BOARD OF DIRECTORS

8 Sec. 8386.051. COMPOSITION OF BOARD

9 Sec. 8386.052. BOARD VACANCY

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 8386.101. MUNICIPAL UTILITY DISTRICT POWERS

12 CHAPTER 8386. SPANISH COVE PUBLIC UTILITY DISTRICT

13 SUBCHAPTER A. GENERAL PROVISIONS

14 Sec. 8386.001. DEFINITIONS. In this chapter:

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

16 (2) "Director" means a member of the board.

17 (3) "District" means the Spanish Cove Public Utility  
18 District. (Acts 62nd Leg., R.S., Ch. 409, Sec. 1 (part); New.)

19 Sec. 8386.002. NATURE OF DISTRICT. The district is a  
20 conservation and reclamation district in Harris County created  
21 under Section 59, Article XVI, Texas Constitution. (Acts 62nd  
22 Leg., R.S., Ch. 409, Sec. 1 (part).)

23 Sec. 8386.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
24 The district is created to serve a public use and benefit.

25 (b) All land and other property included in the boundaries  
26 of the district will benefit from the works and projects  
27 accomplished by the district under the powers conferred by Section

1 59, Article XVI, Texas Constitution.

2 (c) The creation of the district is essential to accomplish  
3 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
4 62nd Leg., R.S., Ch. 409, Secs. 1 (part), 3.)

5 Sec. 8386.004. DISTRICT TERRITORY. (a) The district is  
6 composed of the territory described by Section 4, Chapter 409, Acts  
7 of the 62nd Legislature, Regular Session, 1971, as that territory  
8 may have been modified under:

9 (1) Subchapter H, Chapter 54, Water Code;

10 (2) Subchapter J, Chapter 49, Water Code; or

11 (3) other law.

12 (b) The boundaries and field notes of the district form a  
13 closure. A mistake in copying the field notes in the legislative  
14 process or another mistake in the field notes does not affect:

15 (1) the district's organization, existence, or  
16 validity;

17 (2) the district's right to issue any type of bond for  
18 a purpose for which the district is created or to pay the principal  
19 of and interest on the bond;

20 (3) the district's right to impose a tax; or

21 (4) the legality or operation of the district or its  
22 governing body. (Acts 62nd Leg., R.S., Ch. 409, Sec. 2; New.)

23 SUBCHAPTER B. BOARD OF DIRECTORS

24 Sec. 8386.051. COMPOSITION OF BOARD. The board is composed  
25 of five elected directors. (Acts 62nd Leg., R.S., Ch. 409, Sec. 6  
26 (part).)

27 Sec. 8386.052. BOARD VACANCY. (a) Except as provided by

1 Subsection (b), a vacancy in the office of director shall be filled  
2 in the manner provided by Section 49.105, Water Code.

3 (b) The Texas Commission on Environmental Quality shall  
4 appoint directors to fill all of the vacancies on the board whenever  
5 the number of qualified directors is fewer than three. (Acts 62nd  
6 Leg., R.S., Ch. 409, Sec. 6 (part); New.)

7 SUBCHAPTER C. POWERS AND DUTIES

8 Sec. 8386.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
9 district has the rights, powers, privileges, and functions  
10 conferred by general law applicable to a municipal utility  
11 district, including Chapters 49 and 54, Water Code. (Acts 62nd  
12 Leg., R.S., Ch. 409, Sec. 5 (part); New.)

13 CHAPTER 8392. SPENCER ROAD PUBLIC UTILITY DISTRICT

14 SUBCHAPTER A. GENERAL PROVISIONS

15 Sec. 8392.001. DEFINITIONS

16 Sec. 8392.002. NATURE OF DISTRICT

17 Sec. 8392.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

18 Sec. 8392.004. DISTRICT TERRITORY

19 SUBCHAPTER B. BOARD OF DIRECTORS

20 Sec. 8392.051. COMPOSITION OF BOARD

21 Sec. 8392.052. BOARD VACANCY

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 8392.101. MUNICIPAL UTILITY DISTRICT POWERS

24 CHAPTER 8392. SPENCER ROAD PUBLIC UTILITY DISTRICT

25 SUBCHAPTER A. GENERAL PROVISIONS

26 Sec. 8392.001. DEFINITIONS. In this chapter:

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

1           (2) "Director" means a member of the board.

2           (3) "District" means the Spencer Road Public Utility  
3 District. (Acts 62nd Leg., R.S., Ch. 699, Sec. 1 (part); New.)

4           Sec. 8392.002. NATURE OF DISTRICT. The district is a  
5 conservation and reclamation district in Harris County created  
6 under Section 59, Article XVI, Texas Constitution. (Acts 62nd Leg.,  
7 R.S., Ch. 699, Sec. 1 (part).)

8           Sec. 8392.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
9 The district is created to serve a public use and benefit.

10          (b) All land and other property included in the boundaries  
11 of the district will benefit from the works and projects  
12 accomplished by the district under the powers conferred by Section  
13 59, Article XVI, Texas Constitution.

14          (c) The creation of the district is essential to accomplish  
15 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
16 62nd Leg., R.S., Ch. 699, Secs. 1 (part), 3.)

17           Sec. 8392.004. DISTRICT TERRITORY. (a) The district is  
18 composed of the territory described by Section 4, Chapter 699, Acts  
19 of the 62nd Legislature, Regular Session, 1971, as that territory  
20 may have been modified under:

21           (1) Subchapter H, Chapter 54, Water Code;

22           (2) Subchapter J, Chapter 49, Water Code; or

23           (3) other law.

24          (b) The boundaries and field notes of the district form a  
25 closure. A mistake in copying the field notes in the legislative  
26 process or another mistake in the field notes does not affect:

27           (1) the district's organization, existence, or



1 validity;

2 (2) the district's right to issue any type of bond for  
3 a purpose for which the district is created or to pay the principal  
4 of and interest on the bond;

5 (3) the district's right to impose a tax; or

6 (4) the legality or operation of the district or its  
7 governing body. (Acts 62nd Leg., R.S., Ch. 699, Sec. 2; New.)

8 SUBCHAPTER B. BOARD OF DIRECTORS

9 Sec. 8392.051. COMPOSITION OF BOARD. The board is composed  
10 of five elected directors. (Acts 62nd Leg., R.S., Ch. 699, Sec. 6  
11 (part).)

12 Sec. 8392.052. BOARD VACANCY. (a) Except as provided by  
13 Subsection (b), a vacancy in the office of director shall be filled  
14 in the manner provided by Section 49.105, Water Code.

15 (b) The Texas Commission on Environmental Quality shall  
16 appoint directors to fill all of the vacancies on the board whenever  
17 the number of qualified directors is fewer than three. (Acts 62nd  
18 Leg., R.S., Ch. 699, Sec. 6 (part); New.)

19 SUBCHAPTER C. POWERS AND DUTIES

20 Sec. 8392.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
21 district has the rights, powers, privileges, and functions  
22 conferred by general law applicable to a municipal utility  
23 district, including Chapters 49 and 54, Water Code. (Acts 62nd  
24 Leg., R.S., Ch. 699, Sec. 5 (part); New.)

25 CHAPTER 8408. THUNDERBIRD UTILITY DISTRICT

26 SUBCHAPTER A. GENERAL PROVISIONS

27 Sec. 8408.001. DEFINITIONS

1 Sec. 8408.002. NATURE OF DISTRICT

2 Sec. 8408.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

3 Sec. 8408.004. DISTRICT TERRITORY

4 SUBCHAPTER B. BOARD OF DIRECTORS

5 Sec. 8408.051. COMPOSITION OF BOARD

6 Sec. 8408.052. BOARD VACANCY

7 SUBCHAPTER C. POWERS AND DUTIES

8 Sec. 8408.101. MUNICIPAL UTILITY DISTRICT POWERS

9 CHAPTER 8408. THUNDERBIRD UTILITY DISTRICT

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 8408.001. DEFINITIONS. In this chapter:

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

13 (2) "Director" means a member of the board.

14 (3) "District" means the Thunderbird Utility  
15 District. (Acts 62nd Leg., R.S., Ch. 456, Sec. 1 (part); New.)

16 Sec. 8408.002. NATURE OF DISTRICT. The district is a  
17 conservation and reclamation district in Fort Bend County created  
18 under Section 59, Article XVI, Texas Constitution. (Acts 62nd  
19 Leg., R.S., Ch. 456, Sec. 1 (part).)

20 Sec. 8408.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
21 The district is created to serve a public use and benefit.

22 (b) All land and other property included in the boundaries  
23 of the district will benefit from the works and projects  
24 accomplished by the district under the powers conferred by Section  
25 59, Article XVI, Texas Constitution.

26 (c) The creation of the district is essential to accomplish  
27 the purposes of Section 59, Article XVI, Texas Constitution. (Acts

1 62nd Leg., R.S., Ch. 456, Secs. 1 (part), 3.)

2           Sec. 8408.004. DISTRICT TERRITORY. (a) The district is  
3 composed of the territory described by Section 4, Chapter 456, Acts  
4 of the 62nd Legislature, Regular Session, 1971, as that territory  
5 may have been modified under:

6                   (1) Subchapter H, Chapter 54, Water Code;

7                   (2) Subchapter J, Chapter 49, Water Code; or

8                   (3) other law.

9           (b) The boundaries and field notes of the district form a  
10 closure. A mistake in copying the field notes in the legislative  
11 process or another mistake in the field notes does not affect:

12                   (1) the district's organization, existence, or  
13 validity;

14                   (2) the district's right to issue any type of bond for  
15 the purpose for which the district is created or to pay the  
16 principal of and interest on the bond;

17                   (3) the district's right to impose a tax; or

18                   (4) the legality or operation of the district or its  
19 governing body. (Acts 62nd Leg., R.S., Ch. 456, Sec. 2; New.)

20                   SUBCHAPTER B. BOARD OF DIRECTORS

21           Sec. 8408.051. COMPOSITION OF BOARD. The board is composed  
22 of five elected directors. (Acts 62nd Leg., R.S., Ch. 456, Sec. 6  
23 (part).)

24           Sec. 8408.052. BOARD VACANCY. (a) Except as provided by  
25 Subsection (b), a vacancy in the office of director shall be filled  
26 in the manner provided by Section [49.105](#), Water Code.

27           (b) The Texas Commission on Environmental Quality shall

1 appoint directors to fill all of the vacancies on the board whenever  
2 the number of qualified directors is fewer than three. (Acts 62nd  
3 Leg., R.S., Ch. 456, Sec. 6 (part); New.)

4 SUBCHAPTER C. POWERS AND DUTIES

5 Sec. 8408.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
6 district has the rights, powers, privileges, and functions  
7 conferred by general law applicable to a municipal utility  
8 district, including Chapters 49 and 54, Water Code. (Acts 62nd  
9 Leg., R.S., Ch. 456, Sec. 5 (part); New.)

10 CHAPTER 8409. PORT O'CONNOR IMPROVEMENT DISTRICT

11 SUBCHAPTER A. GENERAL PROVISIONS

- 12 Sec. 8409.001. DEFINITIONS
- 13 Sec. 8409.002. NATURE OF DISTRICT
- 14 Sec. 8409.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
- 15 Sec. 8409.004. DISTRICT TERRITORY

16 SUBCHAPTER B. BOARD OF DIRECTORS

- 17 Sec. 8409.051. COMPOSITION OF BOARD; TERMS
- 18 Sec. 8409.052. BOARD VACANCY

19 SUBCHAPTER C. POWERS AND DUTIES

- 20 Sec. 8409.101. MUNICIPAL UTILITY DISTRICT POWERS

21 SUBCHAPTER D. SALES AND USE TAX

- 22 Sec. 8409.151. APPLICABILITY OF CERTAIN TAX CODE  
23 PROVISIONS

- 24 Sec. 8409.152. ELECTION; ADOPTION OF TAX

- 25 Sec. 8409.153. SALES AND USE TAX RATE

- 26 Sec. 8409.154. USE OF REVENUE

- 27 Sec. 8409.155. ABOLITION OR DECREASE OF TAX

1 CHAPTER 8409. PORT O'CONNOR IMPROVEMENT DISTRICT

2 SUBCHAPTER A. GENERAL PROVISIONS

3 Sec. 8409.001. DEFINITIONS. In this chapter:

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

5 (2) "Director" means a member of the board.

6 (3) "District" means the Port O'Connor Improvement  
7 District. (Acts 65th Leg., R.S., Ch. 693, Secs. 1 (part), 1A; New.)

8 Sec. 8409.002. NATURE OF DISTRICT. The district is a  
9 conservation and reclamation district in Calhoun County created  
10 under Section 59, Article XVI, Texas Constitution. (Acts 65th  
11 Leg., R.S., Ch. 693, Sec. 1 (part).)

12 Sec. 8409.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
13 The district is created to serve a public use and benefit.

14 (b) All land and other property included in the boundaries  
15 of the district will benefit from the works and projects  
16 accomplished by the district under the powers conferred by Section  
17 59, Article XVI, Texas Constitution.

18 (c) The creation of the district is essential to accomplish  
19 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
20 65th Leg., R.S., Ch. 693, Secs. 1 (part), 4.)

21 Sec. 8409.004. DISTRICT TERRITORY. (a) The district is  
22 composed of the territory described by Section 2, Chapter 693, Acts  
23 of the 65th Legislature, Regular Session, 1977, as that territory  
24 may have been modified under:

25 (1) Subchapter H, Chapter 54, Water Code;

26 (2) Subchapter J, Chapter 49, Water Code; or

27 (3) other law.

1 (b) The boundaries and field notes of the district form a  
2 closure. A mistake in copying the field notes in the legislative  
3 process or another mistake in the field notes does not affect:

4 (1) the district's organization, existence, or  
5 validity;

6 (2) the district's right to issue any type of bond for  
7 a purpose for which the district is created or to pay the principal  
8 of and interest on the bond;

9 (3) the district's right to impose a tax; or

10 (4) the legality or operation of the district or its  
11 governing body. (Acts 65th Leg., R.S., Ch. 693, Sec. 3; New.)

12 SUBCHAPTER B. BOARD OF DIRECTORS

13 Sec. 8409.051. COMPOSITION OF BOARD; TERMS. (a) The board  
14 is composed of five elected directors.

15 (b) Directors serve staggered terms. (Acts 65th Leg., R.S.,  
16 Ch. 693, Sec. 7(b) (part).)

17 Sec. 8409.052. BOARD VACANCY. (a) Except as provided by  
18 Subsection (b), a vacancy in the office of director shall be filled  
19 in the manner provided by Section [49.105](#), Water Code.

20 (b) The Texas Commission on Environmental Quality shall  
21 appoint directors to fill all of the vacancies on the board whenever  
22 the number of qualified directors is fewer than three. (Acts 65th  
23 Leg., R.S., Ch. 693, Sec. 7(b) (part); New.)

24 SUBCHAPTER C. POWERS AND DUTIES

25 Sec. 8409.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
26 district has the rights, powers, privileges, and functions  
27 conferred and imposed by general law applicable to a municipal

1 utility district created under Section 59, Article XVI, Texas  
2 Constitution, including Chapters 49 and 54, Water Code. (Acts 65th  
3 Leg., R.S., Ch. 693, Sec. 5 (part); New.)

4 SUBCHAPTER D. SALES AND USE TAX

5 Sec. 8409.151. APPLICABILITY OF CERTAIN TAX CODE  
6 PROVISIONS. (a) Chapter 321, Tax Code, governs the imposition,  
7 computation, administration, enforcement, and collection of the  
8 sales and use tax authorized by this subchapter, except to the  
9 extent Chapter 321, Tax Code, is inconsistent with this subchapter.

10 (b) A reference in Chapter 321, Tax Code, to a municipality  
11 or the governing body of a municipality is a reference to the  
12 district or the board, respectively. (Acts 65th Leg., R.S., Ch.  
13 693, Sec. 11.)

14 Sec. 8409.152. ELECTION; ADOPTION OF TAX. (a) The district  
15 may adopt a sales and use tax if authorized by a majority of the  
16 voters of the district voting at an election held for that purpose.

17 (b) The board by order may call an election to authorize the  
18 adoption of the sales and use tax. The election may be held on any  
19 uniform election date and in conjunction with any other district  
20 election.

21 (c) The district shall provide notice and hold the election  
22 in the manner provided by Subchapter D, Chapter 49, Water Code.

23 (d) The ballot shall be printed to provide for voting for or  
24 against the proposition: "Authorization of a sales and use tax in  
25 the Port O'Connor Improvement District at a rate not to exceed \_\_\_\_  
26 percent" (insert rate of one or more increments of one-eighth of one  
27 percent). (Acts 65th Leg., R.S., Ch. 693, Sec. 12.)

1           Sec. 8409.153. SALES AND USE TAX RATE. (a) After the date  
2 the results are declared of an election held under Section 8409.152  
3 at which the voters authorized imposition of a tax, the board shall  
4 provide by resolution or order the initial rate of the tax, which  
5 must be in one or more increments of one-eighth of one percent.

6           (b) After the authorization of a tax under Section 8409.152,  
7 the board may increase or decrease the rate of the tax by one or more  
8 increments of one-eighth of one percent.

9           (c) The initial rate of the tax or any rate resulting from  
10 subsequent increases or decreases may not exceed the lesser of:

11                 (1) the maximum rate authorized at the election held  
12 under Section 8409.152; or

13                 (2) a rate that, when added to the rates of all sales  
14 and use taxes imposed by other political subdivisions with  
15 territory in the district, would result in the maximum combined  
16 rate prescribed by Section 321.101(f), Tax Code, at any location in  
17 the district.

18           (d) In determining whether the combined sales and use tax  
19 rate under Subsection (c)(2) would exceed the maximum combined rate  
20 prescribed by Section 321.101(f), Tax Code, at any location in the  
21 district, the board shall include:

22                 (1) any sales and use tax imposed by a political  
23 subdivision whose territory overlaps all or part of the district;

24                 (2) any sales and use tax to be imposed by Calhoun  
25 County as a result of an election held on the same date as the  
26 election held under Section 8409.152; and

27                 (3) any increase to an existing sales and use tax



1 imposed by Calhoun County as a result of an election held on the  
2 same date as the election held under Section 8409.152.

3 (e) The board shall notify the comptroller of any changes  
4 made to the tax rate in the same manner the municipal secretary  
5 provides notice to the comptroller under Section 321.405(b), Tax  
6 Code. (Acts 65th Leg., R.S., Ch. 693, Sec. 13.)

7 Sec. 8409.154. USE OF REVENUE. Revenue from the sales and  
8 use tax imposed under Section 8409.153 is for the use and benefit of  
9 the district and may be used for any district purpose. The district  
10 may pledge all or part of the revenue to the payment of bonds,  
11 notes, or other obligations, and that pledge of revenue may be in  
12 combination with other revenue, including tax revenue, available to  
13 the district. (Acts 65th Leg., R.S., Ch. 693, Sec. 14.)

14 Sec. 8409.155. ABOLITION OR DECREASE OF TAX. (a) Except as  
15 provided by Subsection (b), the board may abolish or decrease the  
16 tax imposed under Section 8409.153 without an election.

17 (b) The board may not abolish or decrease the tax imposed  
18 under Section 8409.153 if the district has outstanding debt secured  
19 by the tax and repayment of the debt would be impaired by the  
20 abolition or decrease of the tax.

21 (c) If the board abolishes or decreases the tax, the board  
22 shall notify the comptroller of that action in the same manner the  
23 municipal secretary provides notice to the comptroller under  
24 Section 321.405(b), Tax Code.

25 (d) If the board abolishes the tax or decreases the tax rate  
26 to zero, a new election to authorize a sales and use tax must be held  
27 under Section 8409.152 before the district may subsequently impose

1 the tax. (Acts 65th Leg., R.S., Ch. 693, Sec. 15.)

2 CHAPTER 8411. SPRING MEADOWS MUNICIPAL UTILITY DISTRICT

3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 8411.001. DEFINITIONS

5 Sec. 8411.002. NATURE OF DISTRICT

6 Sec. 8411.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

7 Sec. 8411.004. DISTRICT TERRITORY

8 SUBCHAPTER B. BOARD OF DIRECTORS

9 Sec. 8411.051. COMPOSITION OF BOARD; TERMS

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 8411.101. MUNICIPAL UTILITY DISTRICT POWERS AND

12 DUTIES

13 CHAPTER 8411. SPRING MEADOWS MUNICIPAL UTILITY DISTRICT

14 SUBCHAPTER A. GENERAL PROVISIONS

15 Sec. 8411.001. DEFINITIONS. In this chapter:

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

17 (2) "Director" means a member of the board.

18 (3) "District" means the Spring Meadows Municipal  
19 Utility District. (Acts 76th Leg., R.S., Ch. 35, Sec. 2; New.)

20 Sec. 8411.002. NATURE OF DISTRICT. The district is a  
21 conservation and reclamation district in Harris County created  
22 under Section 59, Article XVI, Texas Constitution. (Acts 76th  
23 Leg., R.S., Ch. 35, Secs. 1(a) (part), (b) (part).)

24 Sec. 8411.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
25 The district is created to serve a public use and benefit.

26 (b) All land and other property included in the boundaries  
27 of the district will benefit from the works and projects

1 accomplished by the district under powers conferred by Section 59,  
2 Article XVI, Texas Constitution.

3 (c) The creation of the district is essential to accomplish  
4 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
5 76th Leg., R.S., Ch. 35, Secs. 1(b) (part), 5.)

6 Sec. 8411.004. DISTRICT TERRITORY. (a) The district is  
7 composed of the territory described by Section 3, Chapter 35, Acts  
8 of the 76th Legislature, Regular Session, 1999, as that territory  
9 may have been modified under:

- 10 (1) Subchapter H, Chapter 54, Water Code;  
11 (2) Subchapter J, Chapter 49, Water Code; or  
12 (3) other law.

13 (b) The boundaries and field notes of the district form a  
14 closure. A mistake in the field notes or in copying the field notes  
15 in the legislative process does not affect:

- 16 (1) the district's organization, existence, or  
17 validity;  
18 (2) the district's right to impose a tax; or  
19 (3) the legality or operation of the district or its  
20 governing body. (Acts 76th Leg., R.S., Ch. 35, Sec. 4; New.)

21 SUBCHAPTER B. BOARD OF DIRECTORS

22 Sec. 8411.051. COMPOSITION OF BOARD; TERMS. (a) The  
23 district is governed by a board of five directors.

24 (b) Directors serve staggered four-year terms. (Acts 76th  
25 Leg., R.S., Ch. 35, Secs. 7(a), (d).)

26 SUBCHAPTER C. POWERS AND DUTIES

27 Sec. 8411.101. MUNICIPAL UTILITY DISTRICT POWERS AND

1 DUTIES. The district has the rights, powers, privileges,  
2 functions, and duties provided by the general law of this state,  
3 including Chapters 49 and 54, Water Code, applicable to a municipal  
4 utility district created under Section 59, Article XVI, Texas  
5 Constitution. (Acts 76th Leg., R.S., Ch. 35, Sec. 6(a) (part).)

6 CHAPTER 8412. VARNER CREEK UTILITY DISTRICT

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 8412.001. DEFINITIONS

9 Sec. 8412.002. NATURE OF DISTRICT

10 Sec. 8412.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

11 Sec. 8412.004. DISTRICT TERRITORY

12 SUBCHAPTER B. BOARD OF DIRECTORS

13 Sec. 8412.051. COMPOSITION OF BOARD

14 Sec. 8412.052. BOARD VACANCY

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 8412.101. MUNICIPAL UTILITY DISTRICT POWERS

17 CHAPTER 8412. VARNER CREEK UTILITY DISTRICT

18 SUBCHAPTER A. GENERAL PROVISIONS

19 Sec. 8412.001. DEFINITIONS. In this chapter:

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

21 (2) "Director" means a member of the board.

22 (3) "District" means the Varner Creek Utility  
23 District. (Acts 62nd Leg., R.S., Ch. 352, Sec. 1 (part); New.)

24 Sec. 8412.002. NATURE OF DISTRICT. The district is a  
25 conservation and reclamation district in Brazoria County created  
26 under Section 59, Article XVI, Texas Constitution. (Acts 62nd  
27 Leg., R.S., Ch. 352, Sec. 1 (part).)

1           Sec. 8412.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

2 The district is created to serve a public use and benefit.

3           (b) All land and other property included in the boundaries  
4 of the district will benefit from the works and projects  
5 accomplished by the district under the powers conferred by Section  
6 59, Article XVI, Texas Constitution.

7           (c) The creation of the district is essential to accomplish  
8 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
9 62nd Leg., R.S., Ch. 352, Secs. 1 (part), 3.)

10          Sec. 8412.004. DISTRICT TERRITORY. (a) The district is  
11 composed of the territory described by Section 4, Chapter 352, Acts  
12 of the 62nd Legislature, Regular Session, 1971, as that territory  
13 may have been modified under:

14                   (1) Subchapter H, Chapter 54, Water Code;

15                   (2) Subchapter J, Chapter 49, Water Code; or

16                   (3) other law.

17          (b) The boundaries and field notes of the district form a  
18 closure. A mistake in copying the field notes in the legislative  
19 process or another mistake in the field notes does not affect:

20                   (1) the district's organization, existence, or  
21 validity;

22                   (2) the district's right to issue any type of bond for  
23 a purpose for which the district is created or to pay the principal  
24 of and interest on the bond;

25                   (3) the district's right to impose a tax; or

26                   (4) the legality or operation of the district or its  
27 governing body. (Acts 62nd Leg., R.S., Ch. 352, Sec. 2; New.)

1                   SUBCHAPTER B. BOARD OF DIRECTORS

2           Sec. 8412.051. COMPOSITION OF BOARD. The board is composed  
3 of five elected directors. (Acts 62nd Leg., R.S., Ch. 352, Sec. 6  
4 (part).)

5           Sec. 8412.052. BOARD VACANCY. (a) Except as provided by  
6 Subsection (b), a vacancy in the office of director shall be filled  
7 in the manner provided by Section 49.105, Water Code.

8           (b) The Texas Commission on Environmental Quality shall  
9 appoint directors to fill all of the vacancies on the board whenever  
10 the number of qualified directors is fewer than three. (Acts 62nd  
11 Leg., R.S., Ch. 352, Sec. 6 (part); New.)

12                   SUBCHAPTER C. POWERS AND DUTIES

13           Sec. 8412.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
14 district has the rights, powers, privileges, and functions  
15 conferred by general law applicable to a municipal utility  
16 district, including Chapters 49 and 54, Water Code. (Acts 62nd  
17 Leg., R.S., Ch. 352, Sec. 5 (part); New.)

18           CHAPTER 8415. WEST CEDAR CREEK MUNICIPAL UTILITY DISTRICT

19                   SUBCHAPTER A. GENERAL PROVISIONS

20   Sec. 8415.001. DEFINITIONS

21   Sec. 8415.002. NATURE OF DISTRICT

22   Sec. 8415.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

23   Sec. 8415.004. DISTRICT TERRITORY

24                   SUBCHAPTER B. BOARD OF DIRECTORS

25   Sec. 8415.051. COMPOSITION OF BOARD; TERMS

26   Sec. 8415.052. BOARD VACANCY

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. 8415.101. MUNICIPAL UTILITY DISTRICT POWERS

3 Sec. 8415.102. WATER AND SEWER SYSTEMS

4 Sec. 8415.103. TAXES

5 CHAPTER 8415. WEST CEDAR CREEK MUNICIPAL UTILITY DISTRICT

6 SUBCHAPTER A. GENERAL PROVISIONS

7 Sec. 8415.001. DEFINITIONS. In this chapter:

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

9 (2) "Director" means a member of the board.

10 (3) "District" means the West Cedar Creek Municipal  
11 Utility District. (Acts 64th Leg., R.S., Ch. 742, Sec. 1 (part);  
12 New.)

13 Sec. 8415.002. NATURE OF DISTRICT. The district is a  
14 conservation and reclamation district in Henderson County created  
15 under Section 59, Article XVI, Texas Constitution. (Acts 64th  
16 Leg., R.S., Ch. 742, Sec. 1 (part).)

17 Sec. 8415.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
18 The district is created to serve a public use and benefit.

19 (b) All land and other property included in the boundaries  
20 of the district will benefit from the works and projects  
21 accomplished by the district under the powers conferred by Section  
22 59, Article XVI, Texas Constitution.

23 (c) The creation of the district is essential to accomplish  
24 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
25 64th Leg., R.S., Ch. 742, Secs. 1 (part), 5.)

26 Sec. 8415.004. DISTRICT TERRITORY. (a) The district is  
27 composed of the territory described by Section 2, Chapter 742, Acts

1 of the 64th Legislature, Regular Session, 1975, as that territory  
2 may have been modified under:

- 3 (1) Subchapter H, Chapter 54, Water Code;
- 4 (2) Subchapter J, Chapter 49, Water Code; or
- 5 (3) other law.

6 (b) The boundaries and field notes of the district form a  
7 closure. A mistake in the field notes or in copying the field notes  
8 in the legislative process does not affect:

- 9 (1) the district's organization, existence, or  
10 validity;
- 11 (2) the district's right to issue any type of bond for  
12 a purpose for which the district is created or to pay the principal  
13 of and interest on the bond;
- 14 (3) the district's right to impose a tax; or
- 15 (4) the legality or operation of the district or its  
16 governing body. (Acts 64th Leg., R.S., Ch. 742, Sec. 3; New.)

17 SUBCHAPTER B. BOARD OF DIRECTORS

18 Sec. 8415.051. COMPOSITION OF BOARD; TERMS. (a) The board  
19 is composed of seven elected directors.

20 (b) Directors serve staggered terms. (Acts 64th Leg., R.S.,  
21 Ch. 742, Sec. 8(b) (part).)

22 Sec. 8415.052. BOARD VACANCY. (a) Except as provided by  
23 Subsection (b), a vacancy in the office of director shall be filled  
24 in the manner provided by Section [49.105](#), Water Code.

25 (b) The Texas Commission on Environmental Quality shall  
26 appoint directors to fill all of the vacancies on the board whenever  
27 the number of qualified directors is fewer than four. (Acts 64th



1 Leg., R.S., Ch. 742, Sec. 8(b) (part); New.)

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 8415.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
4 district has the rights, powers, privileges, and functions  
5 conferred and imposed by general law applicable to a municipal  
6 utility district created under Section 59, Article XVI, Texas  
7 Constitution, including Chapters 49 and 54, Water Code. (Acts 64th  
8 Leg., R.S., Ch. 742, Sec. 6 (part).)

9 Sec. 8415.102. WATER AND SEWER SYSTEMS. The district may  
10 acquire, and may improve or extend, any existing water or sewer  
11 system that serves all or part of the district territory or may  
12 construct a water or sewer system to serve the inhabitants of the  
13 county in which the district is situated. (Acts 64th Leg., R.S., Ch.  
14 742, Sec. 7(a).)

15 Sec. 8415.103. TAXES. The district may not impose a tax  
16 unless the tax has been approved by the voters at an election called  
17 for that purpose. (Acts 64th Leg., R.S., Ch. 742, Sec. 7(b).)

18 CHAPTER 8440. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

19 SUBCHAPTER A. GENERAL PROVISIONS

20 Sec. 8440.001. DEFINITIONS

21 Sec. 8440.002. NATURE OF DISTRICT

22 Sec. 8440.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

23 Sec. 8440.004. DISTRICT TERRITORY

24 Sec. 8440.005. APPLICATION OF CONDITIONS TO CREATION

25 SUBCHAPTER B. BOARD OF DIRECTORS

26 Sec. 8440.051. COMPOSITION OF BOARD; TERMS

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. 8440.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
3 DUTIES

4 CHAPTER 8440. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3

5 SUBCHAPTER A. GENERAL PROVISIONS

6 Sec. 8440.001. DEFINITIONS. In this chapter:

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

8 (2) "Director" means a member of the board.

9 (3) "District" means West Travis County Municipal  
10 Utility District No. 3. (Acts 71st Leg., R.S., Ch. 1212, Sec. 2;  
11 New.)

12 Sec. 8440.002. NATURE OF DISTRICT. The district is a  
13 conservation and reclamation district in Travis County created  
14 under Section 59, Article XVI, Texas Constitution. (Acts 71st  
15 Leg., R.S., Ch. 1212, Secs. 1(a) (part), (b) (part).)

16 Sec. 8440.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
17 The district is created to serve a public use and benefit.

18 (b) All land and other property included in the district  
19 will benefit from the works and projects accomplished by the  
20 district under powers conferred by Section 59, Article XVI, Texas  
21 Constitution.

22 (c) The creation of the district is essential to accomplish  
23 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
24 71st Leg., R.S., Ch. 1212, Secs. 1(b) (part), 5.)

25 Sec. 8440.004. DISTRICT TERRITORY. (a) The district is  
26 composed of the territory described by Section 3, Chapter 1212,  
27 Acts of the 71st Legislature, Regular Session, 1989, as that

1 territory may have been modified under:

- 2 (1) Subchapter H, Chapter 54, Water Code;
- 3 (2) Subchapter J, Chapter 49, Water Code; or
- 4 (3) other law.

5 (b) The boundaries and field notes of the district form a  
6 closure. A mistake in the field notes or in copying the field notes  
7 in the legislative process does not affect:

- 8 (1) the district's organization, existence, or  
9 validity;
- 10 (2) the district's right to impose a tax; or
- 11 (3) the legality or operation of the district or its  
12 governing body. (Acts 71st Leg., R.S., Ch. 1212, Sec. 4; New.)

13 Sec. 8440.005. APPLICATION OF CONDITIONS TO CREATION. The  
14 enactment of Chapter 1212, Acts of the 71st Legislature, Regular  
15 Session, 1989, did not affect conditions to the consent of the  
16 creation of the district imposed by any jurisdiction in which the  
17 district is located. (Acts 71st Leg., R.S., Ch. 1212, Sec. 11.)

18 SUBCHAPTER B. BOARD OF DIRECTORS

19 Sec. 8440.051. COMPOSITION OF BOARD; TERMS. (a) The  
20 district is governed by a board of five directors.

21 (b) Directors serve staggered four-year terms. (Acts 71st  
22 Leg., R.S., Ch. 1212, Secs. 7(a), (d).)

23 SUBCHAPTER C. POWERS AND DUTIES

24 Sec. 8440.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
25 DUTIES. The district has the rights, powers, privileges,  
26 functions, and duties provided by general law, including Chapters  
27 49, 50, and 54, Water Code, applicable to a municipal utility

1 district created under Section 59, Article XVI, Texas Constitution.  
2 (Acts 71st Leg., R.S., Ch. 1212, Sec. 6(a) (part); New.)

3 CHAPTER 8481. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

4 SUBCHAPTER A. GENERAL PROVISIONS

5 Sec. 8481.001. DEFINITIONS

6 Sec. 8481.002. NATURE OF DISTRICT

7 Sec. 8481.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

8 Sec. 8481.004. DISTRICT TERRITORY

9 Sec. 8481.005. APPLICATION OF CONDITIONS TO CREATION

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 8481.051. COMPOSITION OF BOARD; TERMS

12 SUBCHAPTER C. POWERS AND DUTIES

13 Sec. 8481.101. GENERAL POWERS AND DUTIES

14 CHAPTER 8481. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 8481.001. DEFINITIONS. In this chapter:

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

18 (2) "Director" means a member of the board.

19 (3) "District" means the West Travis County Municipal  
20 Utility District No. 5. (Acts 71st Leg., R.S., Ch. 1214, Sec. 2;  
21 New.)

22 Sec. 8481.002. NATURE OF DISTRICT. The district is a  
23 conservation and reclamation district in Travis County created  
24 under Section 59, Article XVI, Texas Constitution. (Acts 71st  
25 Leg., R.S., Ch. 1214, Secs. 1(a) (part), (b) (part).)

26 Sec. 8481.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
27 The district is created to serve a public use and benefit.

1           (b) All land and other property included in the district  
2 will benefit from the works and projects accomplished by the  
3 district under the powers conferred by Section 59, Article XVI,  
4 Texas Constitution.

5           (c) The creation of the district is essential to accomplish  
6 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
7 71st Leg., R.S., Ch. 1214, Secs. 1(b) (part), 5.)

8           Sec. 8481.004. DISTRICT TERRITORY. (a) The district is  
9 composed of the territory described by Section 3, Chapter 1214,  
10 Acts of the 71st Legislature, Regular Session, 1989, as that  
11 territory may have been modified under:

- 12                   (1) Subchapter H, Chapter 54, Water Code;
- 13                   (2) Subchapter J, Chapter 49, Water Code; or
- 14                   (3) other law.

15           (b) The boundaries and field notes of the district form a  
16 closure. A mistake in the field notes or in copying the field notes  
17 in the legislative process does not affect:

- 18                   (1) the district's organization, existence, or  
19 validity;
- 20                   (2) the district's right to impose a tax; or
- 21                   (3) the legality or operation of the district or its  
22 governing body. (Acts 71st Leg., R.S., Ch. 1214, Sec. 4; New.)

23           Sec. 8481.005. APPLICATION OF CONDITIONS TO CREATION. The  
24 enactment of Chapter 1214, Acts of the 71st Legislature, Regular  
25 Session, 1989, did not affect conditions to the consent of the  
26 creation of the district imposed by any jurisdiction in which the  
27 district is located. (Acts 71st Leg., R.S., Ch. 1214, Sec. 11.)

1                   SUBCHAPTER B. BOARD OF DIRECTORS

2           Sec. 8481.051. COMPOSITION OF BOARD; TERMS. (a) The  
3 district is governed by a board of five directors.

4           (b) Directors serve staggered four-year terms. (Acts 71st  
5 Leg., R.S., Ch. 1214, Secs. 7(a), (d).)

6                   SUBCHAPTER C. POWERS AND DUTIES

7           Sec. 8481.101. GENERAL POWERS AND DUTIES. (a) The district  
8 has the rights, powers, privileges, functions, and duties:

9           (1) provided by general law applicable to a municipal  
10 utility district created under Section 59, Article XVI, Texas  
11 Constitution, including Chapters 49, 50, and 54, Water Code;

12           (2) relating to a road district or road utility  
13 district created under Section 52, Article III, Texas Constitution;  
14 and

15           (3) relating to a supply and distribution facility or  
16 system in order to provide potable and nonpotable water to the  
17 residents and businesses of Travis and Hays Counties.

18           (b) Notwithstanding Subsections (a)(2) and (3), the  
19 district may not construct, acquire, maintain, or operate a toll  
20 road. (Acts 71st Leg., R.S., Ch. 1214, Secs. 6(a) (part), (c),  
21 (d).)

22 CHAPTER 8482. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 12

23                   SUBCHAPTER A. GENERAL PROVISIONS

24 Sec. 8482.001. DEFINITIONS

25 Sec. 8482.002. NATURE OF DISTRICT

26 Sec. 8482.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

27 Sec. 8482.004. DISTRICT TERRITORY

1 Sec. 8482.005. ADDITION OR EXCLUSION OF DISTRICT  
2 TERRITORY; MUNICIPAL CONSENT NOT  
3 REQUIRED

4 Sec. 8482.006. PROHIBITION AGAINST IMPAIRMENT OF  
5 DISTRICT

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. 8482.051. COMPOSITION OF BOARD; TERMS

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 8482.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
10 DUTIES

11 SUBCHAPTER D. ANNEXATION BY MUNICIPALITY

12 Sec. 8482.151. ANNEXATION BY MUNICIPALITY

13 Sec. 8482.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION

14 CHAPTER 8482. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 12

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 8482.001. DEFINITIONS. In this chapter:

17 (1) "Board" means the board of directors of the  
18 district.

19 (2) "Director" means a member of the board.

20 (3) "District" means the Williamson County Municipal  
21 Utility District No. 12. (Acts 78th Leg., R.S., Ch. 761, Secs.  
22 1(1), (3); New.)

23 Sec. 8482.002. NATURE OF DISTRICT. (a) The district is a  
24 municipal utility district in Williamson County created under  
25 Section 59, Article XVI, Texas Constitution.

26 (b) The district is a political subdivision of this state.  
27 (Acts 78th Leg., R.S., Ch. 761, Secs. 2(a) (part), (b), 3(b))

1 (part).)

2 Sec. 8482.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
3 The district is created to serve a public use and benefit.

4 (b) All land and other property included in the district  
5 will benefit from the works and projects accomplished by the  
6 district under powers conferred by Section 59, Article XVI, Texas  
7 Constitution.

8 (c) The creation of the district is essential to accomplish  
9 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
10 78th Leg., R.S., Ch. 761, Secs. 3(a), (b) (part), (c).)

11 Sec. 8482.004. DISTRICT TERRITORY. (a) The district is  
12 composed of the territory described by Section 4, Chapter 761, Acts  
13 of the 78th Legislature, Regular Session, 2003, as that territory  
14 may have been modified under:

- 15 (1) Subchapter H, Chapter 54, Water Code;  
16 (2) Subchapter J, Chapter 49, Water Code; or  
17 (3) other law.

18 (b) The boundaries and field notes of the district form a  
19 closure. A mistake in the field notes or in copying the field notes  
20 in the legislative process does not affect:

- 21 (1) the district's organization, existence, or  
22 validity;  
23 (2) the district's right to impose a tax; or  
24 (3) the legality or operation of the district or the  
25 board. (Acts 78th Leg., R.S., Ch. 761, Sec. 5; New.)

26 Sec. 8482.005. ADDITION OR EXCLUSION OF DISTRICT TERRITORY;  
27 MUNICIPAL CONSENT NOT REQUIRED. The district may add or exclude



1 land in the manner provided by Chapters 49 and 54, Water Code,  
2 without the consent of any municipality. (Acts 78th Leg., R.S., Ch.  
3 761, Sec. 13(b).)

4 Sec. 8482.006. PROHIBITION AGAINST IMPAIRMENT OF DISTRICT.  
5 A municipality in whose extraterritorial jurisdiction the district  
6 is located may not take any action, including adopting an ordinance  
7 or resolution, that:

8 (1) impairs the district's ability to exercise the  
9 district's powers under this chapter; or

10 (2) limits the district's ability to finance,  
11 construct, or operate the district's water, wastewater, or drainage  
12 systems. (Acts 78th Leg., R.S., Ch. 761, Sec. 12.)

13 SUBCHAPTER B. BOARD OF DIRECTORS

14 Sec. 8482.051. COMPOSITION OF BOARD; TERMS. (a) The  
15 district is governed by a board of five directors.

16 (b) Directors serve staggered four-year terms. (Acts 78th  
17 Leg., R.S., Ch. 761, Secs. 7(a), (d).)

18 SUBCHAPTER C. POWERS AND DUTIES

19 Sec. 8482.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
20 DUTIES. The district has the rights, powers, privileges,  
21 functions, and duties provided by general law, including Chapters  
22 49 and 54, Water Code, applicable to a municipal utility district  
23 created under Section 59, Article XVI, Texas Constitution. (Acts  
24 78th Leg., R.S., Ch. 761, Sec. 11; New.)

25 SUBCHAPTER D. ANNEXATION BY MUNICIPALITY

26 Sec. 8482.151. ANNEXATION BY MUNICIPALITY. A municipality  
27 may annex the district on the earlier of:

1           (1) the date of installation of 90 percent of all  
2 works, improvements, facilities, plants, equipment, and appliances  
3 necessary and adequate to:

4                   (A) provide service to the proposed development  
5 in the district;

6                   (B) accomplish the purposes for which the  
7 district was created; and

8                   (C) exercise the powers provided by general law  
9 and this chapter; or

10           (2) the 20th anniversary of the date the district was  
11 confirmed. (Acts 78th Leg., R.S., Ch. 761, Sec. 13(a).)

12           Sec. 8482.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION. If  
13 a municipality in whose extraterritorial jurisdiction the district  
14 is located annexes the district for full or limited purposes and the  
15 annexation precludes or impairs the ability of the district to  
16 issue bonds, the municipality shall:

17           (1) simultaneously with the annexation, pay in cash to  
18 the landowner or developer of the district a sum equal to all actual  
19 costs and expenses incurred by the landowner or developer in  
20 connection with the district that:

21                   (A) the district has agreed in writing to pay;  
22 and

23                   (B) would otherwise have been eligible for  
24 reimbursement from bond proceeds under the rules and requirements  
25 of the Texas Commission on Environmental Quality as those rules and  
26 requirements exist on the date of annexation; and

27           (2) after the annexation, install all necessary water,

1 wastewater, and drainage facilities to serve full buildout of  
2 development in the district. (Acts 78th Leg., R.S., Ch. 761, Secs.  
3 1(2), 14.)

4 CHAPTER 8485. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 13

5 SUBCHAPTER A. GENERAL PROVISIONS

6 Sec. 8485.001. DEFINITIONS

7 Sec. 8485.002. NATURE OF DISTRICT

8 Sec. 8485.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

9 Sec. 8485.004. DISTRICT TERRITORY

10 Sec. 8485.005. ADDITION OR EXCLUSION OF DISTRICT

11 TERRITORY; MUNICIPAL CONSENT NOT

12 REQUIRED

13 Sec. 8485.006. PROHIBITION AGAINST IMPAIRMENT OF

14 DISTRICT

15 SUBCHAPTER B. BOARD OF DIRECTORS

16 Sec. 8485.051. COMPOSITION OF BOARD; TERMS

17 SUBCHAPTER C. POWERS AND DUTIES

18 Sec. 8485.101. MUNICIPAL UTILITY DISTRICT POWERS AND

19 DUTIES

20 SUBCHAPTER D. ANNEXATION BY MUNICIPALITY

21 Sec. 8485.151. ANNEXATION BY MUNICIPALITY

22 Sec. 8485.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION

23 CHAPTER 8485. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 13

24 SUBCHAPTER A. GENERAL PROVISIONS

25 Sec. 8485.001. DEFINITIONS. In this chapter:

26 (1) "Board" means the board of directors of the  
27 district.

1 (2) "Director" means a member of the board.

2 (3) "District" means the Williamson County Municipal  
3 Utility District No. 13. (Acts 78th Leg., R.S., Ch. 760, Secs. 1(1),  
4 (3); New.)

5 Sec. 8485.002. NATURE OF DISTRICT. (a) The district is a  
6 municipal utility district in Williamson County created under  
7 Section 59, Article XVI, Texas Constitution.

8 (b) The district is a political subdivision of this state.  
9 (Acts 78th Leg., R.S., Ch. 760, Secs. 2(a) (part), (b), 3(b)  
10 (part).)

11 Sec. 8485.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
12 The district is created to serve a public use and benefit.

13 (b) All land and other property included in the district  
14 will benefit from the works and projects accomplished by the  
15 district under powers conferred by Section 59, Article XVI, Texas  
16 Constitution.

17 (c) The creation of the district is essential to accomplish  
18 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
19 78th Leg., R.S., Ch. 760, Secs. 3(a), (b) (part), (c).)

20 Sec. 8485.004. DISTRICT TERRITORY. (a) The district is  
21 composed of the territory described by Section 4, Chapter 760, Acts  
22 of the 78th Legislature, Regular Session, 2003, as that territory  
23 may have been modified under:

- 24 (1) Subchapter H, Chapter 54, Water Code;  
25 (2) Subchapter J, Chapter 49, Water Code; or  
26 (3) other law.

27 (b) The boundaries and field notes of the district form a

1 closure. A mistake in the field notes or in copying the field notes  
2 in the legislative process does not affect:

3 (1) the district's organization, existence, or  
4 validity;

5 (2) the district's right to impose a tax; or

6 (3) the legality or operation of the district or the  
7 board. (Acts 78th Leg., R.S., Ch. 760, Sec. 5; New.)

8 Sec. 8485.005. ADDITION OR EXCLUSION OF DISTRICT TERRITORY;  
9 MUNICIPAL CONSENT NOT REQUIRED. The district may add or exclude  
10 land in the manner provided by Chapters 49 and 54, Water Code,  
11 without the consent of any municipality. (Acts 78th Leg., R.S., Ch.  
12 760, Sec. 13(b).)

13 Sec. 8485.006. PROHIBITION AGAINST IMPAIRMENT OF DISTRICT.  
14 A municipality in whose extraterritorial jurisdiction the district  
15 is located may not take any action, including adopting an ordinance  
16 or resolution, that:

17 (1) impairs the district's ability to exercise the  
18 district's powers under this chapter; or

19 (2) limits the district's ability to finance,  
20 construct, or operate the district's water, wastewater, or drainage  
21 systems. (Acts 78th Leg., R.S., Ch. 760, Sec. 12.)

22 SUBCHAPTER B. BOARD OF DIRECTORS

23 Sec. 8485.051. COMPOSITION OF BOARD; TERMS. (a) The  
24 district is governed by a board of five directors.

25 (b) Directors serve staggered four-year terms. (Acts 78th  
26 Leg., R.S., Ch. 760, Secs. 7(a), (d).)

1                   SUBCHAPTER C. POWERS AND DUTIES

2           Sec. 8485.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
3 DUTIES. The district has the rights, powers, privileges,  
4 functions, and duties provided by general law, including Chapters  
5 49 and 54, Water Code, applicable to a municipal utility district  
6 created under Section 59, Article XVI, Texas Constitution. (Acts  
7 78th Leg., R.S., Ch. 760, Sec. 11; New.)

8                   SUBCHAPTER D. ANNEXATION BY MUNICIPALITY

9           Sec. 8485.151. ANNEXATION BY MUNICIPALITY. A municipality  
10 may annex the district on the earlier of:

11                   (1) the date of installation of 90 percent of all  
12 works, improvements, facilities, plants, equipment, and appliances  
13 necessary and adequate to:

14                           (A) provide service to the proposed development  
15 in the district;

16                           (B) accomplish the purposes for which the  
17 district was created; and

18                           (C) exercise the powers provided by general law  
19 and this chapter; or

20                   (2) the 20th anniversary of the date the district was  
21 confirmed. (Acts 78th Leg., R.S., Ch. 760, Sec. 13(a).)

22           Sec. 8485.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION. If  
23 a municipality in whose extraterritorial jurisdiction the district  
24 is located annexes the district for full or limited purposes and the  
25 annexation precludes or impairs the ability of the district to  
26 issue bonds, the municipality shall:

27                   (1) simultaneously with the annexation, pay in cash to

1 the landowner or developer of the district a sum equal to all actual  
2 costs and expenses incurred by the landowner or developer in  
3 connection with the district that:

4 (A) the district has agreed in writing to pay;  
5 and

6 (B) would otherwise have been eligible for  
7 reimbursement from bond proceeds under the rules and requirements  
8 of the Texas Commission on Environmental Quality as those rules and  
9 requirements exist on the date of annexation; and

10 (2) after the annexation, install all necessary water,  
11 wastewater, and drainage facilities to serve full buildout of  
12 development in the district. (Acts 78th Leg., R.S., Ch. 760, Secs.  
13 1(2), 14.)

14 CHAPTER 8486. WILLIAMSON COUNTY WATER, SEWER, IRRIGATION, AND  
15 DRAINAGE DISTRICT NO. 3

16 SUBCHAPTER A. GENERAL PROVISIONS

17 Sec. 8486.001. DEFINITIONS

18 Sec. 8486.002. NATURE OF DISTRICT

19 Sec. 8486.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

20 Sec. 8486.004. DISTRICT TERRITORY

21 SUBCHAPTER B. BOARD OF DIRECTORS

22 Sec. 8486.051. COMPOSITION OF BOARD

23 Sec. 8486.052. BOARD VACANCY

24 SUBCHAPTER C. POWERS AND DUTIES

25 Sec. 8486.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
26 DUTIES

27 CHAPTER 8486. WILLIAMSON COUNTY WATER, SEWER, IRRIGATION, AND

DRAINAGE DISTRICT NO. 3

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8486.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Williamson County Water, Sewer, Irrigation, and Drainage District No. 3. (Acts 70th Leg., R.S., Ch. 650, Sec. 2; New.)

Sec. 8486.002. NATURE OF DISTRICT. The district is a conservation and reclamation district in Williamson County, created under Section 59, Article XVI, Texas Constitution. (Acts 70th Leg., R.S., Ch. 650, Sec. 1(a) (part).)

Sec. 8486.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

(b) All land and other property included in the boundaries of the district will benefit from the works and projects accomplished by the district under the powers conferred by Section 59, Article XVI, Texas Constitution.

(c) The creation of the district is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution. (Acts 70th Leg., R.S., Ch. 650, Secs. 1(b), 5.)

Sec. 8486.004. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 3, Chapter 650, Acts of the 70th Legislature, Regular Session, 1987, as that territory may have been modified under:

(1) Subchapter H, Chapter 54, Water Code;

(2) Subchapter J, Chapter 49, Water Code; or



1           (3) other law.

2           (b) The boundaries and field notes of the district form a  
3 closure. A mistake in the field notes or in copying the field notes  
4 in the legislative process does not affect:

5           (1) the district's organization, existence, or  
6 validity;

7           (2) the district's right to impose a tax; or

8           (3) the legality or operation of the district or its  
9 governing body. (Acts 70th Leg., R.S., Ch. 650, Sec. 4; New.)

10                           SUBCHAPTER B. BOARD OF DIRECTORS

11           Sec. 8486.051. COMPOSITION OF BOARD. The district is  
12 governed by a board of five elected directors. (Acts 70th Leg.,  
13 R.S., Ch. 650, Secs. 7(a), (b) (part).)

14           Sec. 8486.052. BOARD VACANCY. (a) Except as provided by  
15 Subsection (b), a vacancy in the office of director shall be filled  
16 in the manner provided by Section 49.105, Water Code.

17           (b) The Texas Commission on Environmental Quality shall  
18 appoint directors to fill all of the vacancies on the board whenever  
19 the number of qualified directors is fewer than three. (Acts 70th  
20 Leg., R.S., Ch. 650, Sec. 7(e) (part); New.)

21                           SUBCHAPTER C. POWERS AND DUTIES

22           Sec. 8486.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
23 DUTIES. The district has the rights, powers, privileges, duties,  
24 and functions provided by general law applicable to a municipal  
25 utility district created under Section 59, Article XVI, Texas  
26 Constitution, including Chapters 49, 50, and 54, Water Code. (Acts  
27 70th Leg., R.S., Ch. 650, Sec. 6(a) (part).)

1 SECTION 1.05. Subtitle G, Title 6, Special District Local  
2 Laws Code, is amended by adding Chapter 8506 to read as follows:

3 CHAPTER 8506. UPPER COLORADO RIVER AUTHORITY

4 SUBCHAPTER A. GENERAL PROVISIONS

5 Sec. 8506.001. DEFINITIONS

6 Sec. 8506.002. CREATION AND NATURE OF AUTHORITY

7 Sec. 8506.003. TERRITORY

8 Sec. 8506.004. LIBERAL CONSTRUCTION OF CHAPTER

9 SUBCHAPTER B. BOARD OF DIRECTORS; ADMINISTRATIVE PROVISIONS

10 Sec. 8506.051. MEMBERSHIP OF BOARD

11 Sec. 8506.052. TERMS

12 Sec. 8506.053. REMOVAL

13 Sec. 8506.054. VACANCY

14 Sec. 8506.055. VOTING REQUIREMENT

15 Sec. 8506.056. OFFICERS AND EMPLOYEES

16 Sec. 8506.057. SURETY BONDS

17 Sec. 8506.058. AUTHORITY'S OFFICE AND DOMICILE

18 Sec. 8506.059. CONFLICT OF INTEREST; CRIMINAL PENALTY

19 SUBCHAPTER C. POWERS AND DUTIES

20 Sec. 8506.101. GENERAL POWERS

21 Sec. 8506.102. POWERS RELATED TO WATER OF COLORADO

22 RIVER AND ITS TRIBUTARIES

23 Sec. 8506.103. SALE AND DISTRIBUTION OF WATER OUTSIDE

24 BOUNDARIES OF AUTHORITY

25 Sec. 8506.104. DEVELOPMENT, GENERATION, DISTRIBUTION,

26 AND SALE OF WATER POWER AND ELECTRIC

27 ENERGY

- 1 Sec. 8506.105. PREVENTION OF DAMAGE TO PERSONS OR  
2 PROPERTY
- 3 Sec. 8506.106. FORESTATION AND REFORESTATION;  
4 PREVENTION OF SOIL EROSION AND FLOODS
- 5 Sec. 8506.107. AUTHORITY PROPERTY; EMINENT DOMAIN
- 6 Sec. 8506.108. SALE, LEASE, MORTGAGE, OR OTHER  
7 DISPOSITION OF AUTHORITY PROPERTY
- 8 Sec. 8506.109. OVERFLOW OR INUNDATION OF PUBLIC  
9 PROPERTY; RELOCATION OF ROADS
- 10 Sec. 8506.110. CONSTRUCTION, MAINTENANCE, AND  
11 OPERATION OF FACILITIES
- 12 Sec. 8506.111. SEAL
- 13 Sec. 8506.112. GENERAL CONTRACT POWERS
- 14 Sec. 8506.113. ADDITIONAL POWERS RELATING TO  
15 CONTRACTS, RULES, AND REGULATIONS
- 16 Sec. 8506.114. LIMITATIONS ON POWERS OF AUTHORITY
- 17 Sec. 8506.115. PUBLIC USE OF AUTHORITY'S LAND
- 18 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
- 19 Sec. 8506.151. DISBURSEMENT OF MONEY
- 20 Sec. 8506.152. ACCOUNTS, CONTRACTS, AND OTHER RECORDS;  
21 PUBLIC INSPECTION
- 22 Sec. 8506.153. FILING OF COPIES OF AUDIT REPORT
- 23 Sec. 8506.154. RATES AND OTHER CHARGES
- 24 Sec. 8506.155. USE OF EXCESS REVENUE
- 25 Sec. 8506.156. TAX OR ASSESSMENT OR PLEDGE OF CREDIT  
26 OF STATE NOT AUTHORIZED BY CHAPTER

1 SUBCHAPTER E. OBLIGATIONS RELATING TO BORROWED MONEY OR GRANTS

2 Sec. 8506.201. LOANS AND GRANTS

3 Sec. 8506.202. STATE PLEDGE REGARDING RIGHTS AND

4 REMEDIES OF BONDHOLDERS

5 Sec. 8506.203. OBLIGATION PAYABLE FROM REVENUE

6 Sec. 8506.204. POWER TO ISSUE REVENUE BONDS

7 Sec. 8506.205. TERMS OF ISSUANCE

8 Sec. 8506.206. DEPOSIT OF PROCEEDS

9 Sec. 8506.207. RESOLUTION PROVISIONS

10 Sec. 8506.208. DEFAULT PROCEDURES

11 Sec. 8506.209. POWER OF AUTHORITY TO PURCHASE BONDS

12 ISSUED BY AUTHORITY

13 Sec. 8506.210. BONDS EXEMPT FROM TAXATION

14 CHAPTER 8506. UPPER COLORADO RIVER AUTHORITY

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 8506.001. DEFINITIONS. In this chapter:

17 (1) "Authority" means the Upper Colorado River  
18 Authority.

19 (2) "Board" means the board of directors of the  
20 authority.

21 (3) "Director" means a member of the board. (Acts 44th  
22 Leg., R.S., G.L., Ch. 126, Secs. 1 (part), 3(a) (part); New.)

23 Sec. 8506.002. CREATION AND NATURE OF AUTHORITY. (a) The  
24 authority is created as a conservation and reclamation district and  
25 a state agency.

26 (b) The creation of the authority is essential to the  
27 accomplishment of the purposes of Section 59(a), Article XVI, Texas

1 Constitution. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 1 (part),  
2 18 (part).)

3 Sec. 8506.003. TERRITORY. Unless modified under Subchapter  
4 J, Chapter 49, Water Code, or other law, the authority's territory  
5 consists of that part of this state included in the boundaries of  
6 Coke and Tom Green Counties. (Acts 44th Leg., R.S., G.L., Ch. 126,  
7 Sec. 1 (part); New.)

8 Sec. 8506.004. LIBERAL CONSTRUCTION OF CHAPTER. This  
9 chapter shall be liberally construed to effect its purposes. (Acts  
10 44th Leg., R.S., G.L., Ch. 126, Sec. 20.)

11 SUBCHAPTER B. BOARD OF DIRECTORS; ADMINISTRATIVE PROVISIONS

12 Sec. 8506.051. MEMBERSHIP OF BOARD. (a) The board consists  
13 of nine directors appointed by the governor with the advice and  
14 consent of the senate.

15 (b) Each director must be a resident of and a freehold  
16 property taxpayer in this state.

17 (c) Three directors must be residents of Tom Green County,  
18 three directors must be residents of Coke County, and three  
19 directors must be residents of counties contiguous to the authority  
20 or a county any part of which is within 25 miles of the authority.  
21 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 3(a) (part).)

22 Sec. 8506.052. TERMS. Directors are appointed for  
23 staggered terms of six years with three directors' terms expiring  
24 on February 1 of each odd-numbered year. (Acts 44th Leg., R.S.,  
25 G.L., Ch. 126, Sec. 3(a) (part).)

26 Sec. 8506.053. REMOVAL. A director may be removed by the  
27 governor for inefficiency, neglect of duty, or misconduct in

1 office, after at least 10 days' written notice of the charge against  
2 the director and an opportunity to be heard in person or by counsel  
3 at a public hearing. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec.  
4 3(a) (part).)

5 Sec. 8506.054. VACANCY. A vacancy on the board shall be  
6 filled by the governor for the unexpired term. (Acts 44th Leg.,  
7 R.S., G.L., Ch. 126, Sec. 3(a) (part).)

8 Sec. 8506.055. VOTING REQUIREMENT. (a) Except as provided  
9 by this chapter or the bylaws, action may be taken by the  
10 affirmative vote of a majority of the directors present at a  
11 meeting.

12 (b) The following are valid only if authorized or ratified  
13 by the affirmative vote of at least five directors:

14 (1) a contract that involves an amount greater than  
15 \$10,000 or has a duration of more than one year;

16 (2) a bond, note, or other evidence of indebtedness;  
17 or

18 (3) an amendment of the bylaws. (Acts 44th Leg., R.S.,  
19 G.L., Ch. 126, Sec. 3(b) (part).)

20 Sec. 8506.056. OFFICERS AND EMPLOYEES. (a) The board shall  
21 select a secretary, a presiding officer, and a treasurer. The  
22 treasurer may also hold the office of secretary.

23 (b) The secretary shall keep accurate and complete records  
24 of all proceedings of the board.

25 (c) Until the board selects a secretary, or if the secretary  
26 is absent or unable to act, the board shall select a secretary pro  
27 tem.

1 (d) The presiding officer is the chief executive officer of  
2 the authority.

3 (e) The secretary, secretary pro tem, presiding officer,  
4 and treasurer have the powers and duties, hold office for the term,  
5 and are subject to removal in the manner provided by the bylaws.

6 (f) The board shall set the compensation of the secretary,  
7 secretary pro tem, presiding officer, and treasurer.

8 (g) The board may appoint other officers, agents, and  
9 employees, set their compensation and term of office, prescribe  
10 their duties and the method by which they may be removed, and  
11 delegate to them any of its powers and duties as it considers  
12 proper. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 2 (part), 4.)

13 Sec. 8506.057. SURETY BONDS. (a) The presiding officer,  
14 the treasurer, and any other officer, agent, or employee of the  
15 authority who is charged with the collection, custody, or payment  
16 of authority money shall give bond conditioned on:

17 (1) the faithful performance of the person's duties;  
18 and

19 (2) an accounting for all money and property of the  
20 authority coming into the person's possession.

21 (b) The bond must be in a form and amount and with a surety  
22 approved by the board, and the surety on the bond must be a surety  
23 company authorized to do business in this state.

24 (c) The authority shall pay the premium on the bond and  
25 charge the premium as an operating expense.

26 (d) The bond must be payable to the board for the use and  
27 benefit of the authority. (Acts 44th Leg., R.S., G.L., Ch. 126,

1 Sec. 5 (part).)

2 Sec. 8506.058. AUTHORITY'S OFFICE AND DOMICILE. (a) The  
3 board by majority vote shall determine the location of the  
4 authority's general office.

5 (b) The county in which the authority's general office is  
6 located is the authority's domicile.

7 (c) The presiding officer is in charge of the authority's  
8 general office. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 6  
9 (part).)

10 Sec. 8506.059. CONFLICT OF INTEREST; CRIMINAL PENALTY. (a)  
11 A director, officer, agent, or employee of the authority may not be  
12 directly or indirectly interested in a contract for the purchase of  
13 any property or construction of any work by or for the authority.

14 (b) A person commits an offense if the person violates this  
15 section. An offense under this subsection is a felony punishable  
16 by:

17 (1) a fine not to exceed \$10,000;

18 (2) confinement in the institutional division of the  
19 Texas Department of Criminal Justice for not less than one year or  
20 more than 10 years; or

21 (3) both the fine and confinement. (Acts 44th Leg.,  
22 R.S., G.L., Ch. 126, Sec. 7.)

23 SUBCHAPTER C. POWERS AND DUTIES

24 Sec. 8506.101. GENERAL POWERS. (a) The authority has:

25 (1) the powers of government and the authority to  
26 exercise the rights, privileges, and functions specified by this  
27 chapter; and



1           (2) all powers, rights, privileges, and functions  
2 conferred by general law on any district created pursuant to  
3 Section 59(a), Article XVI, Texas Constitution, except as expressly  
4 limited by this chapter.

5           (b) The authority may perform any act necessary or  
6 convenient to the exercise of the powers, rights, privileges, or  
7 functions conferred on the authority by this chapter or any other  
8 law. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 1 (part), 2  
9 (part).)

10           Sec. 8506.102. POWERS RELATED TO WATER OF COLORADO RIVER  
11 AND ITS TRIBUTARIES. Inside the boundaries of the authority, the  
12 authority may:

13           (1) control, store, and preserve the water of the  
14 Colorado River and its tributaries for any useful purpose; and

15           (2) use, distribute, and sell the water described by  
16 Subdivision (1) for any useful purpose. (Acts 44th Leg., R.S.,  
17 G.L., Ch. 126, Sec. 2 (part).)

18           Sec. 8506.103. SALE AND DISTRIBUTION OF WATER OUTSIDE  
19 BOUNDARIES OF AUTHORITY. The authority may:

20           (1) sell and distribute water outside the boundaries  
21 of the authority to any municipality for domestic, municipal, or  
22 irrigation purposes or to any person for municipal purposes or  
23 irrigation; and

24           (2) construct a flume, irrigation ditch, pipeline, or  
25 storage reservoir outside the authority for a purpose described by  
26 Subdivision (1). (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2  
27 (part).)

1           Sec. 8506.104. DEVELOPMENT, GENERATION, DISTRIBUTION, AND  
2 SALE OF WATER POWER AND ELECTRIC ENERGY. (a) The authority may:

3                   (1) develop and generate water power and electric  
4 energy inside the boundaries of the authority; and

5                   (2) distribute and sell water power and electric  
6 energy inside or outside the boundaries of the authority.

7           (b) A use authorized by this section is subordinate and  
8 inferior to an irrigation requirement. (Acts 44th Leg., R.S.,  
9 G.L., Ch. 126, Sec. 2 (part).)

10          Sec. 8506.105. PREVENTION OF DAMAGE TO PERSONS OR PROPERTY.  
11 The authority may prevent or aid in the prevention of damage to  
12 persons or property from the water of the Colorado River and its  
13 tributaries. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2 (part).)

14          Sec. 8506.106. FORESTATION AND REFORESTATION; PREVENTION  
15 OF SOIL EROSION AND FLOODS. In the watershed of the Colorado River  
16 and its tributaries, the authority may:

17                   (1) forest, reforest, or aid in foresting or  
18 reforesting; and

19                   (2) prevent or aid in the prevention of soil erosion  
20 and floods. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2 (part).)

21          Sec. 8506.107. AUTHORITY PROPERTY; EMINENT DOMAIN. (a) The  
22 authority may acquire, maintain, use, and operate property of any  
23 kind or any interest in property, inside or outside the boundaries  
24 of the authority, necessary or convenient to the exercise of the  
25 powers, rights, privileges, and functions conferred on the  
26 authority by this chapter. The authority may acquire the property  
27 or interest in property by purchase, lease, gift, exercise of the

1 power of eminent domain, or any other manner.

2 (b) The authority must exercise the power of eminent domain  
3 in the manner provided by:

4 (1) Chapter 21, Property Code; or

5 (2) the statutes relating to condemnation by districts  
6 organized under general law pursuant to Section 59(a), Article XVI,  
7 Texas Constitution. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2  
8 (part).)

9 Sec. 8506.108. SALE, LEASE, MORTGAGE, OR OTHER DISPOSITION  
10 OF AUTHORITY PROPERTY. (a) The authority may not:

11 (1) mortgage or otherwise encumber authority property  
12 of any kind, or any interest in authority property; or

13 (2) acquire any property or interest in property  
14 subject to a mortgage or conditional sale.

15 (b) Subsection (a) does not prevent pledging authority  
16 revenue as authorized by this chapter.

17 (c) This chapter does not authorize the sale, lease, or  
18 other disposition of authority property of any kind, or an interest  
19 in authority property, by the authority, by a receiver of any  
20 authority property, through a court proceeding, or otherwise.

21 (d) Notwithstanding Subsection (c), the authority may sell  
22 for cash authority property of any kind, or an interest in authority  
23 property, if:

24 (1) the board, by the affirmative vote of six members  
25 of the board, determines that the property or interest is not  
26 necessary or convenient to the business of the authority and  
27 approves the terms of the sale; and

1           (2) the aggregate value of the properties or interests  
2 sold in any year does not exceed \$50,000.

3           (e) It is the intent of the legislature that, except by sale  
4 as expressly authorized by this section, authority property or an  
5 interest in authority property never come into the ownership or  
6 control, directly or indirectly, of any person other than a public  
7 authority created under the laws of this state.

8           (f) Authority property is exempt from forced sale. The sale  
9 of authority property under a judgment rendered in a suit is  
10 prohibited. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 2 (part),  
11 14.)

12           Sec. 8506.109. OVERFLOW OR INUNDATION OF PUBLIC PROPERTY;  
13 RELOCATION OF ROADS. The authority may overflow and inundate any  
14 public land or public property and require the relocation of a road  
15 or highway in the manner and to the extent permitted to a district  
16 organized under general law pursuant to Section 59(a), Article XVI,  
17 Texas Constitution. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2  
18 (part).)

19           Sec. 8506.110. CONSTRUCTION, MAINTENANCE, AND OPERATION OF  
20 FACILITIES. The authority may construct, extend, improve,  
21 maintain, and reconstruct, cause to be constructed, extended,  
22 improved, maintained, and reconstructed, and use and operate  
23 facilities of any kind necessary or convenient to the exercise of  
24 the authority's powers, rights, privileges, and functions. (Acts  
25 44th Leg., R.S., G.L., Ch. 126, Sec. 2 (part).)

26           Sec. 8506.111. SEAL. The authority may adopt and use a  
27 corporate seal. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2

1 (part).)

2           Sec. 8506.112. GENERAL CONTRACT POWERS. The authority may  
3 make a contract or execute an instrument necessary or convenient to  
4 the exercise of the powers, rights, privileges, and functions  
5 conferred on the authority by this chapter. (Acts 44th Leg., R.S.,  
6 G.L., Ch. 126, Sec. 2 (part).)

7           Sec. 8506.113. ADDITIONAL POWERS RELATING TO CONTRACTS,  
8 RULES, AND REGULATIONS. The authority may enter into and carry out  
9 contracts or establish or comply with rules and regulations  
10 concerning labor and materials and other related matters in  
11 connection with any project the authority considers desirable or as  
12 requested by the United States, or any corporation or agency  
13 created, designated, or established by the United States, that may  
14 assist in the financing of the project. (Acts 44th Leg., R.S.,  
15 G.L., Ch. 126, Sec. 12.)

16           Sec. 8506.114. LIMITATIONS ON POWERS OF AUTHORITY. (a)  
17 Notwithstanding any right or permit to use the water of the Colorado  
18 River and its tributaries for the generation of hydroelectric power  
19 that was issued by the former State Board of Water Engineers, was in  
20 existence as of May 2, 1935, and is acquired by the authority, the  
21 impounding and use of the floodwaters of the Colorado River and its  
22 tributaries for the generation of hydroelectric power by the  
23 authority or a person who succeeds to the rights and privileges  
24 conferred on the authority by this chapter are subject to the rights  
25 of any other person who before May 2, 1935, was impounding or as of  
26 that date was putting to beneficial use any water for the purposes  
27 described by Sections [11.024](#)(1) and (2), Water Code, if the person:

1           (1) before May 2, 1935, received a permit for that use  
2 from the former State Board of Water Engineers; or

3           (2) by law was permitted before May 2, 1935, to impound  
4 water for those purposes.

5           (b) This chapter may not be construed to subject to  
6 condemnation by the authority or any successor of the authority, or  
7 by any person who succeeds to the rights and privileges conferred on  
8 the authority by this chapter, any water:

9           (1) impounded or to be impounded inside or outside the  
10 authority under any law authorizing water to be impounded or under  
11 any permit granted to a municipal corporation or body politic; or

12           (2) impounded or permitted to be impounded or used  
13 outside the authority under a permit granted to any person.

14           (c) This chapter may not be construed to deprive any person  
15 of the right to impound the water of the Colorado River or its  
16 tributaries for domestic or municipal purposes or to repeal any law  
17 granting such a right to a person.

18           (d) The rights of the authority to impound, use, or sell the  
19 water of the Colorado River and its tributaries for the generation  
20 of hydroelectric power are subordinate and inferior to the rights  
21 of:

22           (1) municipalities situated in the watershed of the  
23 Colorado River and its tributaries to build dams and impound  
24 floodwaters for municipal purposes; and

25           (2) any residents of this state or bodies politic to  
26 build dams and impound the floodwaters in the watershed of the  
27 Colorado River and its tributaries for domestic purposes and for

1 the purposes of irrigation.

2 (e) The title to any right, property, license, franchise, or  
3 permit acquired by the authority is subject to the limitations  
4 imposed by Subsection (d). (Acts 44th Leg., R.S., G.L., Ch. 126,  
5 Secs. 2 (part), 2-a.)

6 Sec. 8506.115. PUBLIC USE OF AUTHORITY'S LAND. (a) The  
7 authority may not prevent free public use of its land for  
8 recreational purposes, hunting, or fishing except:

9 (1) at such points where, in the opinion of the board,  
10 the use would interfere with the proper conduct of the business;

11 (2) in connection with the enforcement of sanitary  
12 regulations; or

13 (3) to protect the public's health.

14 (b) All public rights-of-way not traversing the areas to be  
15 flooded by the impounded waters shall remain open as a way of free  
16 public passage to and from the lakes created, and a charge may not  
17 be made to the public for the right to engage in hunting, fishing,  
18 boating, or swimming thereon.

19 (c) On notice by a resident of this state of a violation of  
20 this section, the attorney general shall institute the proper legal  
21 proceedings to require the authority or its successor to comply  
22 with this section.

23 (d) If the authority sells any of the authority's land  
24 bordering a lake created under this chapter, the authority shall  
25 retain in each tract a strip 80 feet wide abutting the high-water  
26 line of the lake for the purpose of passage and use by the public for  
27 public sports and amusements. This subsection does not apply to a

1 sale of land by the authority to a state or federal agency to be used  
2 for game or fish sanctuaries, preserves, or for propagation  
3 purposes. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 15.)

4 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

5 Sec. 8506.151. DISBURSEMENT OF MONEY. The authority may  
6 disburse its money only by a check, draft, order, or other  
7 instrument signed by a person authorized to sign the instrument by  
8 the bylaws or a resolution in which at least five directors concur.  
9 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 5 (part).)

10 Sec. 8506.152. ACCOUNTS, CONTRACTS, AND OTHER RECORDS;  
11 PUBLIC INSPECTION. (a) The authority shall keep complete and  
12 accurate accounts conforming to approved methods of bookkeeping.

13 (b) The accounts and all contracts, documents, and records  
14 of the authority shall be kept at the principal office of the  
15 authority.

16 (c) The contracts shall be open to public inspection at all  
17 reasonable times. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 6  
18 (part).)

19 Sec. 8506.153. FILING OF COPIES OF AUDIT REPORT. Copies of  
20 the audit report prepared under Subchapter G, Chapter 49, Water  
21 Code, shall be certified to by the accountant who performed the  
22 audit and filed:

23 (1) as required by Section 49.194, Water Code; and

24 (2) with the comptroller. (Acts 44th Leg., R.S.,  
25 G.L., Ch. 126, Sec. 6 (part); New.)

26 Sec. 8506.154. RATES AND OTHER CHARGES. (a) The board  
27 shall establish and collect rates and other charges for the sale or



1 use of water, water connections, power, electric energy, or other  
2 services sold, provided, or supplied by the authority.

3 (b) The rates and charges must be reasonable,  
4 nondiscriminatory, and sufficient to provide revenue adequate to:

5 (1) pay all expenses necessary to the operation and  
6 maintenance of the properties and facilities of the authority;

7 (2) pay the interest on and the principal of all bonds  
8 issued under this chapter or its predecessor statute when and as  
9 they become due and payable;

10 (3) pay all sinking fund or reserve fund payments  
11 agreed to be made with respect to bonds issued under this chapter or  
12 its predecessor statute and payable out of that revenue when and as  
13 they become due and payable; and

14 (4) fulfill the terms of any agreements made with the  
15 holders of bonds issued under this chapter or its predecessor  
16 statute or with any person in their behalf.

17 (c) The rates and charges may not exceed what may be  
18 necessary to fulfill the obligations imposed on the authority by  
19 this chapter. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 8 (part).)

20 Sec. 8506.155. USE OF EXCESS REVENUE. If the authority  
21 receives revenue in excess of that required for the purposes  
22 specified by Section 8506.154(b), the board may:

23 (1) use the excess revenue to:

24 (A) establish a reasonable depreciation and  
25 emergency fund; or

26 (B) retire bonds issued under this chapter or its  
27 predecessor statute by purchase and cancellation or redemption; or

1           (2) apply the excess revenue to any corporate purpose.  
2 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 8 (part).)

3           Sec. 8506.156. TAX OR ASSESSMENT OR PLEDGE OF CREDIT OF  
4 STATE NOT AUTHORIZED BY CHAPTER. This chapter does not authorize  
5 the authority to:

6           (1) levy or collect a tax or assessment;

7           (2) create any debt payable out of taxes or  
8 assessments; or

9           (3) in any way pledge the credit of this state. (Acts  
10 44th Leg., R.S., G.L., Ch. 126, Sec. 1 (part).)

11       SUBCHAPTER E. OBLIGATIONS RELATING TO BORROWED MONEY OR GRANTS

12           Sec. 8506.201. LOANS AND GRANTS. The authority may:

13           (1) borrow money for the authority's corporate  
14 purposes;

15           (2) borrow money or accept a grant from the United  
16 States and, in connection with the loan or grant, enter into any  
17 agreement the United States or the corporation or agency may  
18 require; and

19           (3) make and issue bonds for money borrowed, in the  
20 manner and to the extent provided by Sections 8506.204, 8506.205,  
21 8506.206, 8506.207, and 8506.208. (Acts 44th Leg., R.S., G.L., Ch.  
22 126, Sec. 2 (part).)

23           Sec. 8506.202. STATE PLEDGE REGARDING RIGHTS AND REMEDIES  
24 OF BONDHOLDERS. This chapter does not deprive this state of its  
25 power to regulate and control rates or charges to be collected for  
26 the use of water, water connections, power, electric energy, or  
27 another service. The state pledges to and agrees with the

1 purchasers and successive holders of the bonds issued under this  
2 chapter that the state will not limit or alter the power this  
3 chapter gives the authority to establish and collect rates and  
4 charges that will produce revenue sufficient to pay the items  
5 specified by Section 8506.154(b) or in any way impair the rights or  
6 remedies of the holders of the bonds, or of any person in their  
7 behalf, until the following are fully met and discharged:

- 8 (1) the bonds;
- 9 (2) the interest on the bonds;
- 10 (3) interest on unpaid installments of interest;
- 11 (4) all costs and expenses in connection with any  
12 action or proceedings by or on behalf of the bondholders; and
- 13 (5) all other obligations of the authority in  
14 connection with the bonds. (Acts 44th Leg., R.S., G.L., Ch. 126,  
15 Sec. 8 (part).)

16 Sec. 8506.203. OBLIGATION PAYABLE FROM REVENUE. A debt,  
17 liability, or obligation of the authority for the payment of money,  
18 however entered into or incurred and whether arising from an  
19 express or implied contract or otherwise, is payable solely:

20 (1) out of the revenue received by the authority with  
21 respect to its properties, subject to any prior lien on the revenue  
22 conferred by any resolution previously adopted as provided by this  
23 chapter authorizing the issuance of bonds; or

24 (2) if the board so determines, out of the proceeds of  
25 sale by the authority of bonds payable solely from revenue  
26 described by Subdivision (1). (Acts 44th Leg., R.S., G.L., Ch. 126,  
27 Sec. 9.)

1           Sec. 8506.204. POWER TO ISSUE REVENUE BONDS. (a) The  
2 authority may issue revenue bonds for any corporate purpose in any  
3 amount authorized by the directors but not to exceed an aggregate  
4 principal amount of \$6 million.

5           (b) The bonds may be secured only by a pledge of the amounts  
6 granted or donated by this state or out of any other current revenue  
7 of the district, which amounts shall be paid to the legal holders of  
8 the bonds.

9           (c) The bonds must be authorized by a board resolution.  
10 (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 2 (part), 10 (part).)

11           Sec. 8506.205. TERMS OF ISSUANCE. Authority bonds may be:

12                 (1) sold for cash;

13                 (2) issued on terms the board determines in exchange  
14 for property of any kind, or any interest in property, that the  
15 board considers necessary or convenient for the corporate purpose  
16 for which the bonds are issued; or

17                 (3) issued in exchange for like principal amounts of  
18 other obligations of the authority, whether matured or unmatured.  
19 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 10 (part).)

20           Sec. 8506.206. DEPOSIT OF PROCEEDS. The proceeds of sale of  
21 authority bonds shall be deposited in one or more banks or trust  
22 companies, and shall be paid out according to the terms, on which  
23 the authority and the purchasers of the bonds agree. (Acts 44th  
24 Leg., R.S., G.L., Ch. 126, Sec. 10 (part).)

25           Sec. 8506.207. RESOLUTION PROVISIONS. (a) A resolution  
26 authorizing bonds may contain provisions approved by the board that  
27 are not inconsistent with this chapter, including provisions:

1           (1) reserving the right to redeem the bonds at the time  
2 or times, in the amounts, and at the prices, not exceeding 105  
3 percent of the principal amount of the bonds, plus accrued  
4 interest, as may be provided;

5           (2) providing for the setting aside of sinking funds  
6 or reserve funds and the regulation and disposition of those funds;

7           (3) pledging, to secure the payment of the principal  
8 of and interest on the bonds and of the sinking fund or reserve fund  
9 payments agreed to be made with respect to the bonds:

10           (A) all or any part of the gross or net revenue  
11 subsequently received by the authority with respect to the property  
12 to be acquired or constructed with the bonds or the proceeds of the  
13 bonds; or

14           (B) all or any part of the gross or net revenue  
15 subsequently received by the authority from any source;

16           (4) prescribing the purposes to which the bonds or any  
17 bonds subsequently to be issued, or the proceeds of the bonds, may  
18 be applied;

19           (5) agreeing to set and collect rates and charges  
20 sufficient to produce revenue adequate to pay the items specified  
21 by Section 8506.154(b) and prescribing the use and disposition of  
22 all revenue;

23           (6) prescribing limitations on the issuance of  
24 additional bonds and on the agreements that may be made with the  
25 purchasers and successive holders of those bonds;

26           (7) regarding the construction, extension,  
27 improvement, reconstruction, operation, maintenance, and repair of

1 the properties of the authority and the carrying of insurance on all  
2 or any part of those properties covering loss or damage or loss of  
3 use and occupancy resulting from specified risks;

4 (8) setting the procedure, if any, by which, if the  
5 authority so desires, the terms of a contract with the bondholders  
6 may be amended or abrogated, the amount of bonds the holders of  
7 which must consent to that amendment or abrogation, and the manner  
8 in which the consent may be given; and

9 (9) providing for the execution and delivery by the  
10 authority to a bank or trust company authorized by law to accept  
11 trusts, or to the United States or any officer of the United States,  
12 of indentures and agreements for the benefit of the bondholders  
13 setting forth any or all of the agreements authorized by this  
14 chapter to be made with or for the benefit of the bondholders and  
15 any other provisions that are customary in such indentures or  
16 agreements.

17 (b) A provision authorized by this section that is contained  
18 in a bond resolution is part of the contract between the authority  
19 and the bondholders. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 10  
20 (part).)

21 Sec. 8506.208. DEFAULT PROCEDURES. (a) This section  
22 applies only to a default in:

23 (1) the payment of the interest on bonds as the  
24 interest becomes due and payable;

25 (2) the payment of the principal of bonds as they  
26 become due and payable, whether at maturity, by call for  
27 redemption, or otherwise; or

1           (3) the performance of an agreement made with the  
2 purchasers or successive holders of bonds.

3           (b) A resolution authorizing bonds and any indenture or  
4 agreement entered into under the resolution may provide that in the  
5 event of a default described by Subsection (a) that continues for a  
6 period, if any, prescribed by the resolution, the trustee under the  
7 indenture entered into with respect to the bonds authorized by the  
8 resolution, or, if there is no indenture, a trustee appointed in the  
9 manner provided in the resolution by the holders of 25 percent in  
10 aggregate principal amount of the bonds authorized by the  
11 resolution and then outstanding may, and on the written request of  
12 the holders of 25 percent in aggregate principal amount of the bonds  
13 authorized by the resolution then outstanding, shall, in the  
14 trustee's own name, but for the equal and proportionate benefit of  
15 the holders of all of the bonds, and with or without having  
16 possession of the bonds:

17           (1) by mandamus or other suit, action, or proceeding  
18 at law or in equity, enforce all rights of the bondholders;

19           (2) bring suit on the bonds or the appurtenant  
20 coupons;

21           (3) by action or suit in equity, require the authority  
22 to account as if it were the trustee of an express trust for the  
23 bondholders;

24           (4) by action or suit in equity, enjoin any acts or  
25 things that may be unlawful or in violation of the rights of the  
26 bondholders; or

27           (5) after such notice to the authority as the

1 resolution may provide, declare the principal of all of the bonds  
2 due and payable, and if all defaults have been made good, then with  
3 the written consent of the holders of 25 percent in aggregate  
4 principal amount of the bonds then outstanding, annul the  
5 declaration and its consequences.

6 (c) Notwithstanding Subsection (b), the holders of more  
7 than a majority in principal amount of the bonds authorized by the  
8 resolution and then outstanding, by written instrument delivered to  
9 the trustee, are entitled to direct and control any and all action  
10 taken or to be taken by the trustee under this section.

11 (d) A resolution, indenture, or agreement relating to bonds  
12 may provide that in a suit, action, or proceeding under this  
13 section, the trustee, whether or not all of the bonds have been  
14 declared due and payable and with or without possession of any of  
15 the bonds, is entitled to the appointment of a receiver who may:

16 (1) enter and take possession of all or any part of the  
17 properties of the authority;

18 (2) operate and maintain the properties;

19 (3) set, collect, and receive rates and charges  
20 sufficient to provide revenue adequate to pay the items specified  
21 by Section 8506.154(b) and the costs and disbursements of the suit,  
22 action, or proceeding; and

23 (4) apply the revenue in conformity with this chapter  
24 and the resolution authorizing the bonds.

25 (e) In a suit, action, or proceeding by a trustee under this  
26 section, the reasonable fees, attorney's fees, and expenses of the  
27 trustee and of the receiver, if any, constitute taxable



1 disbursements, and all costs and disbursements allowed by the court  
2 are a first charge on any revenue pledged to secure the payment of  
3 the bonds.

4 (f) The courts of the county in which the authority is  
5 domiciled have jurisdiction of a suit, action, or proceeding by a  
6 trustee on behalf of the bondholders and of all property involved in  
7 the suit, action, or proceeding.

8 (g) In addition to the powers specifically provided by this  
9 section, a trustee has all powers necessary or appropriate for the  
10 exercise of the powers specifically provided or incident to the  
11 general representation of the bondholders in the enforcement of  
12 their rights. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 10  
13 (part).)

14 Sec. 8506.209. POWER OF AUTHORITY TO PURCHASE BONDS ISSUED  
15 BY AUTHORITY. (a) Using any money available for the purpose, the  
16 authority may purchase bonds issued by it at a price not exceeding  
17 the redemption price applicable at the time of purchase, or, if the  
18 bonds are not redeemable, at a price not exceeding the principal  
19 amount of the bonds plus accrued interest.

20 (b) All bonds purchased under this section shall be  
21 canceled, and bonds may not be issued in lieu of those bonds. (Acts  
22 44th Leg., R.S., G.L., Ch. 126, Sec. 13.)

23 Sec. 8506.210. BONDS EXEMPT FROM TAXATION. A bond issued  
24 under this chapter and the interest on the bond is exempt from  
25 taxation, except inheritance taxes, by this state or by any  
26 political subdivision of this state. (Acts 44th Leg., R.S., G.L.,  
27 Ch. 126, Sec. 16.)

1 SECTION 1.06. Subtitle I, Title 6, Special District Local  
2 Laws Code, is amended by adding Chapters 9020, 9023, 9028, 9045,  
3 9049, 9050, 9051, 9052, 9053, 9055, 9056, 9057, 9059, 9060, 9061,  
4 9062, and 9063 to read as follows:

5 CHAPTER 9020. DONAHOE CREEK WATERSHED AUTHORITY

6 SUBCHAPTER A. GENERAL PROVISIONS

7 Sec. 9020.001. DEFINITIONS

8 Sec. 9020.002. NATURE OF AUTHORITY

9 Sec. 9020.003. FINDINGS OF BENEFIT AND PURPOSE

10 Sec. 9020.004. AUTHORITY TERRITORY

11 Sec. 9020.005. APPLICABILITY OF OTHER WATER CONTROL

12 AND IMPROVEMENT DISTRICT LAW

13 SUBCHAPTER B. BOARD OF DIRECTORS

14 Sec. 9020.051. COMPOSITION OF BOARD

15 Sec. 9020.052. QUALIFICATIONS FOR OFFICE

16 SUBCHAPTER C. POWERS AND DUTIES

17 Sec. 9020.101. GENERAL POWERS

18 Sec. 9020.102. WATER CONTROL AND IMPROVEMENT DISTRICT

19 POWERS

20 Sec. 9020.103. CONTROL OF WATER AND FLOODWATER;

21 RECLAMATION

22 Sec. 9020.104. COST OF RELOCATING OR ALTERING PROPERTY

23 SUBCHAPTER D. TAXES

24 Sec. 9020.151. IMPOSITION OF MAINTENANCE TAX; ELECTION

25 PROCEDURE

26 Sec. 9020.152. MAINTENANCE TAX RATE

1 Sec. 9020.153. HEARING ON CHANGE IN METHOD OF

2 TAXATION; LIMITATION

3 SUBCHAPTER E. BONDS

4 Sec. 9020.201. ISSUANCE OF BONDS

5 Sec. 9020.202. PLEDGE OF REVENUE TO PAY BONDS

6 CHAPTER 9020. DONAHOE CREEK WATERSHED AUTHORITY

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 9020.001. DEFINITIONS. In this chapter:

9 (1) "Authority" means the Donahoe Creek Watershed  
10 Authority.

11 (2) "Board" means the board of directors of the  
12 authority.

13 (3) "Director" means a member of the board. (Acts 55th  
14 Leg., 1st C.S., Ch. 29, Sec. 1 (part); New.)

15 Sec. 9020.002. NATURE OF AUTHORITY. The authority is a  
16 conservation and reclamation district in portions of Bell, Milam,  
17 and Williamson Counties. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 1  
18 (part).)

19 Sec. 9020.003. FINDINGS OF BENEFIT AND PURPOSE. (a) All  
20 territory included in the authority will benefit from the works and  
21 projects accomplished by the authority under the powers conferred  
22 by Section 59, Article XVI, Texas Constitution.

23 (b) The creation of the authority is essential to accomplish  
24 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
25 55th Leg., 1st C.S., Ch. 29, Secs. 1 (part), 2 (part).)

26 Sec. 9020.004. AUTHORITY TERRITORY. The authority is  
27 composed of the territory described by Section 2, Chapter 29, Acts

1 of the 55th Legislature, 1st Called Session, 1957, as that  
2 territory may have been modified under:

- 3 (1) Subchapter O, Chapter 51, Water Code;
- 4 (2) Subchapter J, Chapter 49, Water Code; or
- 5 (3) other law. (Acts 55th Leg., 1st C.S., Ch. 29, Sec.  
6 1 (part); New.)

7 Sec. 9020.005. APPLICABILITY OF OTHER WATER CONTROL AND  
8 IMPROVEMENT DISTRICT LAW. Except as provided by this chapter,  
9 general laws pertaining to water control and improvement districts  
10 govern the authority. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 13.)

11 SUBCHAPTER B. BOARD OF DIRECTORS

12 Sec. 9020.051. COMPOSITION OF BOARD. The board consists of  
13 six elected directors. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 14  
14 (part).)

15 Sec. 9020.052. QUALIFICATIONS FOR OFFICE. (a) Each  
16 director of the authority must:

- 17 (1) be a landowner within the authority; and
- 18 (2) reside in Bell, Milam, or Williamson County.

19 (b) A director who fails to meet the requirements of  
20 Subsection (a) during the director's tenure in office shall vacate  
21 that office. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 14 (part).)

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 9020.101. GENERAL POWERS. The authority may exercise  
24 the rights, privileges, and functions provided by this chapter.  
25 (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 1 (part).)

26 Sec. 9020.102. WATER CONTROL AND IMPROVEMENT DISTRICT  
27 POWERS. In exercising the power for which the authority is created,

1 the authority has the powers conferred by general law on water  
2 control and improvement districts, including the power to:

3 (1) construct, acquire, improve, maintain, and repair  
4 a dam or other structure; and

5 (2) acquire land, easements, equipment, or other  
6 property needed to use, control, and distribute water that may be  
7 impounded, diverted, or controlled by the authority. (Acts 55th  
8 Leg., 1st C.S., Ch. 29, Sec. 5.)

9 Sec. 9020.103. CONTROL OF WATER AND FLOODWATER;  
10 RECLAMATION. The authority may:

11 (1) control, store, preserve, and distribute the water  
12 and floodwater in the authority for the irrigation of arid land,  
13 conservation, preservation, reclamation, and drainage of the lands  
14 in the authority;

15 (2) carry out flood prevention measures to prevent  
16 damage to the land and other property in the authority; and

17 (3) reclaim lands heretofore damaged because of the  
18 prior failure to provide the facilities authorized to be  
19 constructed under this chapter. (Acts 55th Leg., 1st C.S., Ch. 29,  
20 Sec. 4.)

21 Sec. 9020.104. COST OF RELOCATING OR ALTERING PROPERTY. If  
22 the authority's exercise of the power of eminent domain, the power  
23 of relocation, or any other power granted under this chapter makes  
24 necessary relocating, raising, rerouting, changing the grade of, or  
25 altering the construction of a highway, railroad, electric  
26 transmission line, telephone or telegraph property or facility, or  
27 pipeline, the necessary action shall be accomplished at the sole

1 expense of the authority. (Acts 55th Leg., 1st C.S., Ch. 29, Sec.  
2 11a.)

3 SUBCHAPTER D. TAXES

4 Sec. 9020.151. IMPOSITION OF MAINTENANCE TAX; ELECTION  
5 PROCEDURE. (a) The authority may impose a maintenance tax for the  
6 purpose of maintaining structures, channeling, or other  
7 improvements constructed by the authority or others in cooperation  
8 with the authority.

9 (b) A maintenance tax election shall be called and notice  
10 given in the same manner as for a bond election.

11 (c) This chapter does not prevent the calling of a  
12 subsequent maintenance tax election to establish or increase the  
13 amount of tax if the board determines that a maintenance tax  
14 election is required. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 8  
15 (part).)

16 Sec. 9020.152. MAINTENANCE TAX RATE. In calling a  
17 maintenance tax election, the board must specify the maximum  
18 proposed tax rate. To impose a maintenance tax at a rate that  
19 exceeds the maximum proposed rate approved by the voters, the board  
20 must submit the question of a tax rate increase to the voters.  
21 (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 8 (part).)

22 Sec. 9020.153. HEARING ON CHANGE IN METHOD OF TAXATION;  
23 LIMITATION. (a) Except as provided by Subsection (b), the  
24 authority may call a hearing, in the same manner as for the adoption  
25 of the original plan of taxation, to consider changing the method of  
26 taxation.

27 (b) After authority bonds are approved by the attorney

1 general or district court, the authority may not change its plan of  
2 taxation. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 10.)

3 SUBCHAPTER E. BONDS

4 Sec. 9020.201. ISSUANCE OF BONDS. To accomplish an  
5 authority purpose, the authority may issue bonds as provided by  
6 general law for water control and improvement districts to acquire  
7 money necessary to furnish land or easements or permanent  
8 improvements on the land or easements. (Acts 55th Leg., 1st C.S.,  
9 Ch. 29, Secs. 8 (part), 11 (part), 12 (part).)

10 Sec. 9020.202. PLEDGE OF REVENUE TO PAY BONDS. When the  
11 board selects a plan of taxation, the board may pledge authority  
12 revenue to pay bonds authorized by voters. (Acts 55th Leg., 1st  
13 C.S., Ch. 29, Sec. 9.)

14 CHAPTER 9023. DUVAL COUNTY CONSERVATION AND RECLAMATION DISTRICT

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 9023.001. DEFINITIONS

17 Sec. 9023.002. NATURE OF DISTRICT

18 Sec. 9023.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

19 Sec. 9023.004. DISTRICT TERRITORY

20 SUBCHAPTER B. BOARD OF DIRECTORS

21 Sec. 9023.051. COMPOSITION OF BOARD

22 Sec. 9023.052. ELECTION OF DIRECTORS

23 SUBCHAPTER C. POWERS AND DUTIES

24 Sec. 9023.101. WATER CONTROL AND IMPROVEMENT DISTRICT

25 POWERS

26 Sec. 9023.102. GENERAL CONTRACT POWERS

27 Sec. 9023.103. ACQUISITION OF PROPERTY

1 Sec. 9023.104. COST OF RELOCATING OR ALTERING PROPERTY

2 Sec. 9023.105. WATER PERMIT ACQUIRED FROM MUNICIPALITY

3 SUBCHAPTER D. BONDS

4 Sec. 9023.151. AUTHORITY TO ISSUE BONDS

5 Sec. 9023.152. CERTAIN BOND COVENANTS AUTHORIZED

6 Sec. 9023.153. MATURITY

7 Sec. 9023.154. USE OF BOND PROCEEDS

8 Sec. 9023.155. BONDS SECURED BY REVENUE ; ADDITIONAL

9 BONDS

10 Sec. 9023.156. BONDS SECURED BY AD VALOREM TAXES

11 Sec. 9023.157. REFUNDING BONDS

12 SUBCHAPTER E. DISANNEXATION OF MUNICIPAL TERRITORY

13 Sec. 9023.201. DEFINITION

14 Sec. 9023.202. DISANNEXATION OF MUNICIPAL TERRITORY

15 Sec. 9023.203. PETITION

16 Sec. 9023.204. ELECTION ORDER

17 Sec. 9023.205. BALLOT

18 Sec. 9023.206. ELECTION

19 Sec. 9023.207. BOARD VOTE

20 Sec. 9023.208. APPOINTMENT OF MASTER

21 Sec. 9023.209. DISTRIBUTION OF PROPERTY, RECEIVABLES,

22 AND OTHER ASSETS

23 Sec. 9023.210. PROVISION OF SERVICES OUTSIDE

24 DISANNEXED MUNICIPAL TERRITORY

25 CHAPTER 9023. DUVAL COUNTY CONSERVATION AND RECLAMATION DISTRICT

26 SUBCHAPTER A. GENERAL PROVISIONS

27 Sec. 9023.001. DEFINITIONS. In this chapter:



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

2 (2) "Director" means a member of the board.

3 (3) "District" means the Duval County Conservation and  
4 Reclamation District. (Acts 51st Leg., R.S., Ch. 398, Sec. 1  
5 (part); New.)

6 Sec. 9023.002. NATURE OF DISTRICT. The district is:

7 (1) a conservation and reclamation district under  
8 Section 59, Article XVI, Texas Constitution; and

9 (2) a municipal corporation. (Acts 51st Leg., R.S.,  
10 Ch. 398, Secs. 1 (part), 13 (part).)

11 Sec. 9023.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
12 The district is created to serve a public use and benefit.

13 (b) All land included in the boundaries of the district will  
14 benefit from that inclusion.

15 (c) The district is essential to accomplish the purposes of  
16 Section 59, Article XVI, Texas Constitution. (Acts 51st Leg.,  
17 R.S., Ch. 398, Secs. 4 (part), 13 (part).)

18 Sec. 9023.004. DISTRICT TERRITORY. The district is  
19 composed of the territory described by Section 1, Chapter 398, Acts  
20 of the 51st Legislature, Regular Session, 1949, as that territory  
21 may have been modified under:

22 (1) Subchapter O, Chapter 51, Water Code;

23 (2) Subchapter J, Chapter 49, Water Code;

24 (3) Subchapter E or the relevant parts of its  
25 predecessor statute, former Section 4A, Chapter 398, Acts of the  
26 51st Legislature, Regular Session, 1949; or

27 (4) other law. (New.)

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 9023.051. COMPOSITION OF BOARD. The board is composed  
3 of four elected directors. (Acts 51st Leg., R.S., Ch. 398, Secs.  
4 3(a) (part), (b) (part), (g).)

5 Sec. 9023.052. ELECTION OF DIRECTORS. (a) Directors are  
6 elected to positions according to the place system as provided by  
7 this section.

8 (b) Except as provided by Subsection (c):

9 (1) a director elected to place 1 or 2 must be a  
10 resident of Benavides and be elected by the voters of the district  
11 who reside in Benavides and its extraterritorial jurisdiction; and

12 (2) a director elected to place 3 or 4 must be a  
13 resident of, and be elected by the voters of the district who reside  
14 in, the part of Duval County that is not within:

15 (A) the corporate limits or extraterritorial  
16 jurisdiction of San Diego or Benavides; or

17 (B) the Freer Water Control and Improvement  
18 District.

19 (c) If Benavides and the area within its extraterritorial  
20 jurisdiction disannex under Subchapter E:

21 (1) a director who represents Benavides and the area  
22 within its extraterritorial jurisdiction ceases to be a director on  
23 the date disannexation takes effect;

24 (2) the remaining directors as soon as possible shall  
25 order a special election to elect the appropriate number of  
26 directors to fill the unexpired terms if the disannexation results  
27 in vacancies on the board; and

1           (3) a director for each place on the board must be a  
2 resident of the part of Duval County that is not within:

3           (A) the corporate limits or extraterritorial  
4 jurisdiction of San Diego or Benavides; or

5           (B) the Freer Water Control and Improvement  
6 District. (Acts 51st Leg., R.S., Ch. 398, Secs. 3(b) (part), (e),  
7 (f).)

8                               SUBCHAPTER C. POWERS AND DUTIES

9           Sec. 9023.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
10 POWERS. The district has the rights, powers, privileges, and  
11 duties provided by general law applicable to a water control and  
12 improvement district created under Section 59, Article XVI, Texas  
13 Constitution, including Chapters 49 and 51, Water Code. (Acts 51st  
14 Leg., R.S., Ch. 398, Sec. 2 (part); New.)

15           Sec. 9023.102. GENERAL CONTRACT POWERS. The board may  
16 enter into a contract with any individual or any public or private  
17 corporation, inside or outside the district, that the board  
18 considers advisable and expedient to accomplish the district's  
19 purposes. (Acts 51st Leg., R.S., Ch. 398, Sec. 11 (part).)

20           Sec. 9023.103. ACQUISITION OF PROPERTY. The district may  
21 acquire property not already devoted to public use in the district  
22 that the board considers necessary to accomplish the district's  
23 objectives. (Acts 51st Leg., R.S., Ch. 398, Sec. 9 (part).)

24           Sec. 9023.104. COST OF RELOCATING OR ALTERING PROPERTY. If  
25 the district's exercise of the power of eminent domain, the power of  
26 relocation, or any other power granted by this chapter, makes  
27 necessary relocating, raising, rerouting, changing the grade of, or

1 altering the construction of a highway, railroad, electric  
2 transmission line, pipeline, or telegraph or telephone property or  
3 facility, the necessary action shall be accomplished at the sole  
4 expense of the district. (Acts 51st Leg., R.S., Ch. 398, Sec. 9  
5 (part).)

6 Sec. 9023.105. WATER PERMIT ACQUIRED FROM MUNICIPALITY. A  
7 water permit acquired by the district from a municipality in the  
8 district must be acquired subject to a provision that, in case of a  
9 shortage of water supply, the municipality has a right to receive  
10 water from the district that is superior to the right of anyone else  
11 to use water. (Acts 51st Leg., R.S., Ch. 398, Sec. 12 (part).)

12 SUBCHAPTER D. BONDS

13 Sec. 9023.151. AUTHORITY TO ISSUE BONDS. The district may  
14 issue bonds pursuant to a board resolution for any purpose  
15 permitted to water control and improvement districts, including the  
16 acquisition by construction or otherwise of plants and improvements  
17 for storing, treating, purifying, protecting, transporting,  
18 transmitting, delivering, and disposing of, through sale or  
19 otherwise, flood, storm, flow, or underground water for lawful  
20 uses. (Acts 51st Leg., R.S., Ch. 398, Sec. 5 (part).)

21 Sec. 9023.152. CERTAIN BOND COVENANTS AUTHORIZED. A  
22 resolution authorizing the issuance of district bonds may contain  
23 any covenant the board considers necessary to ensure:

24 (1) the creation and maintenance of proper reserves;  
25 and

26 (2) the payment of the principal of and interest on the  
27 bonds. (Acts 51st Leg., R.S., Ch. 398, Sec. 5 (part).)

1           Sec. 9023.153. MATURITY.           District bonds, including  
2 refunding bonds, must mature not later than 40 years after the date  
3 of their issuance. (Acts 51st Leg., R.S., Ch. 398, Sec. 5 (part).)

4           Sec. 9023.154. USE OF BOND PROCEEDS.   The district may  
5 appropriate and pay from the proceeds of the sale of bonds the  
6 interest to accrue on the bonds for a period not to exceed three  
7 years from their date. (Acts 51st Leg., R.S., Ch. 398, Sec. 5  
8 (part).)

9           Sec. 9023.155. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.

10 (a) In this section, "net revenues" means all income or increment  
11 from the ownership and operation of improvements and facilities  
12 operated by the district, minus the amount reasonably required to  
13 provide for the administration, efficient operation, and adequate  
14 maintenance of the improvements and facilities. The term does not  
15 include money derived from taxation.

16           (b) District bonds may be secured by:

17                   (1) a pledge of the district's net revenues; or

18                   (2) a pledge of the district's net revenues and the  
19 imposition of a continuing ad valorem tax described by Section  
20 9023.156.

21           (c) The district may issue bonds secured as provided by  
22 Subsection (b)(1) without submitting the question of the issuance  
23 to an election.

24           (d) The district may not issue bonds secured as provided by  
25 Subsection (b)(2) unless the bonds are authorized by a majority of  
26 the votes cast in an election in the district.

27           (e) Within the board's discretion, the bonds may also be

1 secured by a lien on the physical properties of the district.

2 (f) The district may execute contracts, evidences of  
3 pledge, deeds of trust, trust indentures, and other instruments  
4 that fix a lien on net revenues and the physical properties of the  
5 district that the board, in its discretion, determines are  
6 necessary or convenient to evidence and secure the obligation of  
7 the district to pay the principal of and interest on the bonds.

8 (g) The resolution authorizing the issuance of bonds  
9 secured by a pledge of net revenues may:

10 (1) contain the conditions under which additional  
11 bonds secured by a pledge of net revenues may be subsequently  
12 issued;

13 (2) prescribe the conditions under which the district  
14 has the right to release the lien on net revenues and on the  
15 district's physical properties, if encumbered, by depositing at the  
16 bank or place of payment money sufficient to pay:

17 (A) the principal of and interest on the bonds to  
18 the date on which the bonds may become optional and any premium  
19 payment stipulated in the resolution; or

20 (B) the principal of and interest on the bonds to  
21 maturity if an option of prior payment is not reserved; or

22 (3) prescribe the conditions under which the  
23 continuing ad valorem tax described by Section 9023.156, if any, to  
24 be collected in any year during which any of the bonds are  
25 outstanding may be reduced or omitted when net revenues are  
26 sufficient to provide the money necessary for principal, interest,  
27 and reserve requirements prescribed by this subchapter.

1           (h) Additional bonds described by Subsection (g)(1) must be  
2 secured by a lien and pledge of net revenues that is inferior to the  
3 lien and pledge securing the bonds originally issued unless the  
4 additional bonds are issued in full compliance with the  
5 restrictions applicable to additional bonds on a parity with the  
6 bonds originally issued. (Acts 51st Leg., R.S., Ch. 398, Secs. 7,  
7 8.)

8           Sec. 9023.156. BONDS SECURED BY AD VALOREM TAXES. (a) This  
9 section does not apply to district bonds secured only by a pledge of  
10 net revenues as defined by Section 9023.155(a).

11           (b) If bonds have been voted, the board shall impose a  
12 continuing ad valorem tax on all property in the district  
13 sufficient:

14                   (1) to pay the principal of and interest on the bonds  
15 as the principal and interest respectively mature;

16                   (2) to create and maintain any reserve required by the  
17 resolution or resolutions authorizing the issuance of the bonds;

18                   (3) to pay the expense of assessing and collecting the  
19 tax; and

20                   (4) for anticipated delinquencies in the tax payments.

21           (c) The board annually shall determine and set or cause to  
22 be determined and set the rate of the ad valorem tax to be imposed  
23 under this section. (Acts 51st Leg., R.S., Ch. 398, Sec. 6.)

24           Sec. 9023.157. REFUNDING BONDS. (a) The district may issue  
25 refunding bonds without an election.

26           (b) District bonds may be refunded by:

27                   (1) the issuance and delivery to holders of refunding

1 bonds in lieu of the outstanding bonds; or

2 (2) the sale of refunding bonds and the use of the  
3 proceeds for retiring the outstanding bonds. (Acts 51st Leg.,  
4 R.S., Ch. 398, Sec. 5 (part).)

5 SUBCHAPTER E. DISANNEXATION OF MUNICIPAL TERRITORY

6 Sec. 9023.201. DEFINITION. In this subchapter, "municipal  
7 territory" means the territory located in the corporate boundaries  
8 and the extraterritorial jurisdiction of a municipality located in  
9 the district. (Acts 51st Leg., R.S., Ch. 398, Secs. 4A(a) (part),  
10 (b) (part).)

11 Sec. 9023.202. DISANNEXATION OF MUNICIPAL TERRITORY.  
12 Municipal territory may be disannexed from the district under this  
13 subchapter on petition for an election on disannexation and a vote  
14 in favor of the disannexation by the majority of voters voting at an  
15 election ordered for that purpose. (Acts 51st Leg., R.S., Ch. 398,  
16 Sec. 4A(a) (part).)

17 Sec. 9023.203. PETITION. (a) A petition for an election to  
18 disannex municipal territory under this subchapter must:

19 (1) be signed by at least the lesser of 250 registered  
20 voters of the district who are residents of the municipal territory  
21 or a number of registered voters equal to five percent of the total  
22 votes cast in the municipal territory in the most recent district  
23 election;

24 (2) state that the purpose of the petition is to order  
25 an election to determine whether the municipal territory should be  
26 disannexed; and

27 (3) include each petitioner's:



- 1 (A) signature;
- 2 (B) printed name;
- 3 (C) address;
- 4 (D) voting precinct;
- 5 (E) voter certificate number; and
- 6 (F) date of signing.

7 (b) The petition must be filed with the district manager.

8 (c) Not later than the 30th day after the date the petition  
9 is filed, the district manager shall:

- 10 (1) verify the validity of the petition; and
- 11 (2) determine whether the petition contains the number  
12 of signatures required to order an election. (Acts 51st Leg., R.S.,  
13 Ch. 398, Secs. 4A(a) (part), (b) (part).)

14 Sec. 9023.204. ELECTION ORDER. (a) The board shall order  
15 an election for the purpose of disannexation of municipal territory  
16 under this subchapter if the district manager certifies the number  
17 of signatures required for ordering the election.

18 (b) The board shall order the election not later than the  
19 90th day after the date the district manager certifies the  
20 sufficiency of the petition. (Acts 51st Leg., R.S., Ch. 398, Sec.  
21 4A(b) (part).)

22 Sec. 9023.205. BALLOT. The ballot for an election under  
23 this subchapter must permit voting for one of the following three  
24 propositions:

- 25 (1) "The City of (name of municipality) and the area  
26 within the city's extraterritorial jurisdiction shall not be  
27 disannexed from the Duval County Conservation and Reclamation

1 District";

2           (2) "The City of (name of municipality) and the area  
3 within the city's extraterritorial jurisdiction shall be  
4 disannexed from the Duval County Conservation and Reclamation  
5 District, and on disannexation the city council of (name of  
6 municipality) shall establish or acquire systems to provide the  
7 water and sewer services formerly provided by the Duval County  
8 Conservation and Reclamation District in the disannexed area"; or

9           (3) "The City of (name of municipality) and the area  
10 within the city's extraterritorial jurisdiction shall be  
11 disannexed from the Duval County Conservation and Reclamation  
12 District, and on disannexation the city council of (name of  
13 municipality) shall initiate a petition for, and shall consent to,  
14 as provided by Sections 54.014 and 54.016, Water Code, the creation  
15 of a municipal utility district to provide the water and sewer  
16 services formerly provided by the Duval County Conservation and  
17 Reclamation District in the disannexed area." (Acts 51st Leg.,  
18 R.S., Ch. 398, Sec. 4A(c).)

19           Sec. 9023.206. ELECTION. (a) Only voters who reside in the  
20 municipal territory to be disannexed under this subchapter may vote  
21 in the disannexation election.

22           (b) The municipal territory is not disannexed from the  
23 district if a majority of the total votes cast in the election is in  
24 favor of the proposition stated in Section 9023.205(1).

25           (c) If the total vote in favor of the propositions stated in  
26 Sections 9023.205(2) and (3) is a majority of the votes cast in the  
27 election, the majority of the votes cast in the election is for

1 disannexation from the district. As between the two propositions,  
2 the proposition that receives the greater number of votes prevails.

3 (d) If disannexation fails, an election under this  
4 subchapter to disannex the same municipal territory may not be held  
5 for one year. (Acts 51st Leg., R.S., Ch. 398, Secs. 4A(b) (part),  
6 (d).)

7 Sec. 9023.207. BOARD VOTE. (a) The directors shall vote to  
8 disannex municipal territory if the majority of the votes cast in an  
9 election under this subchapter is for disannexation.

10 (b) The directors shall vote to disannex the municipal  
11 territory at the same board meeting at which the directors canvass  
12 the election results. (Acts 51st Leg., R.S., Ch. 398, Sec. 4A(e)  
13 (part).)

14 Sec. 9023.208. APPOINTMENT OF MASTER. Not later than the  
15 30th day after the election results are canvassed and the board  
16 votes to disannex municipal territory under Section 9023.207, the  
17 executive director of the Texas Commission on Environmental Quality  
18 shall appoint an independent master to oversee the distribution of  
19 assets consistent with disannexation. (Acts 51st Leg., R.S., Ch.  
20 398, Sec. 4A(e) (part).)

21 Sec. 9023.209. DISTRIBUTION OF PROPERTY, RECEIVABLES, AND  
22 OTHER ASSETS. (a) All infrastructure and real property, including  
23 water and sewer lines, storage tanks, treatment plants, towers,  
24 buildings, land, and other facilities located within municipal  
25 territory disannexed under this subchapter that are related to the  
26 provision of water and sewer services by the district in the  
27 disannexed territory, shall revert to the disannexed municipality.

1 (b) All receivables from connections in municipal territory  
2 disannexed under this subchapter transfer to the disannexed  
3 municipality.

4 (c) Other assets, including vehicles, computers, office  
5 furniture and equipment, and cash, shall be divided between the  
6 district and the disannexed municipality by the master in  
7 proportion to the population of the district or the disannexed  
8 municipal territory. (Acts 51st Leg., R.S., Ch. 398, Sec. 4A(e)  
9 (part).)

10 Sec. 9023.210. PROVISION OF SERVICES OUTSIDE DISANNEXED  
11 MUNICIPAL TERRITORY. (a) This section applies only to a municipal  
12 water or sewer system established or acquired as a result of voter  
13 approval of the proposition stated in Section 9023.205(2).

14 (b) A municipal water or sewer system may serve an area  
15 immediately outside the extraterritorial jurisdiction of the  
16 disannexed municipality if the residents of the area agree to be  
17 served by the system. (Acts 51st Leg., R.S., Ch. 398, Sec. 4B(a).)

18 CHAPTER 9028. CHOCTAW WATERSHED WATER IMPROVEMENT DISTRICT

19 SUBCHAPTER A. GENERAL PROVISIONS

20 Sec. 9028.001. DEFINITIONS

21 Sec. 9028.002. NATURE OF DISTRICT

22 Sec. 9028.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

23 Sec. 9028.004. DISTRICT TERRITORY

24 SUBCHAPTER B. BOARD OF DIRECTORS

25 Sec. 9028.051. COMPOSITION OF BOARD

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. 9028.101. WATER CONTROL AND IMPROVEMENT DISTRICT

3 POWERS

4 Sec. 9028.102. COST OF RELOCATING OR ALTERING PROPERTY

5 Sec. 9028.103. WATERSHED PROTECTION AND FLOOD

6 PREVENTION ACT

7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

8 Sec. 9028.151. TAX METHOD

9 Sec. 9028.152. LIMITATION ON TAX RATE

10 Sec. 9028.153. TAX ASSESSOR-COLLECTOR

11 Sec. 9028.154. ELECTION REQUIRED FOR FEDERAL LOAN

12 Sec. 9028.155. APPROVAL OF AND FUNDING FOR CERTAIN

13 PLANS FOR WORKS AND IMPROVEMENTS

14 SUBCHAPTER E. BONDS

15 Sec. 9028.201. AUTHORITY TO ISSUE BONDS

16 Sec. 9028.202. BOND ELECTION REQUIRED

17 CHAPTER 9028. CHOCTAW WATERSHED WATER IMPROVEMENT DISTRICT

18 SUBCHAPTER A. GENERAL PROVISIONS

19 Sec. 9028.001. DEFINITIONS. In this chapter:

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

21 (2) "Director" means a board member.

22 (3) "District" means the Choctaw Watershed Water  
23 Improvement District. (Acts 56th Leg., R.S., Ch. 33, Sec. 1 (part);  
24 New.)

25 Sec. 9028.002. NATURE OF DISTRICT. The district is a water  
26 control and improvement district under Section 59, Article XVI,  
27 Texas Constitution. (Acts 56th Leg., R.S., Ch. 33, Sec. 1 (part).)

1           Sec. 9028.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

2 The district is created to serve a public use and benefit.

3           (b) All land and other property included in the boundaries  
4 of the district will benefit from the district and the  
5 improvements, works, and measures constructed and accomplished by  
6 the district.

7           (c) The district is essential to accomplish the purposes of  
8 Section 59, Article XVI, Texas Constitution. (Acts 56th Leg., R.S.,  
9 Ch. 33, Secs. 6 (part), 7 (part).)

10          Sec. 9028.004. DISTRICT TERRITORY.        The district is  
11 composed of the territory described by Section 2, Chapter 33, Acts  
12 of the 56th Legislature, Regular Session, 1959, as that territory  
13 may have been modified under:

- 14                   (1) Subchapter O, Chapter 51, Water Code;  
15                   (2) Subchapter J, Chapter 49, Water Code; or  
16                   (3) other law. (New.)

17                                   SUBCHAPTER B. BOARD OF DIRECTORS

18          Sec. 9028.051. COMPOSITION OF BOARD. The board is composed  
19 of five elected directors. (Acts 56th Leg., R.S., Ch. 33, Secs.  
20 5(a) (part), (c) (part).)

21                                   SUBCHAPTER C. POWERS AND DUTIES

22          Sec. 9028.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
23 POWERS. The district has the rights, powers, privileges, and  
24 duties provided by general law applicable to a water control and  
25 improvement district created under Section 59, Article XVI, Texas  
26 Constitution, including Chapters 49 and 51, Water Code. (Acts 56th  
27 Leg., R.S., Ch. 33, Sec. 3 (part); New.)

1           Sec. 9028.102. COST OF RELOCATING OR ALTERING PROPERTY. If  
2 the district's exercise of the power of eminent domain, the power of  
3 relocation, or any other power granted by this chapter makes  
4 necessary relocating, raising, rerouting, changing the grade of, or  
5 altering the construction of a highway, railroad, electric  
6 transmission line, pipeline, or telephone or telegraph property or  
7 facility, the necessary action shall be accomplished at the sole  
8 expense of the district. (Acts 56th Leg., R.S., Ch. 33, Sec. 8  
9 (part).)

10           Sec. 9028.103. WATERSHED PROTECTION AND FLOOD PREVENTION  
11 ACT. Subject to Section 9028.154, the district has the power  
12 necessary to fully qualify for and gain the full benefits of the  
13 Watershed Protection and Flood Prevention Act (16 U.S.C. Section  
14 1001 et seq.), including:

15           (1) all powers necessary to carry out the projects,  
16 works, and improvements contemplated by the Watershed Protection  
17 and Flood Prevention Act;

18           (2) the power to secure a loan or loans from the proper  
19 agencies of the federal government for the purpose of defraying the  
20 costs and expenses of the district in connection with carrying out  
21 its projects, works, and improvements under the Watershed  
22 Protection and Flood Prevention Act; and

23           (3) if necessary, the power to issue bonds as  
24 collateral for a loan described by Subdivision (2). (Acts 56th  
25 Leg., R.S., Ch. 33, Sec. 4 (part); New.)

26           SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

27           Sec. 9028.151. TAX METHOD. (a) The district shall use the

1 ad valorem plan of taxation.

2 (b) The board is not required to hold a hearing on the  
3 adoption of a plan of taxation. (Acts 56th Leg., R.S., Ch. 33, Sec.  
4 6 (part).)

5 Sec. 9028.152. LIMITATION ON TAX RATE. The district may not  
6 impose taxes under this subchapter at a rate that exceeds five cents  
7 per \$100 valuation. (Acts 56th Leg., R.S., Ch. 33, Sec. 6 (part).)

8 Sec. 9028.153. TAX ASSESSOR-COLLECTOR. The Grayson County  
9 tax assessor-collector shall collect taxes for the district and  
10 make them available for district purposes. (Acts 56th Leg., R.S.,  
11 Ch. 33, Sec. 6 (part).)

12 Sec. 9028.154. ELECTION REQUIRED FOR FEDERAL LOAN. The  
13 district may not consummate a loan from the federal government  
14 unless the loan is authorized by a majority of the votes cast in a  
15 district election. (Acts 56th Leg., R.S., Ch. 33, Sec. 9 (part).)

16 Sec. 9028.155. APPROVAL OF AND FUNDING FOR CERTAIN PLANS  
17 FOR WORKS AND IMPROVEMENTS. (a) In this section, "commission"  
18 means the Texas Commission on Environmental Quality.

19 (b) This section applies only to plans contemplated by the  
20 district for works and improvements, or amendments to the plans,  
21 that are prepared by the Natural Resources Conservation Service of  
22 the United States Department of Agriculture and approved by the  
23 district's board.

24 (c) An engineer's report covering the plans and  
25 improvements to be constructed, and the maps, plats, profiles, and  
26 data fully showing and explaining the plans and improvements, are  
27 not required to be filed in the district office before an election



1 is held to authorize the issuance of bonds for the works and  
2 improvements. The plans and specifications, engineering reports,  
3 profiles, maps, and other data, and subsequent amendments to those  
4 items, are not required to be approved by the commission before the  
5 bonds are issued.

6 (d) Before the district may spend any money for the  
7 construction of any works and improvements, the commission must  
8 approve the portion of the works and improvements to be  
9 constructed. The commission's advance approval for the entire  
10 project contemplated by the district is not required. The  
11 commission may approve on a separate or individual basis the  
12 portion of the entire project or works and improvements:

- 13 (1) to be constructed at a particular time; and  
14 (2) on which plans and specifications of the Natural  
15 Resources Conservation Service have been prepared and submitted by  
16 the board to the commission. (Acts 56th Leg., R.S., Ch. 33, Sec.  
17 10; New.)

18 SUBCHAPTER E. BONDS

19 Sec. 9028.201. AUTHORITY TO ISSUE BONDS. Subject to  
20 Section 9028.202, the district may issue bonds, in the manner  
21 provided by general law for water control and improvement  
22 districts, to:

- 23 (1) provide dams, structures, projects, and works of  
24 improvement for flood prevention, the conservation and development  
25 of water, and for other necessary plants, facilities, and equipment  
26 in connection therewith and for the improvement, repair, and  
27 operation of same;

1           (2) carry out any other power provided by this chapter  
2 or by Chapter 49 or 51, Water Code; and

3           (3) pay all costs, charges, and expenses of the  
4 district. (Acts 56th Leg., R.S., Ch. 33, Sec. 8 (part); New.)

5           Sec. 9028.202. BOND ELECTION REQUIRED. The district may  
6 not issue bonds unless the bonds are authorized by a majority of the  
7 votes cast in a district election. (Acts 56th Leg., R.S., Ch. 33,  
8 Sec. 9 (part).)

9           CHAPTER 9045. FALLBROOK UTILITY DISTRICT

10                  SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 9045.001. DEFINITIONS

12 Sec. 9045.002. NATURE OF DISTRICT

13 Sec. 9045.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

14 Sec. 9045.004. DISTRICT TERRITORY

15 Sec. 9045.005. EXPANSION OF DISTRICT

16 Sec. 9045.006. HEARINGS FOR EXCLUSION OF LAND

17 Sec. 9045.007. STATE POLICY REGARDING WASTE DISPOSAL

18                  SUBCHAPTER B. DISTRICT ADMINISTRATION

19 Sec. 9045.051. COMPOSITION OF BOARD

20 Sec. 9045.052. APPOINTMENT OF TREASURER

21 Sec. 9045.053. DIRECTOR AND TREASURER BONDS

22 Sec. 9045.054. BOARD VACANCY

23 Sec. 9045.055. BOARD PRESIDENT'S POWER TO EXECUTE

24                  CONTRACTS

25 Sec. 9045.056. ABSENCE OR INACTION OF BOARD PRESIDENT

26 Sec. 9045.057. DISTRICT OFFICE

1                   SUBCHAPTER C. POWERS AND DUTIES

2   Sec. 9045.101.   WATER CONTROL AND IMPROVEMENT DISTRICT

3                   POWERS

4   Sec. 9045.102.   ADDITIONAL POWERS

5   Sec. 9045.103.   LIMIT ON EMINENT DOMAIN

6   Sec. 9045.104.   COST OF RELOCATING OR ALTERING PROPERTY

7   Sec. 9045.105.   NOTICE OF ELECTION

8                   SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

9   Sec. 9045.151.   TAX METHOD

10   Sec. 9045.152.   DISTRICT ACCOUNTS

11   Sec. 9045.153.   COPY OF AUDIT REPORT

12   Sec. 9045.154.   PAYMENT OF TAX OR ASSESSMENT NOT

13                   REQUIRED

14   Sec. 9045.155.   DEPOSITORY

15                   SUBCHAPTER E. BONDS

16   Sec. 9045.201.   ISSUANCE OF BONDS

17   Sec. 9045.202.   ADDITIONAL SECURITY

18   Sec. 9045.203.   TRUST INDENTURE

19   Sec. 9045.204.   ORDER OR RESOLUTION AUTHORIZING

20                   ISSUANCE OF CERTAIN BONDS

21   Sec. 9045.205.   USE OF BOND PROCEEDS

22                   CHAPTER 9045. FALLBROOK UTILITY DISTRICT

23                   SUBCHAPTER A. GENERAL PROVISIONS

24       Sec. 9045.001.   DEFINITIONS. In this chapter:

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

26                   (2) "Director" means a board member.

27                   (3) "District" means the Fallbrook Utility District of

1 Harris County, Texas. (Acts 61st Leg., R.S., Ch. 633, Sec. 1  
2 (part); New.)

3 Sec. 9045.002. NATURE OF DISTRICT. The district is a  
4 conservation and reclamation district in Harris County created  
5 under Section 59, Article XVI, Texas Constitution. (Acts 61st  
6 Leg., R.S., Ch. 633, Sec. 1 (part).)

7 Sec. 9045.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
8 The district is created to serve a public use and benefit.

9 (b) All land and other property included in the boundaries  
10 of the district will benefit from the works and projects  
11 accomplished by the district under the powers conferred by Section  
12 59, Article XVI, Texas Constitution.

13 (c) The district is essential to accomplish the purposes of  
14 Section 59, Article XVI, Texas Constitution.

15 (d) The accomplishment of the purposes stated in this  
16 chapter will benefit the people of this state and improve their  
17 property and industries.

18 (e) The district in carrying out the purposes of this  
19 chapter will be performing an essential public function under the  
20 Texas Constitution. (Acts 61st Leg., R.S., Ch. 633, Secs. 1 (part),  
21 4, 21 (part).)

22 Sec. 9045.004. DISTRICT TERRITORY. (a) The district is  
23 composed of the territory described by Section 2, Chapter 633, Acts  
24 of the 61st Legislature, Regular Session, 1969, as that territory  
25 may have been modified under:

26 (1) Subchapter O, Chapter 51, Water Code;

27 (2) Subchapter J, Chapter 49, Water Code;

1           (3) Section 9045.005 or its predecessor statute,  
2 former Section 9, Chapter 633, Acts of the 61st Legislature,  
3 Regular Session, 1969; or

4           (4) other law.

5           (b) The boundaries and field notes of the district form a  
6 closure. A mistake in the field notes or in copying the field notes  
7 in the legislative process does not affect:

8           (1) the district's organization, existence, or  
9 validity;

10           (2) the district's right to issue any type of bond for  
11 a purpose for which the district is created or to pay the principal  
12 of and interest on the bond;

13           (3) the district's right to impose a tax; or

14           (4) in any other manner, the legality or operation of  
15 the district or the board. (Acts 61st Leg., R.S., Ch. 633, Sec. 3;  
16 New.)

17           Sec. 9045.005. EXPANSION OF DISTRICT. (a) If land is  
18 annexed to the district under Section [49.301](#) or [51.714](#), Water Code,  
19 the board may require the petitioners to:

20           (1) assume the petitioners' pro rata share of the voted  
21 but unissued bonds of the district; and

22           (2) authorize the board to impose a tax on the  
23 petitioners' property to pay for the bonds after the bonds have been  
24 issued.

25           (b) If land is annexed to the district under Section [49.302](#),  
26 Water Code, the board may submit to the voters of the area to be  
27 annexed a proposition on the question of the assumption by the area

1 to be annexed of its part of the voted but not yet issued or sold tax  
2 or tax-revenue bonds of the district and the imposition of an ad  
3 valorem tax on taxable property in the area to be annexed along with  
4 a tax in the rest of the district for the payment of the bonds.

5 (c) If the petitioners consent or if the election results  
6 favorably, the district may issue its voted but unissued tax or  
7 tax-revenue bonds regardless of changes to district boundaries  
8 since the voting or authorization of those bonds. (Acts 61st Leg.,  
9 R.S., Ch. 633, Sec. 9 (part).)

10 Sec. 9045.006. HEARINGS FOR EXCLUSION OF LAND. (a) The  
11 board is not required to call or hold a hearing on the exclusion of  
12 land or other property from the district; provided, however, that  
13 the board shall hold a hearing if an owner of land or other property  
14 located in the district files a written petition for a hearing with  
15 the board secretary before the district's first bond election is  
16 called.

17 (b) The board may act on the petition in the same manner that  
18 it may act on a petition for the addition of land under Section  
19 [49.301](#) or [51.714](#), Water Code. A notice of hearing is not required.

20 (c) The board on its own motion may call and hold an  
21 exclusion hearing under general law. (Acts 61st Leg., R.S., Ch.  
22 633, Sec. 7.)

23 Sec. 9045.007. STATE POLICY REGARDING WASTE DISPOSAL. The  
24 district's powers and duties are subject to the state policy of  
25 encouraging the development and use of integrated area-wide waste  
26 collection, treatment, and disposal systems to serve the waste  
27 disposal needs of this state's residents, if integrated systems can

1 reasonably be provided for an area, so as to avoid the economic  
2 burden on residents and the impact on state water quality caused by  
3 the construction and operation of numerous small waste collection,  
4 treatment, and disposal facilities. (Acts 61st Leg., R.S., Ch.  
5 633, Sec. 5 (part).)

6 SUBCHAPTER B. DISTRICT ADMINISTRATION

7 Sec. 9045.051. COMPOSITION OF BOARD. The board consists of  
8 five elected directors. (Acts 61st Leg., R.S., Ch. 633, Sec. 10  
9 (part).)

10 Sec. 9045.052. APPOINTMENT OF TREASURER. The board may  
11 appoint the treasurer. (Acts 61st Leg., R.S., Ch. 633, Sec. 10  
12 (part).)

13 Sec. 9045.053. DIRECTOR AND TREASURER BONDS. (a) Each  
14 director shall qualify by giving bond in the amount of \$5,000 for  
15 the faithful performance of the director's duties.

16 (b) The directors' bonds shall be recorded in a record kept  
17 for that purpose in the district's office.

18 (c) The treasurer shall give bond in the amount required by  
19 the board. The treasurer's bond shall be conditioned on the  
20 treasurer's faithful accounting for all money that comes into the  
21 treasurer's custody as treasurer of the district. (Acts 61st Leg.,  
22 R.S., Ch. 633, Sec. 10 (part).)

23 Sec. 9045.054. BOARD VACANCY. (a) Except as provided by  
24 Subsection (b), a vacancy in the office of director shall be filled  
25 in the manner provided by Section [49.105](#), Water Code.

26 (b) The county judge of Harris County shall appoint  
27 directors to fill all of the vacancies on the board if the number of

1 qualified directors is less than three. (Acts 61st Leg., R.S., Ch.  
2 633, Sec. 10 (part).)

3       Sec. 9045.055. BOARD PRESIDENT'S POWER TO EXECUTE  
4 CONTRACTS. The board president may execute all contracts,  
5 including construction contracts, entered into by the board on  
6 behalf of the district. (Acts 61st Leg., R.S., Ch. 633, Sec. 10  
7 (part).)

8       Sec. 9045.056. ABSENCE OR INACTION OF BOARD PRESIDENT. (a)  
9 When the board president is absent or fails or declines to act, the  
10 board vice president shall perform all duties and exercise all  
11 power that this chapter or general law gives the president.

12       (b) If the board president is absent from a board meeting,  
13 the board vice president may sign an order adopted or other action  
14 taken at the meeting, or the board may authorize the president to  
15 sign the order or other action. (Acts 61st Leg., R.S., Ch. 633,  
16 Sec. 10 (part).)

17       Sec. 9045.057. DISTRICT OFFICE. (a) The board shall  
18 designate, establish, and maintain a district office as provided by  
19 Section [49.062](#), Water Code.

20       (b) The board may establish a second district office outside  
21 the district. If the board establishes a district office outside  
22 the district, the board shall give notice of the location of that  
23 office by:

24               (1) filing a copy of the board resolution that  
25 establishes the location of the office:

26                       (A) with the Texas Commission on Environmental  
27 Quality; and



1 (B) in the water control and improvement district  
2 records of Harris County; and

3 (2) publishing the location of the office in a  
4 newspaper of general circulation in Harris County.

5 (c) A district office may be a private residence, office, or  
6 dwelling. A district office that is a private residence, office, or  
7 dwelling is a public place for matters relating to the district's  
8 business.

9 (d) The board shall give notice of any change in the  
10 location of the district office outside the district in the manner  
11 required by Subsection (b). (Acts 61st Leg., R.S., Ch. 633, Sec.  
12 15.)

13 SUBCHAPTER C. POWERS AND DUTIES

14 Sec. 9045.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
15 POWERS. The district has all of the rights, powers, privileges, and  
16 functions provided by general law applicable to water control and  
17 improvement districts created under Section 59, Article XVI, Texas  
18 Constitution, including Chapters 49 and 51, Water Code. (Acts 61st  
19 Leg., R.S., Ch. 633, Sec. 5 (part).)

20 Sec. 9045.102. ADDITIONAL POWERS. (a) The district may:

21 (1) make, purchase, construct, lease, or otherwise  
22 acquire property, works, facilities, or improvements, existing or  
23 to be made, constructed, or acquired, inside or outside the  
24 district's boundaries and necessary to carry out the powers granted  
25 by this chapter or general law; or

26 (2) enter into a contract with a person on terms the  
27 board considers desirable, fair, and advantageous for:

1 (A) the purchase or sale of water;

2 (B) the transportation, treatment, and disposal  
3 of the domestic, industrial, or communal wastes of the district or  
4 others;

5 (C) the continuing and orderly development of  
6 land and property in the district through the purchase,  
7 construction, or installation of facilities, works, or  
8 improvements that the district is otherwise authorized to do or  
9 perform so that, to the greatest extent reasonably possible,  
10 considering sound engineering and economic practices, all of the  
11 land and property may ultimately receive the services of the  
12 facilities, works, or improvements; and

13 (D) the performance of any of the rights or  
14 powers granted by this chapter or general law relating to water  
15 control and improvement districts.

16 (b) A contract under Subsection (a)(2) may not have a  
17 duration of more than 40 years. (Acts 61st Leg., R.S., Ch. 633,  
18 Sec. 5 (part).)

19 Sec. 9045.103. LIMIT ON EMINENT DOMAIN. The district may  
20 exercise the power of eminent domain only:

21 (1) in Harris County; and

22 (2) when necessary to carry out the purposes for which  
23 the district was created. (Acts 61st Leg., R.S., Ch. 633, Sec. 13  
24 (part).)

25 Sec. 9045.104. COST OF RELOCATING OR ALTERING PROPERTY.

26 (a) In this section, "sole expense" means the actual cost of  
27 relocating, raising, lowering, rerouting, changing the grade of, or

1 altering the construction of a facility described by Subsection (b)  
2 in providing comparable replacement without enhancement of the  
3 facility, after deducting from that cost the net salvage value  
4 derived from the old facility.

5 (b) If the district's exercise of the power of eminent  
6 domain makes necessary relocating, raising, lowering, rerouting,  
7 changing the grade of, or altering the construction of a highway,  
8 railroad, electric transmission line, telegraph or telephone  
9 property or facility, or pipeline, the necessary action shall be  
10 accomplished at the sole expense of the district. (Acts 61st Leg.,  
11 R.S., Ch. 633, Sec. 13 (part).)

12 Sec. 9045.105. NOTICE OF ELECTION. Notice of an election  
13 may be given under the hand of the board president or secretary.  
14 (Acts 61st Leg., R.S., Ch. 633, Sec. 18 (part).)

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16 Sec. 9045.151. TAX METHOD. (a) The district shall use the  
17 ad valorem plan of taxation.

18 (b) The board is not required to call or hold a hearing on  
19 the adoption of a plan of taxation. (Acts 61st Leg., R.S., Ch. 633,  
20 Sec. 8.)

21 Sec. 9045.152. DISTRICT ACCOUNTS. The district shall keep  
22 a complete system of the district's accounts. (Acts 61st Leg.,  
23 R.S., Ch. 633, Sec. 14 (part).)

24 Sec. 9045.153. COPY OF AUDIT REPORT. A copy of the audit  
25 report prepared under Subchapter G, Chapter 49, Water Code, shall  
26 be delivered:

27 (1) to each director; and



1 (c) Bonds issued under this subchapter may be payable from  
2 all or any designated part of the revenue of district property and  
3 facilities or under a specific contract, as provided in the order or  
4 resolution authorizing the issuance of the bonds. (Acts 61st Leg.,  
5 R.S., Ch. 633, Sec. 12 (part).)

6 Sec. 9045.202. ADDITIONAL SECURITY. (a) Within the  
7 discretion of the board, bonds issued under this subchapter may be  
8 additionally secured by a deed of trust or mortgage lien on physical  
9 property of the district and franchises, easements, water rights  
10 and appropriation permits, leases, contracts, and all rights  
11 appurtenant to that property, vesting in the trustee:

12 (1) the power to sell the property for payment of the  
13 debt;

14 (2) the power to operate the property; and

15 (3) all other powers to further secure the bonds.

16 (b) A purchaser under a sale under the deed of trust or  
17 mortgage lien, if one is given:

18 (1) is the absolute owner of the property, facilities,  
19 and rights purchased; and

20 (2) may maintain and operate the property and  
21 facilities. (Acts 61st Leg., R.S., Ch. 633, Sec. 12 (part).)

22 Sec. 9045.203. TRUST INDENTURE. A trust indenture created  
23 under Section 9045.202, regardless of the existence of a deed of  
24 trust or mortgage lien on the property, may:

25 (1) contain provisions prescribed by the board for the  
26 security of the bonds and the preservation of the trust estate;

27 (2) provide for amendment or modification of the trust

1 indenture;

2 (3) provide for the issuance of bonds to replace lost  
3 or mutilated bonds;

4 (4) condition the right to spend district money or  
5 sell district property on the approval of a licensed engineer  
6 selected as provided by the trust indenture; and

7 (5) provide for the investment of district money.  
8 (Acts 61st Leg., R.S., Ch. 633, Sec. 12 (part).)

9 Sec. 9045.204. ORDER OR RESOLUTION AUTHORIZING ISSUANCE OF  
10 CERTAIN BONDS. (a) In an order or resolution authorizing the  
11 issuance of revenue, tax-revenue, revenue refunding, or  
12 tax-revenue refunding bonds, the board may:

13 (1) provide for:

14 (A) the flow of money; and

15 (B) the establishment and maintenance of the  
16 interest and sinking fund, reserve fund, or other fund;

17 (2) make additional covenants with respect to the  
18 bonds and the pledged revenue and the operation and maintenance of  
19 the improvements and facilities the revenue of which is pledged,  
20 including provisions for the operation or leasing of all or part of  
21 the improvements and facilities and the use or pledge of money  
22 received from the operation contract or lease as the board  
23 considers appropriate;

24 (3) prohibit the further issuance of bonds or other  
25 obligations payable from the pledged revenue or reserve the right  
26 to issue additional bonds to be secured by a pledge of and payable  
27 from the revenue on a parity with, or subordinate to, the lien and

1 pledge in support of the bonds being issued, subject to any  
2 conditions set forth in the order or resolution; and

3 (4) include any other provision or covenant, as the  
4 board determines, that is not prohibited by the Texas Constitution  
5 or this chapter.

6 (b) The board may adopt and cause to be executed any other  
7 proceeding or instrument necessary or convenient in the issuance of  
8 the bonds. (Acts 61st Leg., R.S., Ch. 633, Sec. 12 (part).)

9 Sec. 9045.205. USE OF BOND PROCEEDS. (a) The district may  
10 appropriate or set aside out of proceeds from the sale of district  
11 bonds an amount for:

12 (1) the payment of interest, administrative, and  
13 operating expenses expected to accrue during the period of  
14 construction, as may be provided in the bond orders or resolutions;  
15 and

16 (2) the payment of all expenses incurred and to be  
17 incurred in the issuance, sale, and delivery of the bonds.

18 (b) For purposes of this section, the period of construction  
19 may not exceed three years. (Acts 61st Leg., R.S., Ch. 633, Sec. 12  
20 (part).)

21 CHAPTER 9049. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT

22 DISTRICT-FONDREN ROAD

23 SUBCHAPTER A. GENERAL PROVISIONS

24 Sec. 9049.001. DEFINITIONS

25 Sec. 9049.002. NATURE OF DISTRICT

26 Sec. 9049.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

27 Sec. 9049.004. DISTRICT TERRITORY

1                   SUBCHAPTER B. BOARD OF DIRECTORS

2   Sec. 9049.051.   BOARD OF DIRECTORS

3   Sec. 9049.052.   APPOINTMENT OF SECRETARY AND TREASURER

4   Sec. 9049.053.   DIRECTOR'S AND TREASURER'S BONDS

5   Sec. 9049.054.   VOTE BY BOARD PRESIDENT

6   Sec. 9049.055.   ABSENCE OR INACTION OF BOARD PRESIDENT

7                   SUBCHAPTER C. POWERS AND DUTIES

8   Sec. 9049.101.   WATER CONTROL AND IMPROVEMENT DISTRICT

9                   POWERS

10   Sec. 9049.102.   LIMIT ON EMINENT DOMAIN POWER

11   Sec. 9049.103.   COST OF RELOCATING OR ALTERING PROPERTY

12                   SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

13   Sec. 9049.151.   TAX METHOD

14           CHAPTER 9049. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT

15                   DISTRICT-FONDREN ROAD

16                   SUBCHAPTER A. GENERAL PROVISIONS

17           Sec. 9049.001.   DEFINITIONS. In this chapter:

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

19                   (2)   "Director" means a board member.

20                   (3)   "District" means the Harris County Water Control

21 and Improvement District-Fondren Road. (Acts 58th Leg., R.S., Ch.

22 246, Sec. 1 (part); New.)

23           Sec. 9049.002.   NATURE OF DISTRICT.   The district is a

24 conservation and reclamation district in Harris County created

25 under Section 59, Article XVI, Texas Constitution. (Acts 58th

26 Leg., R.S., Ch. 246, Sec. 1 (part).)

27           Sec. 9049.003.   FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)



1 The district is created to serve a public use and benefit.

2 (b) All land and other property included in the boundaries  
3 of the district will benefit from the works and projects  
4 accomplished by the district under the powers conferred by Section  
5 59, Article XVI, Texas Constitution.

6 (c) The district is essential to accomplish the purposes of  
7 Section 59, Article XVI, Texas Constitution. (Acts 58th Leg., R.S.,  
8 Ch. 246, Secs. 1 (part), 3; Acts 60th Leg., R.S., Ch. 611, Sec. 5.)

9 Sec. 9049.004. DISTRICT TERRITORY. (a) The district is  
10 composed of the territory described by Section 2, Chapter 246, Acts  
11 of the 58th Legislature, Regular Session, 1963, as amended by  
12 Sections 1 and 3, Chapter 611, Acts of the 60th Legislature, Regular  
13 Session, 1967, as that territory may have been modified under:

- 14 (1) Subchapter O, Chapter 51, Water Code;  
15 (2) Subchapter J, Chapter 49, Water Code; or  
16 (3) other law.

17 (b) The boundaries and field notes of the district form a  
18 closure. A mistake in the field notes or in copying the field notes  
19 in the legislative process does not affect:

20 (1) the district's organization, existence, or  
21 validity;

22 (2) the district's right to issue bonds or to pay the  
23 principal of and interest on the bonds;

24 (3) the district's right to impose a tax; or

25 (4) the legality or operation of the district or the  
26 board. (Acts 58th Leg., R.S., Ch. 246, Sec. 4; Acts 60th Leg., R.S.,  
27 Ch. 611, Secs. 2, 4; New.)

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 9049.051. BOARD OF DIRECTORS. (a) The board consists  
3 of five elected directors.

4 (b) To be appointed as a director a person must reside in  
5 this state, but such director is not required to reside in the  
6 district. (Acts 58th Leg., R.S., Ch. 246, Sec. 7 (part).)

7 Sec. 9049.052. APPOINTMENT OF SECRETARY AND TREASURER. The  
8 board shall appoint a secretary and a treasurer, who are not  
9 required to be directors. The board may combine the offices of  
10 secretary and treasurer. (Acts 58th Leg., R.S., Ch. 246, Sec. 7  
11 (part).)

12 Sec. 9049.053. DIRECTOR'S AND TREASURER'S BONDS. (a) Each  
13 director shall give bond in the amount of \$5,000 conditioned on the  
14 faithful performance of the director's duties.

15 (b) The treasurer shall give bond in the amount required by  
16 the board. The treasurer's bond shall be conditioned on the  
17 treasurer's faithful accounting for all money that comes into the  
18 treasurer's custody as treasurer of the district. (Acts 58th Leg.,  
19 R.S., Ch. 246, Sec. 7 (part).)

20 Sec. 9049.054. VOTE BY BOARD PRESIDENT. The board  
21 president has the same right to vote as any other director. (Acts  
22 58th Leg., R.S., Ch. 246, Sec. 7 (part).)

23 Sec. 9049.055. ABSENCE OR INACTION OF BOARD PRESIDENT.  
24 When the board president is absent or fails or declines to act, the  
25 board vice president shall perform all duties and exercise all  
26 power this chapter gives the president. (Acts 58th Leg., R.S., Ch.  
27 246, Sec. 7 (part).)

1                   SUBCHAPTER C. POWERS AND DUTIES

2           Sec. 9049.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
3 POWERS. The district has the rights, powers, privileges, and  
4 duties provided by general law applicable to a water control and  
5 improvement district created under Section 59, Article XVI, Texas  
6 Constitution, including Chapters 49 and 51, Water Code. (Acts 58th  
7 Leg., R.S., Ch. 246, Sec. 5 (part); New.)

8           Sec. 9049.102. LIMIT ON EMINENT DOMAIN POWER. The district  
9 may exercise the power of eminent domain only in Harris County.  
10 (Acts 58th Leg., R.S., Ch. 246, Sec. 9 (part).)

11           Sec. 9049.103. COST OF RELOCATING OR ALTERING PROPERTY. If  
12 the district's exercise of the power of eminent domain, the power of  
13 relocation, or any other power granted by this chapter makes  
14 necessary relocating, raising, rerouting, changing the grade of, or  
15 altering the construction of a highway, railroad, electric  
16 transmission line, telephone or telegraph property or facility, or  
17 pipeline, the necessary action shall be accomplished at the sole  
18 expense of the district. (Acts 58th Leg., R.S., Ch. 246, Sec. 9  
19 (part).)

20                   SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

21           Sec. 9049.151. TAX METHOD. (a) The district shall use the  
22 ad valorem plan of taxation.

23           (b) The board is not required to hold a hearing on the  
24 adoption of a plan of taxation. (Acts 58th Leg., R.S., Ch. 246,  
25 Sec. 5 (part).)

1	CHAPTER 9050. INVERNESS FOREST IMPROVEMENT DISTRICT
2	SUBCHAPTER A. GENERAL PROVISIONS
3	Sec. 9050.001. DEFINITIONS
4	Sec. 9050.002. NATURE OF DISTRICT
5	Sec. 9050.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
6	Sec. 9050.004. DISTRICT TERRITORY
7	Sec. 9050.005. EXPANSION OF DISTRICT
8	Sec. 9050.006. HEARINGS FOR EXCLUSION OF LAND
9	SUBCHAPTER B. DISTRICT ADMINISTRATION
10	Sec. 9050.051. BOARD OF DIRECTORS
11	Sec. 9050.052. DIRECTOR'S BOND
12	Sec. 9050.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY
13	FROM BOARD MEETING
14	Sec. 9050.054. VOTE BY BOARD PRESIDENT
15	Sec. 9050.055. ABSENCE OR INACTION OF BOARD PRESIDENT
16	SUBCHAPTER C. POWERS AND DUTIES
17	Sec. 9050.101. WATER CONTROL AND IMPROVEMENT DISTRICT
18	POWERS
19	Sec. 9050.102. ADDITIONAL POWERS
20	Sec. 9050.103. LIMIT ON EMINENT DOMAIN POWER
21	Sec. 9050.104. COST OF RELOCATING OR ALTERING PROPERTY
22	Sec. 9050.105. NOTICE OF ELECTION
23	Sec. 9050.106. EFFECT OF ANNEXATION BY MUNICIPALITY
24	SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
25	Sec. 9050.151. TAX METHOD
26	Sec. 9050.152. DEPOSITORY

1 Sec. 9050.153. PAYMENT OF TAX OR ASSESSMENT NOT

2 REQUIRED

3 SUBCHAPTER E. BONDS

4 Sec. 9050.201. AUTHORITY TO ISSUE BONDS

5 Sec. 9050.202. FAILED BOND ELECTION

6 Sec. 9050.203. BONDS EXEMPT FROM TAXATION

7 CHAPTER 9050. INVERNESS FOREST IMPROVEMENT DISTRICT

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 9050.001. DEFINITIONS. In this chapter:

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

11 (2) "Director" means a board member.

12 (3) "District" means the Inverness Forest Improvement  
13 District. (Acts 59th Leg., R.S., Ch. 605, Sec. 1 (part); New.)

14 Sec. 9050.002. NATURE OF DISTRICT. The district is a  
15 conservation and reclamation district in Harris County created  
16 under Section 59, Article XVI, Texas Constitution. (Acts 59th  
17 Leg., R.S., Ch. 605, Sec. 1 (part).)

18 Sec. 9050.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
19 The district is created to serve a public use and benefit.

20 (b) All land and other property included in the boundaries  
21 of the district will benefit from the works and projects  
22 accomplished by the district under the powers conferred by Section  
23 59, Article XVI, Texas Constitution.

24 (c) The district is essential to accomplish the purposes of  
25 Section 59, Article XVI, Texas Constitution.

26 (d) The accomplishment of the purposes stated in this  
27 chapter will benefit the people of this state and improve their

1 property and industries.

2 (e) The district in carrying out the purposes of this  
3 chapter will be performing an essential public function under the  
4 Texas Constitution. (Acts 59th Leg., R.S., Ch. 605, Secs. 1 (part),  
5 4, 22 (part).)

6 Sec. 9050.004. DISTRICT TERRITORY. (a) The district is  
7 composed of the territory described by Section 2, Chapter 605, Acts  
8 of the 59th Legislature, Regular Session, 1965, as that territory  
9 may have been modified under:

10 (1) Subchapter O, Chapter 51, Water Code;

11 (2) Subchapter J, Chapter 49, Water Code;

12 (3) Section 9050.005 of this chapter or its  
13 predecessor statute, former Section 16, Chapter 605, Acts of the  
14 59th Legislature, Regular Session, 1965; or

15 (4) other law.

16 (b) The boundaries and field notes of the district form a  
17 closure. A mistake in the field notes or in copying the field notes  
18 in the legislative process does not affect:

19 (1) the district's organization, existence, or  
20 validity;

21 (2) the district's right to issue any type or kind of  
22 bond for a purpose for which the district is created or to pay the  
23 principal of and interest on the bond;

24 (3) the district's right to impose a tax; or

25 (4) the legality or operation of the district or the  
26 board. (Acts 59th Leg., R.S., Ch. 605, Sec. 3; New.)

27 Sec. 9050.005. EXPANSION OF DISTRICT. (a) Except as

1 otherwise provided by this section, the district may annex  
2 territory as provided by Section 49.302, Water Code.

3 (b) Territory may not be annexed to the district without the  
4 written consent of at least a three-fourths majority of all  
5 landowners in the territory to be annexed whose land must also  
6 constitute at least three-fourths of the value of all land in the  
7 territory to be annexed, as shown by the tax rolls of the county in  
8 which the territory to be annexed is located.

9 (c) A person who owns land or an interest in land affected by  
10 the annexation may, on or before the 30th day after the date of the  
11 canvassing order of the election for the annexation, file in the  
12 district court in the county in which the district is located a  
13 petition to review, set aside, modify, or suspend the annexation.  
14 After the period for filing the suit has expired, the annexation is:

- 15 (1) conclusive for all purposes; and  
16 (2) not subject to judicial review. (Acts 59th Leg.,  
17 R.S., Ch. 605, Sec. 16 (part).)

18 Sec. 9050.006. HEARINGS FOR EXCLUSION OF LAND. (a) The  
19 board is not required to call or hold a hearing on the exclusion of  
20 land or other property from the district; provided, however, that  
21 the board shall hold a hearing if an owner of land or other property  
22 located in the district files a written request for a hearing with  
23 the board secretary before the district's first bond election is  
24 called.

25 (b) This section may not be construed to prevent the board  
26 on its own motion from calling and holding an exclusion hearing  
27 under general law. (Acts 59th Leg., R.S., Ch. 605, Sec. 7.)

1 SUBCHAPTER B. DISTRICT ADMINISTRATION

2 Sec. 9050.051. BOARD OF DIRECTORS. (a) The board consists  
3 of five elected directors.

4 (b) To be appointed as a director, a person must:

5 (1) be at least 18 years of age; and

6 (2) reside in this state.

7 (c) Such director is not required to reside in the district.

8 (d) Such director is not required to own land in the  
9 district, but before the district awards any construction  
10 contracts, each director must own land in the district subject to  
11 district taxation. (Acts 59th Leg., R.S., Ch. 605, Sec. 9 (part).)

12 Sec. 9050.052. DIRECTOR'S BOND. Each director shall give a  
13 bond in the amount of \$5,000 for the faithful performance of the  
14 director's duties. (Acts 59th Leg., R.S., Ch. 605, Sec. 9 (part).)

15 Sec. 9050.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY FROM  
16 BOARD MEETING. (a) The board secretary shall sign the minutes of  
17 each board meeting.

18 (b) If the board secretary is absent from a board meeting,  
19 the board shall name a secretary pro tem for the meeting who may:

20 (1) exercise all powers and duties of the secretary  
21 for the meeting;

22 (2) sign the minutes of the meeting; and

23 (3) attest all orders passed or other action taken at  
24 the meeting. (Acts 59th Leg., R.S., Ch. 605, Sec. 9 (part).)

25 Sec. 9050.054. VOTE BY BOARD PRESIDENT. The board  
26 president has the same right to vote as any other director. (Acts  
27 59th Leg., R.S., Ch. 605, Sec. 9 (part).)



1           Sec. 9050.055. ABSENCE OR INACTION OF BOARD PRESIDENT.  
2 When the board president is absent or fails or declines to act, the  
3 board vice president shall perform all duties and exercise all  
4 power this chapter or general law gives the president. (Acts 59th  
5 Leg., R.S., Ch. 605, Sec. 9 (part).)

6                                   SUBCHAPTER C. POWERS AND DUTIES

7           Sec. 9050.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
8 POWERS. The district has the rights, powers, privileges, and  
9 duties provided by general law applicable to a water control and  
10 improvement district created under Section 59, Article XVI, Texas  
11 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th  
12 Leg., R.S., Ch. 605, Sec. 5 (part); New.)

13           Sec. 9050.102. ADDITIONAL POWERS. (a) The district may:

14                   (1) purchase, construct, or otherwise acquire a  
15 waterworks system, sanitary sewer system, storm sewer system, or  
16 drainage facility or any part of those systems or facilities;

17                   (2) make any purchase, construction, improvement,  
18 extension, addition, or repair necessary to a system or facility  
19 described by Subdivision (1);

20                   (3) purchase or otherwise acquire, operate, and  
21 maintain any land, right-of-way, easement, site, equipment,  
22 building, plant, structure, or facility necessary for a system or  
23 facility described by Subdivision (1); and

24                   (4) sell water and other services.

25           (b) The district may exercise any of the rights or powers  
26 granted by this chapter inside or outside the district's  
27 boundaries, but only in Harris County. (Acts 59th Leg., R.S., Ch.

1 605, Sec. 17 (part).)

2           Sec. 9050.103. LIMIT ON EMINENT DOMAIN POWER. The district  
3 may exercise the power of eminent domain only in Harris County.  
4 (Acts 59th Leg., R.S., Ch. 605, Sec. 12 (part).)

5           Sec. 9050.104. COST OF RELOCATING OR ALTERING PROPERTY.

6 (a) In this section, "sole expense" means the actual cost of  
7 relocating, raising, lowering, rerouting, changing the grade of, or  
8 altering the construction of a facility described by Subsection (b)  
9 in providing comparable replacement without enhancement of the  
10 facility, after deducting from that cost the net salvage value  
11 derived from the old facility.

12           (b) If the district's exercise of the power of eminent  
13 domain, the power of relocation, or any other power granted by this  
14 chapter makes necessary relocating, raising, rerouting, changing  
15 the grade of, or altering the construction of a highway, railroad,  
16 electric transmission line, telegraph or telephone property or  
17 facility, or pipeline, the necessary action shall be accomplished  
18 at the sole expense of the district. (Acts 59th Leg., R.S., Ch.  
19 605, Sec. 12 (part).)

20           Sec. 9050.105. NOTICE OF ELECTION. Notice of an election  
21 may be given under the hand of the board president or secretary.  
22 (Acts 59th Leg., R.S., Ch. 605, Sec. 20.)

23           Sec. 9050.106. EFFECT OF ANNEXATION BY MUNICIPALITY. (a)  
24 Notwithstanding Section [43.075\(d\)\(3\)](#), Local Government Code, if a  
25 municipality annexes all of the territory in the district, the  
26 municipality is not required to assume the duties of the district to  
27 provide flood control services or to operate or maintain the

1 levees, retainage ponds, pumps, mitigation channel, or other flood  
2 control facilities, improvements, or properties that the district  
3 operates and maintains or is required to operate and maintain.

4 (b) The municipality may elect to assume none, part, or all  
5 of the duties described by Subsection (a). The municipality shall  
6 state in the ordinance annexing the territory which duties, if any,  
7 the municipality elects to assume.

8 (c) If the municipality elects to assume none or part of the  
9 duties described by Subsection (a), the district is not abolished  
10 and continues to exist for the exclusive purpose of performing the  
11 duties the municipality does not assume. The district is not  
12 required to transfer to the municipality money received from  
13 maintenance taxes before the date of annexation and may continue to  
14 impose a maintenance tax as necessary to perform the duties the  
15 municipality does not assume. The district may retain other  
16 property and assets, including money from the district's operation  
17 and maintenance account, as the district considers necessary to  
18 perform those duties.

19 (d) At any time after annexation the municipality by  
20 ordinance may assume the remaining duties and assets retained by  
21 the district and the district's debts, liabilities, and  
22 obligations. The municipality shall provide the board written  
23 notice of the assumption at least 120 days before the date the  
24 assumption takes effect. The district is abolished on the date the  
25 assumption takes effect. (Acts 59th Leg., R.S., Ch. 605, Sec. 17B.)

26 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

27 Sec. 9050.151. TAX METHOD. (a) The district shall use the

1 ad valorem plan of taxation.

2 (b) The board is not required to call or hold a hearing on  
3 the adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 605,  
4 Sec. 8.)

5 Sec. 9050.152. DEPOSITORY. (a) The board shall select one  
6 or more banks or trust companies in this state to act as a  
7 depository of bond proceeds or of revenue derived from the  
8 operation of district facilities.

9 (b) The depository shall, as determined by the board:

- 10 (1) furnish indemnity bonds;  
11 (2) pledge securities; or  
12 (3) meet any other requirements. (Acts 59th Leg.,  
13 R.S., Ch. 605, Sec. 15.)

14 Sec. 9050.153. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.  
15 The district is not required to pay a tax or assessment on:

- 16 (1) a district project or any part of the project; or  
17 (2) a district purchase. (Acts 59th Leg., R.S., Ch.  
18 605, Sec. 22 (part).)

19 SUBCHAPTER E. BONDS

20 Sec. 9050.201. AUTHORITY TO ISSUE BONDS. The district may:

- 21 (1) issue bonds of any kind to carry out any purpose  
22 authorized by this chapter; and  
23 (2) provide for and make payment for the bonds and for  
24 any expense necessarily incurred in connection with the issuance of  
25 the bonds. (Acts 59th Leg., R.S., Ch. 605, Sec. 17 (part).)

26 Sec. 9050.202. FAILED BOND ELECTION. (a) A general law,  
27 including Sections 51.781-51.791, Water Code, that provides for

1 calling a hearing on the dissolution of a district after a failed  
2 district bond election does not apply to the district.

3 (b) After the expiration of six months from the date of a  
4 failed bond election, the board may call a subsequent bond  
5 election.

6 (c) The district continues to exist and retain its full  
7 power to function and operate regardless of the outcome of a bond  
8 election. (Acts 59th Leg., R.S., Ch. 605, Sec. 19.)

9 Sec. 9050.203. BONDS EXEMPT FROM TAXATION. A bond issued  
10 under this chapter, the transfer of the bond, and income from the  
11 bond, including profits made on the sale of the bond, are exempt  
12 from taxation in this state. (Acts 59th Leg., R.S., Ch. 605, Sec.  
13 22 (part).)

14 CHAPTER 9051. JEFFERSON COUNTY WATER CONTROL AND IMPROVEMENT

15 DISTRICT NO. 10

16 SUBCHAPTER A. GENERAL PROVISIONS

17 Sec. 9051.001. DEFINITIONS

18 Sec. 9051.002. NATURE OF DISTRICT

19 Sec. 9051.003. LEGISLATIVE FINDING

20 Sec. 9051.004. LIBERAL CONSTRUCTION OF CHAPTER

21 Sec. 9051.005. CORRECTION OF INVALID PROCEDURES

22 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATION

23 Sec. 9051.051. DISTRICT TERRITORY

24 Sec. 9051.052. ANNEXATION OF DISTRICT TERRITORY BY

25 MUNICIPALITY

26 SUBCHAPTER C. DISTRICT ADMINISTRATION

27 Sec. 9051.101. COMPOSITION OF BOARD; TERMS

- 1 Sec. 9051.102. QUALIFICATIONS FOR OFFICE  
2 Sec. 9051.103. DIRECTOR'S BOND  
3 Sec. 9051.104. QUORUM  
4 Sec. 9051.105. OFFICERS  
5 Sec. 9051.106. EMPLOYEES  
6 Sec. 9051.107. EXPENDITURES  
7 Sec. 9051.108. COMPENSATION OF DIRECTORS  
8 Sec. 9051.109. BUDGET  
9 SUBCHAPTER D. POWERS AND DUTIES  
10 Sec. 9051.151. GENERAL POWERS  
11 Sec. 9051.152. DISTRICT PROPERTY  
12 Sec. 9051.153. COST OF RELOCATING OR ALTERING PROPERTY  
13 Sec. 9051.154. POWERS RELATING TO WATERWORKS OR  
14 SANITARY SEWER SYSTEM  
15 Sec. 9051.155. CHARGES, FEES, AND TOLLS; PENALTY FOR  
16 FAILURE TO PAY  
17 Sec. 9051.156. SURVEYS AND INVESTIGATIONS  
18 Sec. 9051.157. LIMITATION ON DISTRICT POWERS RELATING  
19 TO GROUNDWATER  
20 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS  
21 Sec. 9051.201. TAX METHOD  
22 Sec. 9051.202. AUTHORITY TO IMPOSE TAX; TAX ELECTION  
23 Sec. 9051.203. TAX ASSESSOR AND COLLECTOR  
24 Sec. 9051.204. TAX RATE  
25 SUBCHAPTER F. BONDS  
26 Sec. 9051.251. DEFINITION  
27 Sec. 9051.252. ISSUANCE OF BONDS

- 1 Sec. 9051.253. FORM OF BONDS
- 2 Sec. 9051.254. ELECTION FOR BONDS PAYABLE FROM AD
- 3 VALOREM TAXES
- 4 Sec. 9051.255. BONDS PAYABLE FROM AD VALOREM TAXES;
- 5 TAX RATE
- 6 Sec. 9051.256. ELECTION NOT REQUIRED FOR CERTAIN BONDS
- 7 Sec. 9051.257. BONDS SECURED BY REVENUE; ADDITIONAL
- 8 BONDS
- 9 Sec. 9051.258. CHARGES FOR DISTRICT SERVICES
- 10 Sec. 9051.259. REFUNDING BONDS
- 11 Sec. 9051.260. BONDS EXEMPT FROM TAXATION

12 CHAPTER 9051. JEFFERSON COUNTY WATER CONTROL AND IMPROVEMENT

13 DISTRICT NO. 10

14 SUBCHAPTER A. GENERAL PROVISIONS

15 Sec. 9051.001. DEFINITIONS. In this chapter:

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

17 (2) "Director" means a board member.

18 (3) "District" means the Jefferson County Water  
19 Control and Improvement District No. 10. (Acts 54th Leg., R.S., Ch.  
20 245, Sec. 1 (part); New.)

21 Sec. 9051.002. NATURE OF DISTRICT. The district is a  
22 conservation and reclamation district in Jefferson County created  
23 under Section 59, Article XVI, Texas Constitution, for the purposes  
24 of:

25 (1) controlling, conserving, protecting, preserving,  
26 distributing, and using surface water;

27 (2) producing, distributing, and using groundwater;

1 and

2 (3) regulating, controlling, and disposing of  
3 sewerage, waste, and other refuse to prevent the contamination of  
4 the public waters. (Acts 54th Leg., R.S., Ch. 245, Secs. 1 (part),  
5 2 (part), 3 (part).)

6 Sec. 9051.003. LEGISLATIVE FINDING. The legislature finds  
7 that the district is essential to the accomplishment of the  
8 purposes of Section 59, Article XVI, Texas Constitution. (Acts 54th  
9 Leg., R.S., Ch. 245, Sec. 11 (part).)

10 Sec. 9051.004. LIBERAL CONSTRUCTION OF CHAPTER. This  
11 chapter shall be liberally construed to effect its purposes. (Acts  
12 54th Leg., R.S., Ch. 245, Sec. 11 (part).)

13 Sec. 9051.005. CORRECTION OF INVALID PROCEDURES. If a  
14 court holds that any procedure under this chapter violates the  
15 constitution of this state or of the United States, the district by  
16 resolution may provide an alternative procedure that conforms with  
17 the constitution. (Acts 54th Leg., R.S., Ch. 245, Sec. 12 (part).)

18 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATION

19 Sec. 9051.051. DISTRICT TERRITORY. The district is  
20 composed of the territory described by Section 3, Chapter 245, Acts  
21 of the 54th Legislature, Regular Session, 1955, as that territory  
22 may have been modified under:

- 23 (1) Subchapter O, Chapter 51, Water Code;  
24 (2) Subchapter J, Chapter 49, Water Code; or  
25 (3) other law. (New.)

26 Sec. 9051.052. ANNEXATION OF DISTRICT TERRITORY BY  
27 MUNICIPALITY. Territory contained in the district may not be



1 annexed, either wholly or partly, by a municipality unless the  
2 annexation is approved by a majority of the voters voting in a  
3 single election held jointly in the municipality and the district  
4 for that purpose. (Acts 54th Leg., R.S., Ch. 245, Sec. 3A.)

5 SUBCHAPTER C. DISTRICT ADMINISTRATION

6 Sec. 9051.101. COMPOSITION OF BOARD; TERMS. The board  
7 consists of five elected directors who serve staggered four-year  
8 terms that begin on May 16 following their election. (Acts 54th  
9 Leg., R.S., Ch. 245, Sec. 4 (part).)

10 Sec. 9051.102. QUALIFICATIONS FOR OFFICE. A director must:

- 11 (1) be a resident, qualified voter; and  
12 (2) own taxable property in the district. (Acts 54th  
13 Leg., R.S., Ch. 245, Sec. 4 (part).)

14 Sec. 9051.103. DIRECTOR'S BOND. (a) Each director must  
15 qualify by giving bond in the amount of \$5,000 for the faithful  
16 performance of the director's duties.

17 (b) The bond must be recorded in the official bond records  
18 of the county. (Acts 54th Leg., R.S., Ch. 245, Sec. 4 (part).)

19 Sec. 9051.104. QUORUM. Any three members of the board  
20 constitute a quorum. (Acts 54th Leg., R.S., Ch. 245, Sec. 4  
21 (part).)

22 Sec. 9051.105. OFFICERS. The board shall elect from among  
23 its members a president, a vice president, and a  
24 secretary-treasurer. (Acts 54th Leg., R.S., Ch. 245, Sec. 4  
25 (part).)

26 Sec. 9051.106. EMPLOYEES. The board may employ engineers,  
27 attorneys, and other technical or nontechnical employees or

1 assistants and set and provide the amount and manner of their  
2 compensation. (Acts 54th Leg., R.S., Ch. 245, Sec. 4 (part).)

3       Sec. 9051.107. EXPENDITURES. The board may provide for the  
4 payment of expenditures considered essential to the proper  
5 maintenance and administration of the district. (Acts 54th Leg.,  
6 R.S., Ch. 245, Sec. 4 (part).)

7       Sec. 9051.108. COMPENSATION OF DIRECTORS. (a) A director  
8 shall receive a fee of \$3 per day for attending each board meeting,  
9 except that not more than \$6 per day may be paid to a director for  
10 meetings held in any one calendar month.

11       (b) In all areas of conflict with Subsection (a) of this  
12 section, Section 49.060, Water Code, takes precedence.

13       (c) A director's compensation may be increased as  
14 authorized by Section 49.060, Water Code, by resolution adopted by  
15 the board in accordance with Subsection (e) of that section on or  
16 after September 1, 1995. (Acts 54th Leg., R.S., Ch. 245, Sec. 4  
17 (part); New.)

18       Sec. 9051.109. BUDGET. (a) Before the adoption of the  
19 district's annual tax rate, the president of the board must  
20 prepare, or have prepared, and the board must approve a budget to  
21 cover all proposed expenditures of the district for the succeeding  
22 tax year.

23       (b) The budget must:

24           (1) be itemized to make as clear as practicable a  
25 comparison between the expenditures included in the proposed budget  
26 and the actual expenditures for the same or similar purposes for the  
27 preceding tax year;

1           (2) show as definitely as possible each project for  
2 which appropriations are included in the budget and the estimated  
3 amount of money included in the budget for each project; and

4           (3) contain a complete financial statement of the  
5 district showing:

6                   (A) all outstanding obligations;

7                   (B) the cash on hand to the credit of each fund;

8                   (C) the money received from all sources during  
9 the preceding year;

10                   (D) the money available from all sources during  
11 the succeeding year;

12                   (E) the estimated revenue available to cover the  
13 proposed budget; and

14                   (F) the estimated tax rate required for the  
15 succeeding tax year. (Acts 54th Leg., R.S., Ch. 245, Sec. 6 (part).)

16                                   SUBCHAPTER D. POWERS AND DUTIES

17           Sec. 9051.151. GENERAL POWERS. (a) Except as otherwise  
18 provided by this chapter, the district has all the powers and duties  
19 granted to water control and improvement districts by Chapters 49  
20 and 51, Water Code, and all other laws applicable to water control  
21 and improvement districts.

22                   (b) The district may formulate and execute any plan  
23 considered essential to the accomplishment of the purposes for  
24 which it is created. (Acts 54th Leg., R.S., Ch. 245, Sec. 2 (part).)

25           Sec. 9051.152. DISTRICT PROPERTY. (a) The district may  
26 acquire, maintain, use, and operate property of any kind or any  
27 interest in property necessary to the exercise of the powers,

1 rights, privileges, and functions of the district under this  
2 chapter.

3 (b) The district may acquire property or an interest in  
4 property as provided by Subsection (a) by purchase, construction,  
5 lease, gift, or any other manner. (Acts 54th Leg., R.S., Ch. 245,  
6 Sec. 8.)

7 Sec. 9051.153. COST OF RELOCATING OR ALTERING PROPERTY. If  
8 the district's exercise of the power of eminent domain, the power of  
9 relocation, or any other power granted by this chapter makes  
10 necessary relocating, raising, rerouting, changing the grade of, or  
11 altering the construction of a highway, railroad, electric  
12 transmission line, telegraph or telephone property or facility, or  
13 pipeline, the necessary action shall be accomplished at the sole  
14 expense of the district. (Acts 54th Leg., R.S., Ch. 245, Sec. 8A.)

15 Sec. 9051.154. POWERS RELATING TO WATERWORKS OR SANITARY  
16 SEWER SYSTEM. The district may purchase, construct, or otherwise  
17 acquire a waterworks or sanitary sewer system and may:

18 (1) own and operate the system; and  
19 (2) construct an addition, extension, or improvement  
20 to the system. (Acts 54th Leg., R.S., Ch. 245, Sec. 2 (part).)

21 Sec. 9051.155. CHARGES, FEES, AND TOLLS; PENALTY FOR  
22 FAILURE TO PAY. The district may set and collect charges, fees, or  
23 tolls for the services of its water and sanitary systems and  
24 facilities and impose penalties for the failure to pay when due  
25 those charges, fees, or tolls. (Acts 54th Leg., R.S., Ch. 245, Sec.  
26 7.)

27 Sec. 9051.156. SURVEYS AND INVESTIGATIONS. The board may

1 conduct or arrange for a survey or an engineering investigation to  
2 provide information for the district to facilitate the  
3 accomplishment of a district purpose. (Acts 54th Leg., R.S., Ch.  
4 245, Sec. 4 (part).)

5 Sec. 9051.157. LIMITATION ON DISTRICT POWERS RELATING TO  
6 GROUNDWATER. The district may not adopt or enforce a rule relating  
7 to or require a permit for the production or use of groundwater by  
8 others. (Acts 54th Leg., R.S., Ch. 245, Sec. 2 (part).)

9 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

10 Sec. 9051.201. TAX METHOD. The district shall use the ad  
11 valorem plan of taxation. (Acts 54th Leg., R.S., Ch. 245, Sec. 2  
12 (part).)

13 Sec. 9051.202. AUTHORITY TO IMPOSE TAX; TAX ELECTION. (a)  
14 If a tax is authorized at an election under Section [49.107](#), Water  
15 Code, the district may impose a tax to provide money:

16 (1) necessary to construct or acquire, maintain, and  
17 operate improvements, works, plants, and facilities considered  
18 essential or beneficial to the district; or

19 (2) adequate to defray the cost of the maintenance,  
20 operation, and administration of the district.

21 (b) An election for the imposition of taxes authorized by  
22 this section must be ordered by the board. (Acts 54th Leg., R.S.,  
23 Ch. 245, Sec. 5 (part).)

24 Sec. 9051.203. TAX ASSESSOR AND COLLECTOR. The board shall  
25 appoint a tax assessor and collector. (Acts 54th Leg., R.S., Ch.  
26 245, Sec. 6 (part).)

27 Sec. 9051.204. TAX RATE. The board shall set the tax rate

1 of the district annually and certify the rate to the tax assessor  
2 and collector. (Acts 54th Leg., R.S., Ch. 245, Sec. 6 (part).)

3 SUBCHAPTER F. BONDS

4 Sec. 9051.251. DEFINITION. In this subchapter, "net  
5 revenue" means the gross revenue of the district minus the amount  
6 necessary to pay the cost of maintaining and operating the district  
7 and its property. (Acts 54th Leg., R.S., Ch. 245, Sec. 9(c)  
8 (part).)

9 Sec. 9051.252. ISSUANCE OF BONDS. (a) To accomplish  
10 district purposes, the board may borrow money, issue bonds, and  
11 prescribe the method of payment of the bonds by the use of net  
12 revenue, taxes, or both net revenue and taxes.

13 (b) Bonds must be authorized by a board resolution.

14 (c) In the resolution authorizing the bonds, the district  
15 may set aside an amount from the bond proceeds for:

16 (1) the payment of interest expected to accrue during  
17 construction; and

18 (2) a reserve interest and sinking fund.

19 (d) Bond proceeds may be used to pay all expenses  
20 necessarily incurred in accomplishing district purposes, including  
21 the expenses of issuing and selling the bonds.

22 (e) Pending the use of bond proceeds for the purpose for  
23 which the bonds were issued, the board may invest the proceeds in  
24 obligations of the United States. (Acts 54th Leg., R.S., Ch. 245,  
25 Secs. 9(a), (b) (part), (f).)

26 Sec. 9051.253. FORM OF BONDS. District bonds must be:

27 (1) signed by the president; and

1           (2) attested by the secretary. (Acts 54th Leg., R.S.,  
2 Ch. 245, Sec. 9(b) (part).)

3           Sec. 9051.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM  
4 TAXES. (a) Bonds, other than refunding bonds, payable wholly or  
5 partly from ad valorem taxes may not be issued unless authorized by  
6 a majority of the district voters voting at an election.

7           (b) The board may order an election under this section  
8 without a petition. The order must specify:

9           (1) the time and places at which the election will be  
10 held;

11           (2) the purpose for which the bonds will be issued;

12           (3) the maximum amount of the bonds;

13           (4) the maximum maturity of the bonds;

14           (5) the maximum interest rate;

15           (6) the form of the ballot; and

16           (7) the presiding judge for each voting place.

17           (c) Notice of the election must be given by publishing a  
18 substantial copy of the order in a newspaper of general circulation  
19 in the district. The notice must be published once each week for  
20 two consecutive weeks. The first publication must be at least 14  
21 days before the date of the election. (Acts 54th Leg., R.S., Ch.  
22 245, Sec. 9(i) (part).)

23           Sec. 9051.255. BONDS PAYABLE FROM AD VALOREM TAXES; TAX  
24 RATE. (a) If bonds are issued payable wholly or partly from ad  
25 valorem taxes, the board shall impose a tax sufficient to pay the  
26 bonds and the interest on the bonds as the bonds and interest become  
27 due.

1           (b) The board may adopt the rate of a tax imposed under  
2 Subsection (a) for any year after giving consideration to the money  
3 received from the pledged revenue that may be available for payment  
4 of principal and interest to the extent and in the manner permitted  
5 by the resolution authorizing the issuance of the bonds. (Acts 54th  
6 Leg., R.S., Ch. 245, Sec. 9(d).)

7           Sec. 9051.256. ELECTION NOT REQUIRED FOR CERTAIN BONDS.  
8 Bonds payable solely from the district's net revenue, from the  
9 proceeds of any water contract, or from any source other than ad  
10 valorem taxes may be issued pursuant to a board resolution without a  
11 hearing or election. (Acts 54th Leg., R.S., Ch. 245, Sec. 9(i)  
12 (part).)

13           Sec. 9051.257. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.  
14 District bonds may be secured by a pledge of all or part of the net  
15 revenue of the district, or by the net revenue of one or more  
16 contracts made before or after the issuance of the bonds, or other  
17 revenue in the manner specified by board resolution. The pledge may  
18 reserve the right, under conditions specified by the pledge, to  
19 issue additional bonds that will be on a parity with or subordinate  
20 to the bonds then being issued. (Acts 54th Leg., R.S., Ch. 245,  
21 Sec. 9(c) (part).)

22           Sec. 9051.258. CHARGES FOR DISTRICT SERVICES. If district  
23 bonds payable wholly or partly from revenue are issued, the board  
24 shall set by contract with the persons who contract with it for a  
25 water supply or water or sewer facilities the rates of compensation  
26 for water sold and water or sewer services provided by the district.  
27 The rates must be sufficient to pay:



1           (1) the expense of operating and maintaining the  
2 district and its facilities; and

3           (2) all obligations incurred by the district as they  
4 mature, including the reserve fund and other funds as may be  
5 provided for the bonds or other contracts under the terms of the  
6 bonds or other contracts and as may be provided in the board  
7 resolution pertaining to the bonds or other contracts. (Acts 54th  
8 Leg., R.S., Ch. 245, Sec. 9(e).)

9           Sec. 9051.259. REFUNDING BONDS. (a) The board may issue  
10 refunding bonds without an election to refund outstanding bonds  
11 issued under this subchapter and interest on those bonds.

12           (b) Refunding bonds may be issued to refund bonds of more  
13 than one series.

14           (c) In the case of bonds secured wholly or partly by net  
15 revenue, the district may:

16           (1) combine the pledges for the outstanding bonds for  
17 the security of the refunding bonds; or

18           (2) secure the refunding bonds by a pledge of other or  
19 additional revenue.

20           (d) The provisions of this subchapter regarding the  
21 issuance of other bonds and the rights and remedies of the holders  
22 apply to refunding bonds. (Acts 54th Leg., R.S., Ch. 245, Sec.  
23 9(h).)

24           Sec. 9051.260. BONDS EXEMPT FROM TAXATION. A bond issued  
25 under this chapter, the transfer of the bond, and the income from  
26 the bond, including profits on the sale of the bond, are exempt from  
27 taxation by this state or by any political subdivision of this

1 state. (Acts 54th Leg., R.S., Ch. 245, Sec. 10.)

2 CHAPTER 9052. FLAMINGO ISLES MUNICIPAL UTILITY DISTRICT OF  
3 GALVESTON COUNTY, TEXAS

4 SUBCHAPTER A. GENERAL PROVISIONS

5 Sec. 9052.001. DEFINITIONS

6 Sec. 9052.002. NATURE OF DISTRICT

7 Sec. 9052.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

8 Sec. 9052.004. DISSOLUTION OF DISTRICT

9 SUBCHAPTER B. DISTRICT TERRITORY

10 Sec. 9052.051. DISTRICT TERRITORY

11 Sec. 9052.052. ADDITION OF LAND TO DISTRICT

12 SUBCHAPTER C. BOARD OF DIRECTORS

13 Sec. 9052.101. COMPOSITION OF BOARD

14 SUBCHAPTER D. POWERS AND DUTIES

15 Sec. 9052.151. WATER CONTROL AND IMPROVEMENT DISTRICT  
16 POWERS

17 Sec. 9052.152. RECLAMATION AND DRAINAGE

18 Sec. 9052.153. ACQUISITION OF IMPROVEMENTS

19 Sec. 9052.154. COST OF RELOCATING OR ALTERING PROPERTY

20 Sec. 9052.155. LIMIT ON EMINENT DOMAIN POWER

21 Sec. 9052.156. DURATION OF CONTRACT FOR WATER PURCHASE  
22 OR SALE

23 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

24 Sec. 9052.201. TAX METHOD

25 Sec. 9052.202. DEPOSITORY

1 CHAPTER 9052. FLAMINGO ISLES MUNICIPAL UTILITY DISTRICT OF  
2 GALVESTON COUNTY, TEXAS  
3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 9052.001. DEFINITIONS. In this chapter:

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

6 (2) "District" means the Flamingo Isles Municipal  
7 Utility District of Galveston County, Texas. (Acts 59th Leg., R.S.,  
8 Ch. 613, Sec. 1 (part); New.)

9 Sec. 9052.002. NATURE OF DISTRICT. The district is:

10 (1) a conservation and reclamation district in  
11 Galveston County under Section 59, Article XVI, Texas Constitution;

12 (2) a water control and improvement district; and

13 (3) a municipal corporation. (Acts 59th Leg., R.S.,  
14 Ch. 613, Secs. 1 (part), 7 (part), 9 (part).)

15 Sec. 9052.003. FINDINGS OF BENEFIT AND PUBLIC  
16 PURPOSE. (a) The district is created to serve a public use and  
17 benefit.

18 (b) All land and other property in the district will benefit  
19 from the creation of the district and the improvements the district  
20 will purchase, construct, or otherwise acquire.

21 (c) The district is essential to accomplish the purposes of  
22 Section 59, Article XVI, Texas Constitution. (Acts 59th Leg.,  
23 R.S., Ch. 613, Secs. 7 (part), 9 (part).)

24 Sec. 9052.004. DISSOLUTION OF DISTRICT. The district may  
25 be dissolved by the board in accordance with Sections  
26 51.781-51.791, Water Code. (Acts 59th Leg., R.S., Ch. 613, Sec. 5  
27 (part).)

1 SUBCHAPTER B. DISTRICT TERRITORY

2 Sec. 9052.051. DISTRICT TERRITORY. (a) The district is  
3 composed of the territory described by Section 1, Chapter 613, Acts  
4 of the 59th Legislature, Regular Session, 1965, as that territory  
5 may have been modified under:

6 (1) Subchapter O, Chapter 51, Water Code;

7 (2) Subchapter J, Chapter 49, Water Code;

8 (3) Section 9052.052 or its predecessor statute,  
9 former Section 5, Chapter 613, Acts of the 59th Legislature,  
10 Regular Session, 1965; or

11 (4) other law.

12 (b) The boundaries and field notes of the district form a  
13 closure. A mistake in the field notes or in copying the field notes  
14 in the legislative process does not affect:

15 (1) the district's organization, existence, or  
16 validity;

17 (2) the district's right to issue bonds or to pay the  
18 principal of and interest on the bonds;

19 (3) the district's right to impose a tax; or

20 (4) the legality or operation of the district or its  
21 governing body. (Acts 59th Leg., R.S., Ch. 613, Sec. 2; New.)

22 Sec. 9052.052. ADDITION OF LAND TO DISTRICT. The district  
23 may not add land to the district unless:

24 (1) an owner of land adjacent or contiguous to the  
25 district requests in writing that the district add land;

26 (2) the owner of the land to be added consents to the  
27 addition; and

1           (3) the land is adjacent or contiguous to the district  
2 when added. (Acts 59th Leg., R.S., Ch. 613, Sec. 5 (part).)

3                           SUBCHAPTER C. BOARD OF DIRECTORS

4           Sec. 9052.101. COMPOSITION OF BOARD. The board is composed  
5 of five elected directors. (Acts 59th Leg., R.S., Ch. 613, Sec. 4  
6 (part).)

7                           SUBCHAPTER D. POWERS AND DUTIES

8           Sec. 9052.151. WATER CONTROL AND IMPROVEMENT DISTRICT  
9 POWERS. The district has the rights, powers, privileges, and  
10 duties provided by general law applicable to a water control and  
11 improvement district created under Section 59, Article XVI, Texas  
12 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th  
13 Leg., R.S., Ch. 613, Sec. 3 (part).)

14           Sec. 9052.152. RECLAMATION AND DRAINAGE. The district may  
15 provide for the reclamation and drainage of overflowed land and  
16 other land needing drainage in the district. (Acts 59th Leg., R.S.,  
17 Ch. 613, Sec. 3 (part).)

18           Sec. 9052.153. ACQUISITION OF IMPROVEMENTS. The district  
19 may make, construct, or otherwise acquire existing improvements or  
20 improvements to be made, constructed, or acquired, inside or  
21 outside the district, that are necessary to carry out a power  
22 granted to the district under this chapter or a general law  
23 described by Section 9052.151. (Acts 59th Leg., R.S., Ch. 613, Sec.  
24 3 (part).)

25           Sec. 9052.154. COST OF RELOCATING OR ALTERING PROPERTY.  
26 (a) In this section, "sole expense" means the actual cost of  
27 relocating, raising, lowering, rerouting, changing the grade of, or

1 altering the construction of a facility described by Subsection (b)  
2 in providing comparable replacement without enhancement of the  
3 facility, after deducting from that cost the net salvage value  
4 derived from the old facility.

5 (b) If the district's exercise of the power of eminent  
6 domain, the power of relocation, or any other power granted by this  
7 chapter makes necessary relocating, raising, rerouting, changing  
8 the grade of, or altering the construction of a highway, railroad,  
9 electric transmission line, telephone or telegraph property or  
10 facility, or pipeline, the necessary action shall be accomplished  
11 at the sole expense of the district. (Acts 59th Leg., R.S., Ch.  
12 613, Sec. 3 (part).)

13 Sec. 9052.155. LIMIT ON EMINENT DOMAIN POWER. The district  
14 may not exercise the power of eminent domain outside the district.  
15 (Acts 59th Leg., R.S., Ch. 613, Sec. 3 (part).)

16 Sec. 9052.156. DURATION OF CONTRACT FOR WATER PURCHASE OR  
17 SALE. A district contract for the purchase or sale of water may not  
18 exceed 40 years. (Acts 59th Leg., R.S., Ch. 613, Sec. 3 (part).)

19 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

20 Sec. 9052.201. TAX METHOD. (a) The district shall use the  
21 ad valorem basis or plan of taxation.

22 (b) The board is not required to hold a hearing on the  
23 adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 613,  
24 Sec. 7 (part).)

25 Sec. 9052.202. DEPOSITORY. (a) The board by resolution  
26 shall designate one or more banks inside or outside the district to  
27 serve as the district's depository. A designated bank serves for

1 two years and until a successor is designated.

2 (b) All district money shall be secured in the manner  
3 provided for securing county funds. (Acts 59th Leg., R.S., Ch. 613,  
4 Sec. 8.)

5 CHAPTER 9053. LAZY RIVER IMPROVEMENT DISTRICT

6 SUBCHAPTER A. GENERAL PROVISIONS

7 Sec. 9053.001. DEFINITIONS

8 Sec. 9053.002. NATURE OF DISTRICT

9 Sec. 9053.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

10 Sec. 9053.004. DISTRICT TERRITORY

11 Sec. 9053.005. EXPANSION OF DISTRICT

12 Sec. 9053.006. HEARINGS FOR EXCLUSION OF LAND

13 Sec. 9053.007. CERTAIN STATUTES NOT APPLICABLE TO

14 DISTRICT

15 SUBCHAPTER B. DISTRICT ADMINISTRATION

16 Sec. 9053.051. BOARD OF DIRECTORS

17 Sec. 9053.052. DIRECTOR'S BOND

18 Sec. 9053.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY

19 FROM BOARD MEETING

20 Sec. 9053.054. VOTE BY BOARD PRESIDENT

21 Sec. 9053.055. ABSENCE OR INACTION OF BOARD PRESIDENT

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 9053.101. WATER CONTROL AND IMPROVEMENT DISTRICT

24 POWERS

25 Sec. 9053.102. ADDITIONAL POWERS

26 Sec. 9053.103. LIMIT ON EMINENT DOMAIN POWER

27 Sec. 9053.104. COST OF RELOCATING OR ALTERING PROPERTY

1 Sec. 9053.105. NOTICE OF ELECTION

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3 Sec. 9053.151. TAX METHOD

4 Sec. 9053.152. DEPOSITORY

5 Sec. 9053.153. PAYMENT OF TAX OR ASSESSMENT NOT

6 REQUIRED

7 SUBCHAPTER E. BONDS

8 Sec. 9053.201. AUTHORITY TO ISSUE BONDS

9 Sec. 9053.202. EXCHANGING BONDS FOR PROPERTY OR WORK

10 Sec. 9053.203. FAILED BOND ELECTION

11 Sec. 9053.204. BONDS EXEMPT FROM TAXATION

12 CHAPTER 9053. LAZY RIVER IMPROVEMENT DISTRICT

13 SUBCHAPTER A. GENERAL PROVISIONS

14 Sec. 9053.001. DEFINITIONS. In this chapter:

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

16 (2) "Director" means a board member.

17 (3) "District" means the Lazy River Improvement  
18 District. (Acts 59th Leg., R.S., Ch. 584, Sec. 1 (part); New.)

19 Sec. 9053.002. NATURE OF DISTRICT. The district is a  
20 conservation and reclamation district in Montgomery County created  
21 under Section 59, Article XVI, Texas Constitution. (Acts 59th  
22 Leg., R.S., Ch. 584, Sec. 1 (part).)

23 Sec. 9053.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
24 The district is created to serve a public use and benefit.

25 (b) All land and other property included in the boundaries  
26 of the district will benefit from the works and projects  
27 accomplished by the district under the powers conferred by Section



1 59, Article XVI, Texas Constitution.

2 (c) The district is essential to accomplish the purposes of  
3 Section 59, Article XVI, Texas Constitution.

4 (d) The accomplishment of the purposes stated in this  
5 chapter will benefit the people of this state and improve their  
6 property and industries.

7 (e) The district in carrying out the purposes of this  
8 chapter will be performing an essential public function under the  
9 Texas Constitution. (Acts 59th Leg., R.S., Ch. 584, Secs. 1 (part),  
10 4, 22 (part).)

11 Sec. 9053.004. DISTRICT TERRITORY. (a) The district is  
12 composed of the territory described by Section 2, Chapter 584, Acts  
13 of the 59th Legislature, Regular Session, 1965, as that territory  
14 may have been modified under:

15 (1) Subchapter O, Chapter 51, Water Code;

16 (2) Subchapter J, Chapter 49, Water Code;

17 (3) Section 9053.005 of this chapter or its  
18 predecessor statute, former Section 16, Chapter 584, Acts of the  
19 59th Legislature, Regular Session, 1965; or

20 (4) other law.

21 (b) The boundaries and field notes of the district form a  
22 closure. A mistake in the field notes or in copying the field notes  
23 in the legislative process does not affect:

24 (1) the district's organization, existence, or  
25 validity;

26 (2) the district's right to issue any type or kind of  
27 bond or to pay the principal of and interest on the bond;

1 (3) the district's right to impose a tax; or

2 (4) the legality or operation of the district or the  
3 board. (Acts 59th Leg., R.S., Ch. 584, Sec. 3; New.)

4 Sec. 9053.005. EXPANSION OF DISTRICT. (a) Except as  
5 otherwise provided by this section, the district may annex  
6 territory as provided by Section 49.302, Water Code.

7 (b) Territory may not be annexed to the district without the  
8 written consent of at least a three-fourths majority of all  
9 landowners in the territory to be annexed whose land must also  
10 constitute at least three-fourths of the value of all land in the  
11 territory to be annexed, as shown by the tax rolls of the county in  
12 which the territory to be annexed is located.

13 (c) A finding by the district that the requirements of  
14 Subsection (b) have been met is:

15 (1) conclusive for all purposes; and

16 (2) not subject to judicial review. (Acts 59th Leg.,  
17 R.S., Ch. 584, Sec. 16.)

18 Sec. 9053.006. HEARINGS FOR EXCLUSION OF LAND. (a) The  
19 board is not required to call or hold a hearing on the exclusion of  
20 land or other property from the district; provided, however, that  
21 the board shall hold a hearing if an owner of land or other property  
22 located in the district files a written request for a hearing with  
23 the board secretary before the district's first bond election is  
24 called.

25 (b) This section may not be construed to prevent the board  
26 on its own motion from calling and holding an exclusion hearing  
27 under general law. (Acts 59th Leg., R.S., Ch. 584, Sec. 7.)

1           Sec. 9053.007. CERTAIN STATUTES NOT APPLICABLE TO DISTRICT.

2   (a) The district is created notwithstanding the provisions of  
3 Chapter 160, Acts of the 58th Legislature, Regular Session, 1963  
4 (former Article 970a, Vernon's Texas Civil Statutes), as those  
5 provisions existed on June 17, 1965, and those provisions do not  
6 apply to the district.

7   (b) Any conflict between this section and subsequent  
8 amendments to provisions described by Subsection (a) or the  
9 subsequent codification of provisions described by Subsection (a)  
10 in the Local Government Code is governed by the rules of statutory  
11 construction, including Sections 311.025(a) and 311.026,  
12 Government Code (Code Construction Act). (Acts 59th Leg., R.S., Ch.  
13 584, Sec. 13; New.)

14                   SUBCHAPTER B. DISTRICT ADMINISTRATION

15           Sec. 9053.051. BOARD OF DIRECTORS. (a) The board consists  
16 of five elected directors.

17           (b) To be appointed as a director, a person must:

18                   (1) be at least 18 years of age; and

19                   (2) reside in this state.

20           (c) Such director is not required to reside in the district.

21           (d) Such director is not required to own land in the  
22 district, but before the district awards any construction  
23 contracts, each director must own land in the district subject to  
24 district taxation. (Acts 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

25           Sec. 9053.052. DIRECTOR'S BOND. Each director shall give a  
26 bond in the amount of \$5,000 for the faithful performance of the  
27 director's duties. (Acts 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

1           Sec. 9053.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY FROM  
2 BOARD MEETING. (a) The board secretary shall sign the minutes of  
3 each board meeting.

4           (b) If the board secretary is absent from a board meeting,  
5 the board shall name a secretary pro tem for the meeting who may:

6                 (1) exercise all powers and duties of the secretary  
7 for the meeting;

8                 (2) sign the minutes of the meeting; and

9                 (3) attest all orders passed or other action taken at  
10 the meeting. (Acts 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

11           Sec. 9053.054. VOTE BY BOARD PRESIDENT. The board  
12 president has the same right to vote as any other director. (Acts  
13 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

14           Sec. 9053.055. ABSENCE OR INACTION OF BOARD PRESIDENT.  
15 When the board president is absent or fails or declines to act, the  
16 board vice president shall perform all duties and exercise all  
17 power this chapter or general law gives the president. (Acts 59th  
18 Leg., R.S., Ch. 584, Sec. 9 (part).)

19                                   SUBCHAPTER C. POWERS AND DUTIES

20           Sec. 9053.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
21 POWERS. The district has the rights, powers, privileges, and  
22 duties provided by general law applicable to a water control and  
23 improvement district created under Section 59, Article XVI, Texas  
24 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th  
25 Leg., R.S., Ch. 584, Sec. 5 (part); New.)

26           Sec. 9053.102. ADDITIONAL POWERS. (a) The district may:

27                 (1) purchase, construct, or otherwise acquire a

1 waterworks system, sanitary sewer system, storm sewer system, or  
2 drainage facility or any part of those systems or facilities;

3 (2) make any purchase, construction, improvement,  
4 extension, addition, or repair necessary to a system or facility  
5 described by Subdivision (1);

6 (3) purchase or otherwise acquire, operate, and  
7 maintain any land, right-of-way, easement, site, equipment,  
8 building, plant, structure, or facility necessary for a system or  
9 facility described by Subdivision (1); and

10 (4) sell water and other services.

11 (b) The district may exercise any of the rights or powers  
12 granted by this chapter inside or outside the district's  
13 boundaries, but only in Montgomery County. (Acts 59th Leg., R.S.,  
14 Ch. 584, Sec. 17 (part).)

15 Sec. 9053.103. LIMIT ON EMINENT DOMAIN POWER. The district  
16 may exercise the power of eminent domain only in Montgomery County.  
17 (Acts 59th Leg., R.S., Ch. 584, Sec. 12 (part).)

18 Sec. 9053.104. COST OF RELOCATING OR ALTERING PROPERTY. If  
19 the district's exercise of the power of eminent domain, the power of  
20 relocation, or any other power granted by this chapter makes  
21 necessary relocating, raising, rerouting, changing the grade of, or  
22 altering the construction of a highway, railroad, electric  
23 transmission line, telegraph or telephone property or facility, or  
24 pipeline, the necessary action shall be accomplished at the sole  
25 expense of the district. (Acts 59th Leg., R.S., Ch. 584, Sec. 12  
26 (part).)

27 Sec. 9053.105. NOTICE OF ELECTION. Notice of an election

1 may be given under the hand of the board president or secretary.  
2 (Acts 59th Leg., R.S., Ch. 584, Sec. 20.)

3 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4 Sec. 9053.151. TAX METHOD. (a) The district shall use the  
5 ad valorem plan of taxation.

6 (b) The board is not required to call or hold a hearing on  
7 the adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 584,  
8 Sec. 8.)

9 Sec. 9053.152. DEPOSITORY. (a) The board shall select one  
10 or more banks or trust companies in this state to act as a  
11 depository of bond proceeds or of revenue derived from the  
12 operation of district facilities.

13 (b) The depository shall, as determined by the board:

- 14 (1) furnish indemnity bonds;  
15 (2) pledge securities; or  
16 (3) meet any other requirements. (Acts 59th Leg.,  
17 R.S., Ch. 584, Sec. 15.)

18 Sec. 9053.153. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.  
19 The district is not required to pay a tax or assessment on:

- 20 (1) a district project or any part of the project; or  
21 (2) a district purchase. (Acts 59th Leg., R.S., Ch.  
22 584, Sec. 22 (part).)

23 SUBCHAPTER E. BONDS

24 Sec. 9053.201. AUTHORITY TO ISSUE BONDS. The district may:

- 25 (1) issue bonds of any kind to carry out any purpose  
26 authorized by this chapter; and  
27 (2) provide for and make payment for the bonds and for

1 any expense necessarily incurred in connection with the issuance of  
2 the bonds. (Acts 59th Leg., R.S., Ch. 584, Sec. 17 (part).)

3 Sec. 9053.202. EXCHANGING BONDS FOR PROPERTY OR WORK. The  
4 district may exchange bonds, including refunding bonds:

- 5 (1) for property acquired by purchase; or  
6 (2) in payment of the contract price of work performed  
7 or materials or services provided for the use and benefit of the  
8 district. (Acts 59th Leg., R.S., Ch. 584, Sec. 18 (part).)

9 Sec. 9053.203. FAILED BOND ELECTION. (a) A general law,  
10 including Sections 51.781-51.791, Water Code, that provides for  
11 calling a hearing on the dissolution of a district after a failed  
12 district bond election does not apply to the district.

13 (b) After the expiration of 30 days from the date of a failed  
14 bond election, the board may call a subsequent bond election.

15 (c) The district continues to exist and retain its full  
16 power to function and operate regardless of the outcome of a bond  
17 election. (Acts 59th Leg., R.S., Ch. 584, Sec. 19.)

18 Sec. 9053.204. BONDS EXEMPT FROM TAXATION. A bond issued  
19 under this chapter, the transfer of the bond, and income from the  
20 bond, including profits made on the sale of the bond, are exempt  
21 from taxation in this state. (Acts 59th Leg., R.S., Ch. 584, Sec.  
22 22 (part).)

23 CHAPTER 9055. WISE COUNTY WATER SUPPLY DISTRICT

24 SUBCHAPTER A. GENERAL PROVISIONS

25 Sec. 9055.001. DEFINITIONS

26 Sec. 9055.002. NATURE OF DISTRICT

27 Sec. 9055.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

1 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATIONS TO DISTRICT

2 TERRITORY

3 Sec. 9055.051. DISTRICT TERRITORY

4 Sec. 9055.052. AUTHORITY TO ANNEX TERRITORY

5 Sec. 9055.053. PETITION FOR ANNEXATION; BOARD FINDINGS

6 AND RESOLUTION; HEARING

7 Sec. 9055.054. ANNEXATION HEARING

8 Sec. 9055.055. BOARD FINDINGS AND RESOLUTION; ELECTION

9 Sec. 9055.056. NOTICE OF ANNEXATION ELECTION

10 Sec. 9055.057. ELECTION RESULTS

11 Sec. 9055.058. ANNEXATION OF CERTAIN MUNICIPAL

12 TERRITORY

13 Sec. 9055.059. ASSUMPTION OF DEBT; TAXES

14 Sec. 9055.060. RESTRICTION ON ANNEXATION OF RAILROAD

15 RIGHT-OF-WAY, TRANSMISSION LINE, OR

16 OTHER UTILITY PROPERTY

17 SUBCHAPTER C. BOARD OF DIRECTORS

18 Sec. 9055.101. BOARD

19 Sec. 9055.102. APPOINTMENT OF DIRECTORS

20 Sec. 9055.103. QUALIFICATIONS FOR OFFICE

21 Sec. 9055.104. VACANCY

22 Sec. 9055.105. OFFICERS

23 Sec. 9055.106. VOTE BY BOARD PRESIDENT

24 Sec. 9055.107. DIRECTOR AND TREASURER BONDS

25 SUBCHAPTER D. GENERAL POWERS AND DUTIES

26 Sec. 9055.151. CONSTRUCTION OF DAM

27 Sec. 9055.152. SOURCES OF WATER



- 1 Sec. 9055.153. CONSTRUCTION OR ACQUISITION OF PROPERTY
- 2 Sec. 9055.154. WATER APPROPRIATION PERMITS
- 3 Sec. 9055.155. PURCHASE OF WATER
- 4 Sec. 9055.156. EMINENT DOMAIN
- 5 Sec. 9055.157. COST OF RELOCATING OR ALTERING PROPERTY
- 6 Sec. 9055.158. CONSTRUCTION CONTRACTS
- 7 Sec. 9055.159. CONTRACTS TO SUPPLY WATER AND OPERATE
- 8 FACILITIES
- 9 Sec. 9055.160. ADOPTION OF RULES
- 10 Sec. 9055.161. APPLICABILITY AND ENFORCEMENT OF
- 11 CERTAIN LAWS
- 12 SUBCHAPTER E. GENERAL FINANCIAL AND ADMINISTRATIVE PROVISIONS
- 13 Sec. 9055.201. DEPOSITORY
- 14 Sec. 9055.202. PROJECTS EXEMPT FROM ASSESSMENT OR
- 15 TAXATION
- 16 Sec. 9055.203. COLLECTION OF DISTRICT TAXES; CONTRACTS
- 17 FOR PERFORMANCE OF ADMINISTRATIVE
- 18 DUTIES
- 19 SUBCHAPTER F. BONDS
- 20 Sec. 9055.251. AUTHORITY TO ISSUE BONDS
- 21 Sec. 9055.252. FORM OF BONDS
- 22 Sec. 9055.253. MATURITY
- 23 Sec. 9055.254. ELECTION FOR BONDS PAYABLE FROM AD
- 24 VALOREM TAXES
- 25 Sec. 9055.255. BONDS PAYABLE FROM REVENUE
- 26 Sec. 9055.256. BONDS PAYABLE FROM AD VALOREM TAXES
- 27 Sec. 9055.257. TAX AND RATE REQUIREMENTS

- 1 Sec. 9055.258. ADDITIONAL SECURITY
- 2 Sec. 9055.259. USE OF BOND PROCEEDS
- 3 Sec. 9055.260. APPOINTMENT OF RECEIVER
- 4 Sec. 9055.261. REFUNDING BONDS
- 5 Sec. 9055.262. BONDS EXEMPT FROM TAXATION

6 CHAPTER 9055. WISE COUNTY WATER SUPPLY DISTRICT

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 9055.001. DEFINITIONS. In this chapter:

- 9 (1) "Board" means the district's board of directors.
- 10 (2) "Director" means a member of the board.
- 11 (3) "District" means the Wise County Water Supply
- 12 District. (Acts 53rd Leg., R.S., Ch. 268, Sec. 1 (part); New.)

13 Sec. 9055.002. NATURE OF DISTRICT. The district is created

14 under Section 59, Article XVI, Texas Constitution. (Acts 53rd

15 Leg., R.S., Ch. 268, Sec. 1 (part).)

16 Sec. 9055.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

17 All land in the district will benefit from the improvements to be

18 acquired and constructed by the district.

19 (b) The accomplishment of the purposes stated in this

20 chapter will benefit the people of this state and improve their

21 property and industries.

22 (c) The district, in carrying out the purposes of this

23 chapter, will be performing an essential public function under the

24 Texas Constitution. (Acts 53rd Leg., R.S., Ch. 268, Secs. 2 (part),

25 19 (part).)



1 territory, the board shall:

2 (1) adopt a resolution declaring its intention to call  
3 an election in the territory to submit the proposition of whether  
4 the territory is to be annexed to the district; and

5 (2) set a time and place to hold a board hearing on the  
6 question of whether the territory to be annexed will benefit from  
7 the improvements, works, and facilities then owned or operated or  
8 contemplated to be owned or operated by the district. (Acts 53rd  
9 Leg., R.S., Ch. 268, Secs. 5(a), (b).)

10 Sec. 9055.054. ANNEXATION HEARING. (a) At least 10 days  
11 before the date of the annexation hearing, notice of the adoption of  
12 the resolution stating the time and place of the hearing and  
13 addressed to the citizens and owners of property in the territory to  
14 be annexed shall be published one time in a newspaper of general  
15 circulation in the territory to be annexed. The notice must  
16 describe the territory in the same manner in which Section  
17 9055.053(a) requires the petition to describe the territory.

18 (b) If a newspaper of general circulation is not published  
19 in the territory to be annexed, the notice shall be posted in three  
20 public places in the territory.

21 (c) Any interested person may appear at the hearing and  
22 offer evidence for or against the annexation.

23 (d) The hearing may proceed in the order and under the rules  
24 prescribed by the board and may be recessed from time to time.  
25 (Acts 53rd Leg., R.S., Ch. 268, Secs. 5(c), (d) (part).)

26 Sec. 9055.055. BOARD FINDINGS AND RESOLUTION; ELECTION.  
27 If, at the conclusion of the annexation hearing, the board finds

1 that all land in the territory to be annexed will benefit from the  
2 present or contemplated improvements, works, or facilities of the  
3 district, the board shall adopt a resolution that:

4 (1) calls an election in the territory to be annexed;  
5 and

6 (2) states the date of the election and the place or  
7 places of holding the election. (Acts 53rd Leg., R.S., Ch. 268,  
8 Sec. 5(d) (part).)

9 Sec. 9055.056. NOTICE OF ANNEXATION ELECTION. At least 10  
10 days before the date set for the election, notice of the election  
11 must be published one time in a newspaper of general circulation in  
12 the district. In addition to the requirements of Section 4.004,  
13 Election Code, notice of the annexation election must:

14 (1) state the conditions under which the territory may  
15 be annexed; or

16 (2) refer to the resolution of the board for that  
17 purpose. (Acts 53rd Leg., R.S., Ch. 268, Sec. 5(e).)

18 Sec. 9055.057. ELECTION RESULTS. (a) The board shall issue  
19 an order declaring the results of the annexation election.

20 (b) If the order shows that a majority of the votes cast are  
21 in favor of annexation, the board shall annex the proposed  
22 territory to the district. The annexation is incontestable except  
23 within the time for contesting elections under the general election  
24 law.

25 (c) A certified copy of the order shall be recorded in the  
26 deed records of the county in which the territory is located. (Acts  
27 53rd Leg., R.S., Ch. 268, Sec. 5(g) (part).)

1           Sec. 9055.058. ANNEXATION OF CERTAIN MUNICIPAL TERRITORY.

2   (a) Territory annexed to any municipality in the district may be  
3 annexed to the district as provided by this section.

4           (b) At any time after final passage of an ordinance or  
5 resolution annexing territory to a municipality in the district,  
6 the board may give notice of a hearing on the question of annexing  
7 that territory or any part of that territory to the district. The  
8 notice is sufficient if it:

9                   (1) states the date and place of the hearing; and

10                   (2) describes the area proposed to be annexed or  
11 refers to the annexation ordinance or resolution of the  
12 municipality.

13           (c) At least 10 days before the date set for the hearing, the  
14 notice must be published one time in a newspaper of general  
15 circulation in the annexing municipality.

16           (d) If, as a result of the hearing, the board finds that the  
17 territory will benefit from the water supplied or to be supplied by  
18 the district, the board shall adopt a resolution annexing the  
19 territory to the district. (Acts 53rd Leg., R.S., Ch. 268, Sec.  
20 5(h).)

21           Sec. 9055.059. ASSUMPTION OF DEBT; TAXES. (a) After

22 territory is annexed to the district, the board may hold an election  
23 in the district as enlarged to determine whether the district as  
24 enlarged shall assume any tax-supported bonds then outstanding and  
25 those previously voted but not yet sold and impose an ad valorem tax  
26 on all taxable property in the district as enlarged to pay the  
27 bonds, unless the proposition is voted along with the annexation

1 election and becomes binding on the territory annexed.

2 (b) An election held under Subsection (a) shall be held in  
3 the same manner as an election under this chapter for the issuance  
4 of bonds. (Acts 53rd Leg., R.S., Ch. 268, Sec. 5(i).)

5 Sec. 9055.060. RESTRICTION ON ANNEXATION OF RAILROAD  
6 RIGHT-OF-WAY, TRANSMISSION LINE, OR OTHER UTILITY PROPERTY.  
7 Railroad right-of-way, transmission lines and other property of  
8 electric and gas utilities that are not in the limits of a  
9 municipality will not benefit from improvements, works, and  
10 facilities the district is authorized to construct. Therefore,  
11 railroad right-of-way or transmission lines or other property of  
12 electric and gas utilities may not be annexed to the district unless  
13 the right-of-way, transmission lines and other property of electric  
14 and gas utilities are contained in the limits of a municipality  
15 annexed to the district. (Acts 53rd Leg., R.S., Ch. 268, Sec. 5(d)  
16 (part).)

17 SUBCHAPTER C. BOARD OF DIRECTORS

18 Sec. 9055.101. BOARD. (a) The district is governed by a  
19 board of five directors.

20 (b) Directors serve staggered two-year terms expiring the  
21 first Tuesday of May.

22 (c) A majority of directors constitutes a quorum. (Acts 53rd  
23 Leg., R.S., Ch. 268, Sec. 3(a) (part).)

24 Sec. 9055.102. APPOINTMENT OF DIRECTORS. In April of each  
25 year, the governing body of the City of Decatur shall appoint a  
26 director to succeed each director whose term expires during the  
27 following May. (Acts 53rd Leg., R.S., Ch. 268, Sec. 3(c) (part).)

1           Sec. 9055.103. QUALIFICATIONS FOR OFFICE. (a) A person may  
2 not be appointed a director unless the person resides in and owns  
3 taxable property in the district.

4           (b) A member of a municipality's governing body or an  
5 employee of a municipality may not be a director. (Acts 53rd Leg.,  
6 R.S., Ch. 268, Sec. 3(a) (part).)

7           Sec. 9055.104. VACANCY. The governing body of the City of  
8 Decatur shall appoint a successor to fill a vacancy on the board for  
9 the unexpired term. (Acts 53rd Leg., R.S., Ch. 268, Sec. 3(c)  
10 (part).)

11           Sec. 9055.105. OFFICERS. (a) The board shall elect from the  
12 board's membership a president, a vice president, and any other  
13 officers as the board determines necessary. The president is the  
14 chief executive officer of the district and the presiding officer  
15 of the board. The vice president shall act as president if the  
16 president is absent or fails or declines to act.

17           (b) The board shall appoint a secretary and a treasurer, who  
18 are not required to be directors. The board may combine the offices  
19 of secretary and treasurer. (Acts 53rd Leg., R.S., Ch. 268, Sec. 4  
20 (part).)

21           Sec. 9055.106. VOTE BY BOARD PRESIDENT. The president has  
22 the same right to vote as any other director. (Acts 53rd Leg.,  
23 R.S., Ch. 268, Sec. 4 (part).)

24           Sec. 9055.107. DIRECTOR AND TREASURER BONDS. (a) Each  
25 director shall give bond in the amount of \$5,000 conditioned on the  
26 faithful performance of the director's duties. The district shall  
27 pay the cost of the bond.



1 (b) The treasurer shall give bond in the amount required by  
2 the board. The treasurer's bond shall be conditioned on the  
3 treasurer's faithful accounting for all money that comes into the  
4 treasurer's custody as treasurer of the district. (Acts 53rd Leg.,  
5 R.S., Ch. 268, Secs. 3(a) (part), 4 (part).)

6 SUBCHAPTER D. GENERAL POWERS AND DUTIES

7 Sec. 9055.151. CONSTRUCTION OF DAM. (a) The district may  
8 impound storm and flood waters and the unappropriated flow waters  
9 at one or more places and in an amount approved by the Texas  
10 Commission on Environmental Quality by constructing one or more  
11 dams inside or outside the district in Wise County. In exercising  
12 its powers under this subsection, the district shall comply with  
13 Subchapters A-D, Chapter 11, and Subchapter B, Chapter 12, Water  
14 Code.

15 (b) A dam or other works for the impounding of water under  
16 this section may not be constructed until the plans for the dam or  
17 other works are approved by the Texas Commission on Environmental  
18 Quality. (Acts 53rd Leg., R.S., Ch. 268, Sec. 6 (part).)

19 Sec. 9055.152. SOURCES OF WATER. The district may develop  
20 or otherwise acquire sources of water. (Acts 53rd Leg., R.S., Ch.  
21 268, Sec. 6 (part).)

22 Sec. 9055.153. CONSTRUCTION OR ACQUISITION OF PROPERTY.  
23 (a) The district may construct or otherwise acquire all works,  
24 plants, and other facilities necessary or useful for the purpose of  
25 processing water impounded, developed, or otherwise acquired and  
26 transporting it to municipalities and others for municipal,  
27 domestic, and industrial purposes.

1 (b) The district, inside or outside the district, may:

2 (1) construct or otherwise acquire all works, plants,  
3 and other facilities necessary for the purpose of receiving and  
4 treating water purchased from others; and

5 (2) transport the water to municipalities and others  
6 for municipal, domestic, and industrial purposes. (Acts 53rd Leg.,  
7 R.S., Ch. 268, Secs. 6 (part), 6a.)

8 Sec. 9055.154. WATER APPROPRIATION PERMITS. The district  
9 may acquire water appropriation permits directly from the Texas  
10 Commission on Environmental Quality or from owners of permits.  
11 (Acts 53rd Leg., R.S., Ch. 268, Sec. 16 (part).)

12 Sec. 9055.155. PURCHASE OF WATER. The district may  
13 purchase water or a water supply from any person. (Acts 53rd Leg.,  
14 R.S., Ch. 268, Sec. 16 (part).)

15 Sec. 9055.156. EMINENT DOMAIN. (a) To carry out a power  
16 provided by this chapter, the district may exercise the power of  
17 eminent domain to acquire land and easements inside or outside the  
18 district in Wise County, including land above the probable high  
19 water line around the reservoirs.

20 (b) The district must exercise the power of eminent domain  
21 in the manner provided by Chapter 21, Property Code.

22 (c) The board shall determine the amount and the type of  
23 interest in land and easements to be acquired under this section.  
24 (Acts 53rd Leg., R.S., Ch. 268, Sec. 7 (part).)

25 Sec. 9055.157. COST OF RELOCATING OR ALTERING PROPERTY. If  
26 the district's exercise of the power of eminent domain, the power of  
27 relocation, or any other power granted by this chapter makes

1 necessary relocating, raising, rerouting, changing the grade of, or  
2 altering the construction of a highway, railroad, electric  
3 transmission line, telephone or telegraph property or facility, or  
4 pipeline, the necessary action shall be accomplished at the sole  
5 expense of the district. (Acts 53rd Leg., R.S., Ch. 268, Sec. 7  
6 (part).)

7       Sec. 9055.158. CONSTRUCTION CONTRACTS. (a) This section  
8 applies only to a construction contract or contract for the  
9 purchase of materials, equipment, or supplies requiring an  
10 expenditure of more than \$2,000.

11       (b) The district shall award a contract to the lowest and  
12 best bidder after publishing notice to bidders once a week for two  
13 weeks in a newspaper published in the district that is designated by  
14 the board.

15       (c) The notice is sufficient if it states:

16           (1) the time and place for opening the bids;

17           (2) the general nature of the work to be done or the  
18 materials, equipment, or supplies to be purchased; and

19           (3) the place where and the terms on which copies of  
20 the plans and specifications may be obtained. (Acts 53rd Leg.,  
21 R.S., Ch. 268, Sec. 8.)

22       Sec. 9055.159. CONTRACTS TO SUPPLY WATER AND OPERATE  
23 FACILITIES. (a) The district may contract with municipalities and  
24 others to supply water to those entities.

25       (b) The district may contract with a municipality for the  
26 rental or leasing of or for the operation of the water production,  
27 water supply, and water supply facilities of the municipality.

1 (c) The district may contract with the City of Decatur for  
2 the operation of the district's facilities by the city.

3 (d) The contract may be on terms and for the time agreed to  
4 by the parties.

5 (e) The contract may provide that it will continue in effect  
6 until bonds specified in it and refunding bonds issued in lieu of  
7 the bonds are paid. (Acts 53rd Leg., R.S., Ch. 268, Sec. 14.)

8 Sec. 9055.160. ADOPTION OF RULES. The board may adopt  
9 reasonable rules to:

10 (1) secure, maintain, and preserve the sanitary  
11 condition of water in and water that flows into any reservoir owned  
12 by the district;

13 (2) prevent waste of or the unauthorized use of water;  
14 and

15 (3) regulate residence, hunting, fishing, boating,  
16 camping, and any other recreational or business privilege along or  
17 around any district reservoir and the stream leading into the  
18 reservoir, and its tributaries, or any body of land, or easement  
19 owned or controlled by the district. (Acts 53rd Leg., R.S., Ch.  
20 268, Sec. 21(a).)

21 Sec. 9055.161. APPLICABILITY AND ENFORCEMENT OF CERTAIN  
22 LAWS. (a) The general laws applicable to a water control and  
23 improvement district for the preservation of the sanitary condition  
24 of water, the prevention of waste, and the regulation of hunting,  
25 fishing, boating, and other similar uses, apply to the district.

26 (b) The law officers of the county and state shall enforce  
27 in court the laws described by Subsection (a). (Acts 53rd Leg.,

1 R.S., Ch. 268, Sec. 21(b).)

2 SUBCHAPTER E. GENERAL FINANCIAL AND ADMINISTRATIVE PROVISIONS

3 Sec. 9055.201. DEPOSITORY. (a) Except as provided by  
4 Subsection (i), the board shall designate one or more banks in the  
5 district to serve as depository for the district's money.

6 (b) District money shall be deposited with a designated  
7 depository bank or banks, except that:

8 (1) money pledged to pay bonds may be deposited with  
9 the trustee bank named in the trust agreement; and

10 (2) money shall be remitted to the bank of payment for  
11 the payment of principal of and interest on bonds.

12 (c) To the extent that money in a depository bank or a  
13 trustee bank is not insured by the Federal Deposit Insurance  
14 Corporation, the money must be secured in the manner provided by law  
15 for the security of county funds.

16 (d) The board shall prescribe the terms of service for  
17 depositories.

18 (e) Before designating a depository bank, the board shall  
19 issue a notice that:

20 (1) states the time and place at which the board will  
21 meet to designate a depository bank or banks; and

22 (2) invites the banks in the district to submit an  
23 application to be designated as a depository.

24 (f) The notice must be published one time in a newspaper  
25 published in the district and specified by the board.

26 (g) At the time stated in the notice, the board shall:

27 (1) consider the application and the management and

1 condition of each bank that applies; and

2 (2) designate as a depository the bank or banks that:

3 (A) offer the most favorable terms for handling  
4 the money; and

5 (B) the board finds have proper management and  
6 are in condition to handle the money.

7 (h) Membership on the board of an officer or director of a  
8 bank does not disqualify the bank from being designated as a  
9 depository.

10 (i) If the board does not receive any applications before  
11 the time stated in the notice, or if the board rejects all  
12 applications, the board shall designate one or more banks located  
13 inside or outside the district on terms that the board finds  
14 advantageous to the district. (Acts 53rd Leg., R.S., Ch. 268, Sec.  
15 15.)

16 Sec. 9055.202. PROJECTS EXEMPT FROM ASSESSMENT OR TAXATION.  
17 The district is not required to pay a tax or assessment on a project  
18 or any part of a project. (Acts 53rd Leg., R.S., Ch. 268, Sec. 19  
19 (part).)

20 Sec. 9055.203. COLLECTION OF DISTRICT TAXES; CONTRACTS FOR  
21 PERFORMANCE OF ADMINISTRATIVE DUTIES. (a) The City of Decatur  
22 shall collect all taxes imposed by the district.

23 (b) The district may enter into a contract with the City of  
24 Decatur under which municipal employees, including the tax  
25 collector and assessor of the municipality, perform administrative  
26 duties that might otherwise require the district to employ  
27 personnel. (Acts 53rd Leg., R.S., Ch. 268, Secs. 20(a) (part),

1 (b).)

2 SUBCHAPTER F. BONDS

3 Sec. 9055.251. AUTHORITY TO ISSUE BONDS. (a) The district  
4 may issue bonds to:

5 (1) provide a source of water supply for  
6 municipalities and other users for municipal, domestic, and  
7 industrial purposes; or

8 (2) carry out any other power conferred by this  
9 chapter.

10 (b) The bonds must be authorized by a board resolution.  
11 (Acts 53rd Leg., R.S., Ch. 268, Secs. 9(a) (part), (b) (part), (c),  
12 (e) (part).)

13 Sec. 9055.252. FORM OF BONDS. District bonds must be:

14 (1) issued in the district's name;

15 (2) signed by the president or vice president; and

16 (3) attested by the secretary. (Acts 53rd Leg., R.S.,  
17 Ch. 268, Sec. 9(b) (part).)

18 Sec. 9055.253. MATURITY. District bonds must mature not  
19 later than 40 years after the date of their issuance. (Acts 53rd  
20 Leg., R.S., Ch. 268, Sec. 9(b) (part).)

21 Sec. 9055.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM  
22 TAXES. (a) Bonds, other than refunding bonds, payable wholly or  
23 partly from ad valorem taxes may not be issued unless authorized by  
24 a district election held for that purpose at which a majority of the  
25 votes cast favor the bond issuance.

26 (b) The board may order an election under this section  
27 without a petition. The order must specify:

- 1 (1) the time and places at which the election will be  
2 held;
- 3 (2) the purpose for which the bonds will be issued;
- 4 (3) the maximum amount of the bonds;
- 5 (4) the maximum maturity of the bonds;
- 6 (5) the form of the ballot; and
- 7 (6) the presiding judge for each voting place.

8 (c) Notice of the election must be given by publishing a  
9 substantial copy of the order calling the election in a newspaper  
10 published in the district for two consecutive weeks. The first  
11 publication must be not later than the 21st day before the date of  
12 the election. (Acts 53rd Leg., R.S., Ch. 268, Secs. 12(a) (part),  
13 (b).)

14 Sec. 9055.255. BONDS PAYABLE FROM REVENUE. (a) In this  
15 section, "net revenue" means the gross revenue of the district  
16 minus the amount necessary to pay the cost of maintaining and  
17 operating the district and its property.

18 (b) Bonds issued under this subchapter may be secured under  
19 board resolution by a pledge of:

- 20 (1) all or part of the district's net revenue;
- 21 (2) the net revenue of one or more contracts made  
22 before or after the issuance of the bonds; or
- 23 (3) other revenue specified by board resolution.

24 (c) The pledge may reserve the right to issue additional  
25 bonds on a parity with or subordinate to the bonds being issued,  
26 subject to conditions specified by the pledge.

27 (d) Bonds not payable wholly or partly from ad valorem taxes



1 may be issued without an election. (Acts 53rd Leg., R.S., Ch. 268,  
2 Secs. 9(a) (part), (d), 12(a) (part).)

3 Sec. 9055.256. BONDS PAYABLE FROM AD VALOREM TAXES. The  
4 district may issue bonds payable from:

5 (1) ad valorem taxes imposed on taxable property in  
6 the district; or

7 (2) ad valorem taxes and revenue of the district.  
8 (Acts 53rd Leg., R.S., Ch. 268, Sec. 9(e) (part).)

9 Sec. 9055.257. TAX AND RATE REQUIREMENTS. (a) If the  
10 district issues bonds payable wholly or partly from ad valorem  
11 taxes, the board shall impose a tax sufficient to pay the bonds and  
12 the interest on the bonds as the bonds and interest become due. The  
13 board may adopt the rate of the tax after considering the money  
14 received from the pledged revenue available for payment of  
15 principal and interest to the extent and in the manner permitted by  
16 the resolution authorizing the issuance of the bonds.

17 (b) If the district issues bonds payable wholly or partly  
18 from revenue, the board shall set and revise the rates of  
19 compensation for water sold and services rendered by the district.

20 (c) For bonds payable wholly from revenue, the rates of  
21 compensation must be sufficient to:

22 (1) pay the expense of operating and maintaining the  
23 facilities of the district;

24 (2) pay the bonds as they mature and the interest as it  
25 accrues; and

26 (3) maintain the reserve and other funds as provided  
27 by the resolution authorizing the issuance of the bonds.

1 (d) For bonds payable partly from revenue, the rates of  
2 compensation must be sufficient to assure compliance with the  
3 resolution authorizing the issuance of the bonds. (Acts 53rd Leg.,  
4 R.S., Ch. 268, Secs. 9(e) (part), (f).)

5 Sec. 9055.258. ADDITIONAL SECURITY. (a) Bonds, including  
6 refunding bonds, authorized by this subchapter that are not payable  
7 wholly from ad valorem taxes may be additionally secured by a deed  
8 of trust lien on physical property of the district and all  
9 franchises, easements, water rights and appropriation permits,  
10 leases, contracts, and all rights appurtenant to the property,  
11 vesting in the trustee power to:

- 12 (1) sell the property for payment of the debt;  
13 (2) operate the property; and  
14 (3) take other action to further secure the bonds.

15 (b) The deed of trust may:

- 16 (1) contain any provision the board prescribes to  
17 secure the bonds and preserve the trust estate;  
18 (2) provide for amendment or modification of the deed  
19 of trust; and  
20 (3) provide for the issuance of bonds to replace lost  
21 or mutilated bonds.

22 (c) A purchaser under a sale under the deed of trust:

- 23 (1) is the owner of the dam or dams and the other  
24 property and facilities purchased; and  
25 (2) is entitled to maintain and operate the property  
26 and facilities. (Acts 53rd Leg., R.S., Ch. 268, Sec. 11.)

27 Sec. 9055.259. USE OF BOND PROCEEDS. (a) The district may

1 set aside an amount of proceeds from the sale of bonds issued under  
2 this subchapter for the payment of interest expected to accrue  
3 during construction and for one year after construction in a  
4 reserve interest and sinking fund. The resolution authorizing the  
5 bonds may provide for setting aside and using the proceeds as  
6 provided by this subsection.

7 (b) The district may use proceeds from the sale of the bonds  
8 to pay any expense necessarily incurred in accomplishing the  
9 purposes of the district. (Acts 53rd Leg., R.S., Ch. 268, Sec.  
10 9(g).)

11 Sec. 9055.260. APPOINTMENT OF RECEIVER. (a) On default or  
12 threatened default in the payment of principal of or interest on  
13 bonds issued under this subchapter that are payable wholly or  
14 partly from revenue, a court may, on petition of the holders of 25  
15 percent of the outstanding bonds of the issue in default or  
16 threatened with default, appoint a receiver for the district.

17 (b) The receiver may collect and receive all district income  
18 except taxes, employ and discharge district agents and employees,  
19 take charge of money on hand, except money received from taxes,  
20 unless commingled, and manage the district's proprietary affairs  
21 without the consent of or hindrance by the board.

22 (c) The receiver may be authorized to sell or contract for  
23 the sale of water or to renew those contracts with the approval of  
24 the court that appointed the receiver.

25 (d) The court may vest the receiver with any other power or  
26 duty the court finds necessary to protect the bondholders. (Acts  
27 53rd Leg., R.S., Ch. 268, Sec. 9(h).)

1           Sec. 9055.261. REFUNDING BONDS. (a) The district may issue  
2 refunding bonds to refund outstanding bonds issued under this  
3 subchapter and interest on those bonds.

4           (b) Refunding bonds may:

5                 (1) be issued to refund bonds of more than one series;

6                 (2) combine the pledges for the outstanding bonds for  
7 the security of the refunding bonds; or

8                 (3) be secured by a pledge of other or additional  
9 revenue.

10          (c) The provisions of this subchapter regarding the  
11 issuance of other bonds and the remedies of the holders apply to  
12 refunding bonds.

13          (d) The comptroller shall register the refunding bonds on  
14 surrender and cancellation of the bonds to be refunded.

15          (e) Instead of issuing bonds to be registered on the  
16 surrender and cancellation of the bonds to be refunded, the  
17 district, in the resolution authorizing the issuance of the  
18 refunding bonds, may provide for the sale of the refunding bonds and  
19 the deposit of the proceeds in a bank at which the bonds to be  
20 refunded are payable. In that case, the refunding bonds may be  
21 issued in an amount sufficient to pay the interest on the bonds to  
22 be refunded to their option date or maturity date, and the  
23 comptroller shall register the refunding bonds without the  
24 surrender and cancellation of the bonds to be refunded. (Acts 53rd  
25 Leg., R.S., Ch. 268, Sec. 10.)

26          Sec. 9055.262. BONDS EXEMPT FROM TAXATION. A bond issued  
27 under this subchapter, the transfer of the bond, and income from the

1 bond, including profits made on the sale of the bond, are exempt  
2 from taxation in this state. (Acts 53rd Leg., R.S., Ch. 268, Sec.  
3 19 (part).)

4 CHAPTER 9056. WILLOW CREEK WATER CONTROL DISTRICT

5 SUBCHAPTER A. GENERAL PROVISIONS

6 Sec. 9056.001. DEFINITIONS

7 Sec. 9056.002. NATURE OF DISTRICT

8 Sec. 9056.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

9 Sec. 9056.004. DISTRICT TERRITORY

10 Sec. 9056.005. APPLICABILITY OF WATER CONTROL AND

11 IMPROVEMENT DISTRICTS LAWS

12 SUBCHAPTER B. BOARD OF DIRECTORS

13 Sec. 9056.051. COMPOSITION OF BOARD

14 Sec. 9056.052. QUALIFICATIONS FOR OFFICE

15 Sec. 9056.053. DIRECTOR'S BOND

16 Sec. 9056.054. FAILURE TO CALL DIRECTOR ELECTION

17 SUBCHAPTER C. POWERS AND DUTIES

18 Sec. 9056.101. GENERAL POWERS

19 Sec. 9056.102. WATER CONTROL AND IMPROVEMENT DISTRICT

20 POWERS

21 Sec. 9056.103. POWERS RELATING TO THE WATER OF WILLOW

22 CREEK; SURVEYS AND PLAN

23 Sec. 9056.104. COST OF RELOCATING OR ALTERING PROPERTY

24 Sec. 9056.105. COOPERATION IN WILDLIFE PROGRAMS

25 Sec. 9056.106. WATERSHED PROTECTION AND FLOOD

26 PREVENTION ACT

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2 Sec. 9056.151. TAX METHOD

3 Sec. 9056.152. PAYMENT OF TAX OR ASSESSMENT NOT

4 REQUIRED

5 Sec. 9056.153. ELECTION REQUIRED FOR FEDERAL LOAN

6 Sec. 9056.154. MAINTENANCE TAX ELECTION PROCEDURES

7 Sec. 9056.155. SPECIFICATION OF MAINTENANCE TAX RATE

8 AND METHOD

9 Sec. 9056.156. USE OF MAINTENANCE TAX PROCEEDS

10 Sec. 9056.157. APPROVAL OF AND FUNDING FOR CERTAIN

11 PLANS FOR WORKS AND IMPROVEMENTS

12 SUBCHAPTER E. BONDS

13 Sec. 9056.201. AUTHORITY TO ISSUE BONDS

14 Sec. 9056.202. BOND ELECTION REQUIRED

15 Sec. 9056.203. BONDS EXEMPT FROM TAXATION

16 CHAPTER 9056. WILLOW CREEK WATER CONTROL DISTRICT

17 SUBCHAPTER A. GENERAL PROVISIONS

18 Sec. 9056.001. DEFINITIONS. In this chapter:

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

20 (2) "Director" means a board member.

21 (3) "District" means the Willow Creek Water Control

22 District. (Acts 60th Leg., R.S., Ch. 638, Sec. 1 (part); New.)

23 Sec. 9056.002. NATURE OF DISTRICT. The district is a

24 conservation and reclamation district in Runnels and Tom Green

25 Counties. (Acts 60th Leg., R.S., Ch. 638, Sec. 1 (part).)

26 Sec. 9056.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

27 All territory included in the district will benefit from the works

1 and projects accomplished by the district under the powers  
2 conferred by Section 59, Article XVI, Texas Constitution.

3 (b) The district is essential to accomplish the purposes of  
4 Section 59, Article XVI, Texas Constitution.

5 (c) The accomplishment of the purposes stated in this  
6 chapter will benefit the people of this state and improve their  
7 property and industries.

8 (d) The district in carrying out the purposes of this  
9 chapter will be performing an essential public function under the  
10 Texas Constitution. (Acts 60th Leg., R.S., Ch. 638, Secs. 1 (part),  
11 2(a), 4(a) (part).)

12 Sec. 9056.004. DISTRICT TERRITORY. (a) The district is  
13 composed of the territory described by Section 2, Chapter 638, Acts  
14 of the 60th Legislature, Regular Session, 1967, as that territory  
15 may have been modified under:

- 16 (1) Subchapter O, Chapter 51, Water Code;  
17 (2) Subchapter J, Chapter 49, Water Code; or  
18 (3) other law.

19 (b) The boundaries and field notes of the district form a  
20 closure. A mistake in the field notes or in copying the field notes  
21 in the legislative process does not affect:

22 (1) the district's organization, existence, or  
23 validity;

24 (2) the district's right to issue any type or kind of  
25 bond or to pay the principal of and interest on the bond;

26 (3) the district's right to impose a tax; or

27 (4) the legality or operation of the district or the

1 board. (Acts 60th Leg., R.S., Ch. 638, Secs. 1 (part), 2(c); New.)

2           Sec. 9056.005. APPLICABILITY OF WATER CONTROL AND  
3 IMPROVEMENT DISTRICTS LAWS. Except as provided by this chapter,  
4 the general laws pertaining to water control and improvement  
5 districts, including Chapters 49 and 51, Water Code, govern the  
6 district. (Acts 60th Leg., R.S., Ch. 638, Sec. 14; New.)

7                           SUBCHAPTER B. BOARD OF DIRECTORS

8           Sec. 9056.051. COMPOSITION OF BOARD. The board is composed  
9 of five elected directors. (Acts 60th Leg., R.S., Ch. 638, Sec.  
10 15(g) (part); Acts 67th Leg., R.S., Ch. 475, Sec. 2 (part).)

11           Sec. 9056.052. QUALIFICATIONS FOR OFFICE. (a) Each  
12 director of the district must:

13                   (1) be a landowner within the district; and

14                   (2) reside in Runnels or Tom Green County.

15           (b) A director must maintain compliance with the  
16 requirements of Subsection (a) during the director's tenure in  
17 office or vacate that office. (Acts 60th Leg., R.S., Ch. 638, Sec.  
18 15(c).)

19           Sec. 9056.053. DIRECTOR'S BOND. Each director shall give  
20 bond in the amount of \$5,000 for the faithful performance of the  
21 director's duties. (Acts 60th Leg., R.S., Ch. 638, Sec. 15(d)  
22 (part).)

23           Sec. 9056.054. FAILURE TO CALL DIRECTOR ELECTION. Failure  
24 to call a director election does not affect the legal status of the  
25 district, the board, or a director or the right of the board to act  
26 or function, and the directors continue to serve until an election  
27 is held and succeeding directors have been elected or appointed and



1 have qualified. (Acts 60th Leg., R.S., Ch. 638, Sec. 15(g).)

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 9056.101. GENERAL POWERS. The district may exercise  
4 the rights, privileges, and functions specified by this chapter.  
5 (Acts 60th Leg., R.S., Ch. 638, Sec. 1 (part).)

6 Sec. 9056.102. WATER CONTROL AND IMPROVEMENT DISTRICT  
7 POWERS. The district has the rights, powers, privileges, and  
8 duties provided by the general laws of this state applicable to a  
9 water control and improvement district created under Section 59,  
10 Article XVI, Texas Constitution, including the power to:

11 (1) construct, acquire, improve, maintain, and repair  
12 a dam or other structure; and

13 (2) acquire, by eminent domain or otherwise, land,  
14 easements, equipment, or other property that may be needed to use,  
15 control, and distribute any water that may be impounded, diverted,  
16 or controlled by the district. (Acts 60th Leg., R.S., Ch. 638,  
17 Secs. 5 (part), 7(a).)

18 Sec. 9056.103. POWERS RELATING TO THE WATER OF WILLOW  
19 CREEK; SURVEYS AND PLAN. (a) The district shall conduct  
20 preliminary surveys and develop a plan for the control and use of  
21 the water of Willow Creek to the end that improvements on any one  
22 part of the watershed will be mechanically and economically related  
23 to the improvements of the entire watershed.

24 (b) On completion of the surveys and plan and adoption of  
25 the surveys and plan by the board, a certified copy of the surveys  
26 and plan shall be filed for informational purposes with the Texas  
27 Commission on Environmental Quality. (Acts 60th Leg., R.S., Ch.

1 638, Sec. 3.)

2 Sec. 9056.104. COST OF RELOCATING OR ALTERING PROPERTY.

3 (a) In this section, "sole expense" means the actual cost of  
4 relocating, raising, lowering, rerouting, changing the grade of, or  
5 altering the construction of a facility described by Subsection (b)  
6 in providing comparable replacement without enhancement of the  
7 facility, after deducting from that cost the net salvage value  
8 derived from the old facility.

9 (b) If the district's exercise of the power of eminent  
10 domain, the power of relocation, or any other power granted by this  
11 chapter makes necessary relocating, raising, rerouting, changing  
12 the grade of, or altering the construction of a highway, railroad,  
13 electric transmission line, telephone or telegraph property or  
14 facility, or pipeline, the necessary action shall be accomplished  
15 at the sole expense of the district. (Acts 60th Leg., R.S., Ch.  
16 638, Sec. 7(b).)

17 Sec. 9056.105. COOPERATION IN WILDLIFE PROGRAMS. The  
18 district may cooperate with state, federal, and other agencies and  
19 groups in wildlife programs that are:

20 (1) not inconsistent with the purposes of the district  
21 under this chapter; and

22 (2) designed to improve the general habitat of  
23 wildlife and promote the propagation of wildlife. (Acts 60th Leg.,  
24 R.S., Ch. 638, Sec. 13.)

25 Sec. 9056.106. WATERSHED PROTECTION AND FLOOD PREVENTION  
26 ACT. Subject to Section 9056.153, the district has the power  
27 necessary to fully qualify for and gain the full benefits of the

1 Watershed Protection and Flood Prevention Act (16 U.S.C. Section  
2 1001 et seq.), including:

3 (1) all powers necessary to carry out the projects,  
4 works, and improvements contemplated by the Watershed Protection  
5 and Flood Prevention Act;

6 (2) the power to secure a loan or loans from the proper  
7 agencies of the federal government for the purpose of defraying the  
8 costs and expenses of the district in connection with carrying out  
9 its projects, works, and improvements under the Watershed  
10 Protection and Flood Prevention Act; and

11 (3) if necessary, the power to issue bonds as  
12 collateral for a loan described by Subdivision (2). (Acts 60th  
13 Leg., R.S., Ch. 638, Sec. 6 (part); New.)

14 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

15 Sec. 9056.151. TAX METHOD. (a) The district shall use the  
16 ad valorem plan of taxation, and taxes imposed by the district shall  
17 be on the ad valorem basis.

18 (b) A hearing on a plan of taxation is not required. (Acts  
19 60th Leg., R.S., Ch. 638, Sec. 4(c).)

20 Sec. 9056.152. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.  
21 The district is not required to pay a tax or assessment on a project  
22 or any part of a project. (Acts 60th Leg., R.S., Ch. 638, Sec. 4(a)  
23 (part).)

24 Sec. 9056.153. ELECTION REQUIRED FOR FEDERAL LOAN. The  
25 district may not consummate a loan from the federal government  
26 unless the loan is authorized by a majority of the votes cast in a  
27 district election. (Acts 60th Leg., R.S., Ch. 638, Sec. 9 (part).)

1           Sec. 9056.154. MAINTENANCE TAX ELECTION PROCEDURES. A  
2 maintenance tax election shall be held and notice of the election  
3 shall be given in the manner required by general law for a bond  
4 election. (Acts 60th Leg., R.S., Ch. 638, Sec. 12(b) (part).)

5           Sec. 9056.155. SPECIFICATION OF MAINTENANCE TAX RATE AND  
6 METHOD. In calling a maintenance tax election, the board shall  
7 specify:

8                   (1) the maximum tax rate that may be imposed in any  
9 year; and

10                   (2) that the tax will be imposed on an ad valorem  
11 basis. (Acts 60th Leg., R.S., Ch. 638, Sec. 12(b) (part).)

12           Sec. 9056.156. USE OF MAINTENANCE TAX PROCEEDS. (a) The  
13 district may spend maintenance tax proceeds for:

14                   (1) an easement or right-of-way;

15                   (2) any purpose for which a district may spend bond  
16 proceeds; and

17                   (3) maintenance purposes.

18           (b) The district may place surplus maintenance tax proceeds  
19 not needed for maintenance purposes into the sinking funds for  
20 outstanding district bonds.

21           (c) The board's determination to spend district maintenance  
22 tax proceeds is final and is not subject to judicial review, except  
23 on the grounds of fraud, palpable error, or gross abuse of  
24 discretion. (Acts 60th Leg., R.S., Ch. 638, Sec. 12(c).)

25           Sec. 9056.157. APPROVAL OF AND FUNDING FOR CERTAIN PLANS  
26 FOR WORKS AND IMPROVEMENTS. (a) In this section, "commission"  
27 means the Texas Commission on Environmental Quality.

1           (b) This section applies only to plans contemplated by the  
2 district for works and improvements, or amendments to the plans,  
3 that are prepared by the Natural Resources Conservation Service of  
4 the United States Department of Agriculture and approved by the  
5 district's board.

6           (c) An engineer's report covering the plans and  
7 improvements to be constructed, and the maps, plats, profiles, and  
8 data fully showing and explaining the plans and improvements, are  
9 not required to be filed in the district office before an election  
10 is held to authorize the issuance of bonds for the works and  
11 improvements. The plans and specifications, engineering reports,  
12 profiles, maps, and other data, and subsequent amendments to those  
13 items, are not required to be approved by the commission before the  
14 bonds are issued.

15           (d) Before the district may spend any money for the  
16 construction of any works and improvements, the commission must  
17 approve the portion of the works and improvements to be  
18 constructed. The commission's advance approval for the entire  
19 project contemplated by the district is not required. The  
20 commission may approve on a separate or individual basis the  
21 portion of the project or works and improvements:

- 22                   (1) to be constructed at a particular time; and  
23                   (2) on which plans and specifications of the Natural  
24 Resources Conservation Service have been prepared and submitted by  
25 the board to the commission. (Acts 60th Leg., R.S., Ch. 638, Sec.  
26 10; New.)

SUBCHAPTER E. BONDS

Sec. 9056.201. AUTHORITY TO ISSUE BONDS. Subject to Section 9056.202, the district may issue bonds, in the manner provided by general law for water control and improvement districts, to:

(1) provide dams, structures, projects, and works of improvement for flood prevention, the conservation and development of water, and for other necessary plants, facilities, and equipment in connection therewith and for the improvement, repair, and operation of same;

(2) carry out any other power provided by this chapter or by Chapter 49 or 51, Water Code; and

(3) pay all costs, charges, and expenses of the district. (Acts 60th Leg., R.S., Ch. 638, Sec. 8; New.)

Sec. 9056.202. BOND ELECTION REQUIRED. The district may not issue bonds unless the bonds are authorized by a majority of the votes cast in a district election. (Acts 60th Leg., R.S., Ch. 638, Sec. 9 (part).)

Sec. 9056.203. BONDS EXEMPT FROM TAXATION. A bond issued under this chapter, the transfer of the bond, and income from the bond, including profits made on the sale of the bond, are exempt from taxation in this state. (Acts 60th Leg., R.S., Ch. 638, Sec. 4(a) (part).)

CHAPTER 9057. MEDINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT

NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9057.001. DEFINITIONS

1 Sec. 9057.002. NATURE OF DISTRICT  
2 Sec. 9057.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
3 Sec. 9057.004. DISTRICT TERRITORY  
4 SUBCHAPTER B. BOARD OF DIRECTORS  
5 Sec. 9057.051. COMPOSITION OF BOARD  
6 SUBCHAPTER C. POWERS AND DUTIES  
7 Sec. 9057.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
8 POWERS  
9 Sec. 9057.102. ACQUISITION OF PROPERTY; LIMIT ON  
10 EMINENT DOMAIN POWER  
11 Sec. 9057.103. COST OF RELOCATING PROPERTY  
12 SUBCHAPTER D. BONDS  
13 Sec. 9057.151. AUTHORITY TO ISSUE BONDS; BOND ELECTION  
14 Sec. 9057.152. CERTAIN BOND COVENANTS AUTHORIZED  
15 CHAPTER 9057. MEDINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT  
16 NO. 2  
17 SUBCHAPTER A. GENERAL PROVISIONS  
18 Sec. 9057.001. DEFINITIONS. In this chapter:  
19 (1) "Board" means the district's board of directors.  
20 (2) "District" means the Medina County Water Control  
21 and Improvement District No. 2. (Acts 53rd Leg., R.S., Ch. 198, Sec.  
22 1 (part); New.)  
23 Sec. 9057.002. NATURE OF DISTRICT. The district is:  
24 (1) a conservation and reclamation district in Medina  
25 County under Section 59, Article XVI, Texas Constitution; and  
26 (2) a municipal corporation. (Acts 53rd Leg., R.S.,  
27 Ch. 198, Secs. 1 (part), 7 (part).)

1           Sec. 9057.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

2 The district is created to serve a public use and benefit.

3           (b) All land included in the boundaries of the district will  
4 benefit from that inclusion.

5           (c) The district is essential to accomplish the purposes of  
6 Section 59, Article XVI, Texas Constitution. (Acts 53rd Leg., R.S.,  
7 Ch. 198, Secs. 4 (part), 7 (part).)

8           Sec. 9057.004. DISTRICT TERRITORY. The district is  
9 composed of the territory described by Section 1, Chapter 198, Acts  
10 of the 53rd Legislature, Regular Session, 1953, as that territory  
11 may have been modified under:

- 12                   (1) Subchapter O, Chapter 51, Water Code;  
13                   (2) Subchapter J, Chapter 49, Water Code; or  
14                   (3) other law. (New.)

15                                   SUBCHAPTER B. BOARD OF DIRECTORS

16           Sec. 9057.051. COMPOSITION OF BOARD. The board is composed  
17 of five elected directors. (Acts 53rd Leg., R.S., Ch. 198, Sec. 3  
18 (part).)

19                                   SUBCHAPTER C. POWERS AND DUTIES

20           Sec. 9057.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
21 POWERS. The district has the rights, powers, privileges, and  
22 duties provided by general law applicable to a water control and  
23 improvement district created under Section 59, Article XVI, Texas  
24 Constitution, including Chapters 49 and 51, Water Code. (Acts 53rd  
25 Leg., R.S., Ch. 198, Sec. 2 (part).)

26           Sec. 9057.102. ACQUISITION OF PROPERTY; LIMIT ON EMINENT  
27 DOMAIN POWER. (a) The district may acquire property that is



1 necessary to accomplish the objectives of the district.

2 (b) To facilitate the acquisition of property, the district  
3 may exercise the power of eminent domain available to water control  
4 and improvement districts under general law.

5 (c) The powers granted in this section apply only in Medina  
6 County. (Acts 53rd Leg., R.S., Ch. 198, Sec. 6 (part).)

7 Sec. 9057.103. COST OF RELOCATING PROPERTY. If the  
8 district's exercise of a power granted by this chapter makes  
9 necessary the relocation of a railroad line or right-of-way, the  
10 district shall pay the cost of the relocation and any actual and  
11 reasonable damage incurred in changing and adjusting the railroad  
12 lines and grades. (Acts 53rd Leg., R.S., Ch. 198, Sec. 6 (part).)

13 SUBCHAPTER D. BONDS

14 Sec. 9057.151. AUTHORITY TO ISSUE BONDS; BOND ELECTION.

15 (a) The district may issue bonds pursuant to a board order or  
16 resolution adopted after the proposition authorizing the bonds is:

- 17 (1) submitted to district voters at an election; and  
18 (2) adopted by a majority of the district voters  
19 voting at the election.

20 (b) The district may issue bonds under this section for any  
21 purpose permitted to water control and improvement districts and in  
22 the manner and to the extent provided by the general laws governing  
23 water control and improvement districts. (Acts 53rd Leg., R.S., Ch.  
24 198, Sec. 5 (part).)

25 Sec. 9057.152. CERTAIN BOND COVENANTS AUTHORIZED. An order  
26 or resolution authorizing the issuance of district bonds may  
27 contain any covenant the board considers necessary to ensure:

- 1           (1) the creation and maintenance of proper reserves;  
2 and  
3           (2) the payment of the principal of and interest on the  
4 bonds. (Acts 53rd Leg., R.S., Ch. 198, Sec. 5 (part).)

5           CHAPTER 9059. RIO GRANDE PALMS WATER DISTRICT

6                   SUBCHAPTER A. GENERAL PROVISIONS

- 7 Sec. 9059.001. DEFINITIONS  
8 Sec. 9059.002. NATURE OF DISTRICT  
9 Sec. 9059.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
10 Sec. 9059.004. DISTRICT TERRITORY

11                   SUBCHAPTER B. BOARD OF DIRECTORS

- 12 Sec. 9059.051. COMPOSITION OF BOARD  
13 Sec. 9059.052. QUALIFICATION FOR OFFICE

14                   SUBCHAPTER C. POWERS AND DUTIES

- 15 Sec. 9059.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
16                   POWERS  
17 Sec. 9059.102. ACQUISITION OF PROPERTY  
18 Sec. 9059.103. LIMIT ON EMINENT DOMAIN POWER  
19 Sec. 9059.104. COST OF RELOCATING OR ALTERING PROPERTY

20                   SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

- 21 Sec. 9059.151. MAINTENANCE TAX

22                   SUBCHAPTER E. BONDS

- 23 Sec. 9059.201. AUTHORITY TO ISSUE BONDS  
24 Sec. 9059.202. EXCHANGING BONDS FOR PROPERTY  
25 Sec. 9059.203. CERTAIN BOND COVENANTS AUTHORIZED  
26 Sec. 9059.204. MATURITY  
27 Sec. 9059.205. USE OF BOND PROCEEDS

1 Sec. 9059.206. BONDS SECURED BY AD VALOREM TAXES

2 Sec. 9059.207. REFUNDING BONDS

3 CHAPTER 9059. RIO GRANDE PALMS WATER DISTRICT

4 SUBCHAPTER A. GENERAL PROVISIONS

5 Sec. 9059.001. DEFINITIONS. In this chapter:

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

7 (2) "Director" means a member of the board.

8 (3) "District" means the Rio Grande Palms Water  
9 District. (Acts 57th Leg., R.S., Ch. 324, Sec. 1 (part); New.)

10 Sec. 9059.002. NATURE OF DISTRICT. The district is:

11 (1) a conservation and reclamation district in Cameron  
12 County under Section 59, Article XVI, Texas Constitution; and

13 (2) a municipal corporation. (Acts 57th Leg., R.S.,  
14 Ch. 324, Secs. 1 (part), 9 (part).)

15 Sec. 9059.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
16 The district is essential to accomplish the purposes of Section 59,  
17 Article XVI, Texas Constitution, including the conservation and  
18 utilization of water.

19 (b) All land included in the district will benefit from that  
20 inclusion. (Acts 57th Leg., R.S., Ch. 324, Sec. 9 (part).)

21 Sec. 9059.004. DISTRICT TERRITORY. (a) The district is  
22 composed of the territory described by Section 1, Chapter 324, Acts  
23 of the 57th Legislature, Regular Session, 1961, as that territory  
24 may have been modified under:

25 (1) Subsection (b) or its predecessor statute, Section  
26 1, Chapter 324, Acts of the 57th Legislature, Regular Session,  
27 1961;

- 1           (2) Subchapter O, Chapter 51, Water Code;  
2           (3) Subchapter J, Chapter 49, Water Code; or  
3           (4) other law.

4           (b) The Commissioners Court of Cameron County shall  
5 redefine the boundaries of the district contained in Section 1,  
6 Chapter 324, Acts of the 57th Legislature, Regular Session, 1961,  
7 to correct any error or omission in those boundaries. (Acts 57th  
8 Leg., R.S., Ch. 324, Sec. 1 (part); New.)

9                               SUBCHAPTER B. BOARD OF DIRECTORS

10           Sec. 9059.051. COMPOSITION OF BOARD. The board is composed  
11 of five elected directors. (Acts 57th Leg., R.S., Ch. 324, Sec. 3  
12 (part).)

13           Sec. 9059.052. QUALIFICATION FOR OFFICE. (a) A director  
14 must own land in the district.

15           (b) A director is not required to reside in the district.  
16 (Acts 57th Leg., R.S., Ch. 324, Sec. 3 (part).)

17                               SUBCHAPTER C. POWERS AND DUTIES

18           Sec. 9059.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
19 POWERS. The district has the rights, powers, privileges, and  
20 duties provided by general law applicable to a water control and  
21 improvement district created under Section 59, Article XVI, Texas  
22 Constitution, including Chapters 49 and 51, Water Code. (Acts 57th  
23 Leg., R.S., Ch. 324, Sec. 2 (part); New.)

24           Sec. 9059.102. ACQUISITION OF PROPERTY. The district may  
25 acquire property located inside or outside the district that the  
26 board considers necessary to accomplish the district's objectives.  
27 (Acts 57th Leg., R.S., Ch. 324, Sec. 6 (part).)

1           Sec. 9059.103. LIMIT ON EMINENT DOMAIN POWER. The district  
2 may not exercise the power of eminent domain outside the district.  
3 (Acts 57th Leg., R.S., Ch. 324, Sec. 9 (part).)

4           Sec. 9059.104. COST OF RELOCATING OR ALTERING PROPERTY.

5 (a) In this section, "sole expense" means the actual cost of  
6 relocating, raising, lowering, rerouting, changing the grade of, or  
7 altering the construction of a facility described by Subsection (b)  
8 in providing comparable replacement without enhancement of the  
9 facility, after deducting from that cost the net salvage value  
10 derived from the old facility.

11 (b) If the district's exercise of the power of eminent  
12 domain, the power of relocation, or any other power granted by this  
13 chapter makes necessary relocating, raising, rerouting, changing  
14 the grade of, or altering the construction of a highway, railroad,  
15 electric transmission line, telephone or telegraph property or  
16 facility, or pipeline, the necessary action shall be accomplished  
17 at the sole expense of the district. (Acts 57th Leg., R.S., Ch.  
18 324, Sec. 10.)

19                           SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20           Sec. 9059.151. MAINTENANCE TAX. The board may impose an ad  
21 valorem tax on all taxable property in the district for the  
22 maintenance and operation of district works and facilities if the  
23 tax is authorized by an election held as provided by law relating to  
24 water control and improvement district bond elections. (Acts 57th  
25 Leg., R.S., Ch. 324, Sec. 7.)

26                           SUBCHAPTER E. BONDS

27           Sec. 9059.201. AUTHORITY TO ISSUE BONDS. (a) The district

1 may issue bonds pursuant to a resolution adopted by the board if a  
2 majority of district voters voting at an election vote to adopt the  
3 proposition authorizing the bonds.

4 (b) The district may issue bonds for any purpose permitted  
5 to a water control and improvement district, including:

6 (1) the improvement of rivers, creeks, streams,  
7 arroyos, and resacas, to prevent overflow, to furnish access to  
8 land in the district, to permit navigation of the water or  
9 irrigation of land in the district, or in aid of those purposes; or

10 (2) the acquisition of water rights, the construction  
11 or acquisition by purchase or other means, and maintenance of  
12 pools, lakes, reservoirs, dams, pipelines, canals and waterways,  
13 pumps, pump houses, and all other useful equipment, machinery, and  
14 facilities, for the purpose or in aid of irrigation, drainage,  
15 conservation, or navigation, including the purchase of an existing  
16 irrigation or conservation system. (Acts 57th Leg., R.S., Ch. 324,  
17 Sec. 4 (part).)

18 Sec. 9059.202. EXCHANGING BONDS FOR PROPERTY. The district  
19 may exchange bonds for property acquired for the use and benefit of  
20 the district. (Acts 57th Leg., R.S., Ch. 324, Sec. 4 (part).)

21 Sec. 9059.203. CERTAIN BOND COVENANTS AUTHORIZED. A  
22 resolution authorizing the issuance of district bonds may contain  
23 any covenant the board considers necessary to ensure:

24 (1) the creation and maintenance of proper reserves;  
25 and

26 (2) the payment of the principal of and interest on the  
27 bonds. (Acts 57th Leg., R.S., Ch. 324, Sec. 4 (part).)

1           Sec. 9059.204. MATURITY.           District bonds, including  
2 refunding bonds, must mature not later than 40 years after the date  
3 of their issuance. (Acts 57th Leg., R.S., Ch. 324, Sec. 4 (part).)

4           Sec. 9059.205. USE OF BOND PROCEEDS.   The district may  
5 appropriate and pay from the proceeds of the sale of bonds the  
6 interest to accrue on the bonds for a period not to exceed three  
7 years from their date. (Acts 57th Leg., R.S., Ch. 324, Sec. 4  
8 (part).)

9           Sec. 9059.206. BONDS SECURED BY AD VALOREM TAXES. (a) If  
10 bonds have been voted, the board shall impose a continuing ad  
11 valorem tax on all property in the district sufficient:

12                   (1) to pay the principal and interest on the bonds as  
13 the principal and interest respectively mature;

14                   (2) to create and maintain any reserve required by the  
15 resolution or resolutions authorizing the issuance of the bonds;

16                   (3) to pay the expense of assessing and collecting the  
17 tax; and

18                   (4) for anticipated delinquencies in the tax payments.

19           (b) The board annually shall determine and set or cause to  
20 be determined and set the rate of the ad valorem tax to be imposed  
21 under this section. (Acts 57th Leg., R.S., Ch. 324, Sec. 5.)

22           Sec. 9059.207. REFUNDING BONDS. (a) The district may issue  
23 refunding bonds without an election.

24           (b) District bonds may be refunded by:

25                   (1) the issuance and delivery to holders of refunding  
26 bonds in lieu of the outstanding bonds; or

27                   (2) the sale of refunding bonds and the use of the

1 proceeds for retiring the outstanding bonds. (Acts 57th Leg., R.S.,  
2 Ch. 324, Sec. 4 (part).)

3 CHAPTER 9060. SAN LEON MUNICIPAL UTILITY DISTRICT OF GALVESTON  
4 COUNTY, TEXAS

5 SUBCHAPTER A. GENERAL PROVISIONS

6 Sec. 9060.001. DEFINITIONS

7 Sec. 9060.002. NATURE OF DISTRICT

8 Sec. 9060.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

9 Sec. 9060.004. APPLICABILITY OF CERTAIN STATUTES;

10 DISSOLUTION OF DISTRICT

11 SUBCHAPTER B. DISTRICT TERRITORY

12 Sec. 9060.051. DISTRICT TERRITORY

13 Sec. 9060.052. ADDITION OF LAND TO DISTRICT

14 SUBCHAPTER C. BOARD OF DIRECTORS

15 Sec. 9060.101. COMPOSITION OF BOARD

16 SUBCHAPTER D. POWERS AND DUTIES

17 Sec. 9060.151. WATER CONTROL AND IMPROVEMENT DISTRICT

18 POWERS

19 Sec. 9060.152. ACQUISITION OF IMPROVEMENTS

20 Sec. 9060.153. COST OF RELOCATING OR ALTERING PROPERTY

21 Sec. 9060.154. LIMIT ON EMINENT DOMAIN POWER

22 Sec. 9060.155. DURATION OF CONTRACT FOR WATER PURCHASE

23 OR SALE

24 Sec. 9060.156. INSTALLATION OF STREETLIGHTS

25 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

26 Sec. 9060.201. TAX METHOD



1 CHAPTER 9060. SAN LEON MUNICIPAL UTILITY DISTRICT OF GALVESTON

2 COUNTY, TEXAS

3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 9060.001. DEFINITIONS. In this chapter:

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

6 (2) "District" means the San Leon Municipal Utility  
7 District of Galveston County, Texas. (Acts 59th Leg., R.S., Ch.  
8 520, Sec. 1 (part); New.)

9 Sec. 9060.002. NATURE OF DISTRICT. The district is:

10 (1) a conservation and reclamation district in  
11 Galveston County under Section 59, Article XVI, Texas Constitution;  
12 and

13 (2) a municipal corporation. (Acts 59th Leg., R.S.,  
14 Ch. 520, Secs. 1 (part), 7 (part).)

15 Sec. 9060.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
16 The district is created to serve a public use and benefit.

17 (b) All land and other property included in the district  
18 will benefit from the creation of the district and the improvements  
19 the district will purchase, construct, or otherwise acquire.

20 (c) The district is essential to accomplish the purposes of  
21 Section 59, Article XVI, Texas Constitution. (Acts 59th Leg.,  
22 R.S., Ch. 520, Secs. 6(a) (part), 7 (part).)

23 Sec. 9060.004. APPLICABILITY OF CERTAIN STATUTES;  
24 DISSOLUTION OF DISTRICT. (a) Except as provided by Subsection (b),  
25 Sections 51.781-51.791, Water Code, do not apply to the district.

26 (b) The district may be dissolved by the board in accordance  
27 with Sections 51.781-51.791, Water Code. (Acts 59th Leg., R.S.,

1 Ch. 520, Secs. 2 (part), 4 (part); New.)

2 SUBCHAPTER B. DISTRICT TERRITORY

3 Sec. 9060.051. DISTRICT TERRITORY. The district is  
4 composed of the territory described by Section 1, Chapter 520, Acts  
5 of the 59th Legislature, Regular Session, 1965, as that territory  
6 may have been modified under:

7 (1) Subchapter O, Chapter 51, Water Code;

8 (2) Subchapter J, Chapter 49, Water Code;

9 (3) Section 9060.052 or its predecessor statute,  
10 former Section 4, Chapter 520, Acts of the 59th Legislature,  
11 Regular Session, 1965; or

12 (4) other law. (New.)

13 Sec. 9060.052. ADDITION OF LAND TO DISTRICT. The district  
14 may not add land to the district unless:

15 (1) an owner of land adjacent or contiguous to the  
16 district requests in writing that the district add land;

17 (2) the owner of the land to be added consents to the  
18 addition; and

19 (3) the land is adjacent or contiguous to the district  
20 when added. (Acts 59th Leg., R.S., Ch. 520, Sec. 4 (part).)

21 SUBCHAPTER C. BOARD OF DIRECTORS

22 Sec. 9060.101. COMPOSITION OF BOARD. The board is composed  
23 of five elected directors. (Acts 59th Leg., R.S., Ch. 520, Sec. 3  
24 (part).)

25 SUBCHAPTER D. POWERS AND DUTIES

26 Sec. 9060.151. WATER CONTROL AND IMPROVEMENT DISTRICT  
27 POWERS. The district has the rights, powers, privileges, and

1 duties provided by general law applicable to a water control and  
2 improvement district created under Section 59, Article XVI, Texas  
3 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th  
4 Leg., R.S., Ch. 520, Sec. 2 (part).)

5       Sec. 9060.152. ACQUISITION OF IMPROVEMENTS. The district  
6 may make, construct, or otherwise acquire improvements inside or  
7 outside the district that are necessary or convenient to carry out a  
8 power granted to the district under this chapter or a general law  
9 described by Section 9060.151. (Acts 59th Leg., R.S., Ch. 520, Sec.  
10 2 (part).)

11       Sec. 9060.153. COST OF RELOCATING OR ALTERING PROPERTY.

12 (a) In this section, "sole expense" means the actual cost of  
13 relocating, raising, lowering, rerouting, changing the grade of, or  
14 altering the construction of a facility described by Subsection (b)  
15 in providing comparable replacement without enhancement of the  
16 facility, after deducting from that cost the net salvage value  
17 derived from the old facility.

18 (b) If the district's exercise of the power of eminent  
19 domain, power of relocation, or any other power granted by this  
20 chapter makes necessary relocating, raising, rerouting, changing  
21 the grade of, or altering the construction of a highway, railroad,  
22 electric transmission line, telephone or telegraph property or  
23 facility, or pipeline, the necessary action shall be accomplished  
24 at the sole expense of the district. (Acts 59th Leg., R.S., Ch.  
25 520, Sec. 2 (part).)

26       Sec. 9060.154. LIMIT ON EMINENT DOMAIN POWER. The district  
27 may not exercise the power of eminent domain outside the district.

1 (Acts 59th Leg., R.S., Ch. 520, Sec. 2 (part).)

2 Sec. 9060.155. DURATION OF CONTRACT FOR WATER PURCHASE OR  
3 SALE. A district contract for the purchase or sale of water may not  
4 exceed 40 years. (Acts 59th Leg., R.S., Ch. 520, Sec. 2 (part).)

5 Sec. 9060.156. INSTALLATION OF STREETLIGHTS. (a) On  
6 approval by a majority of the voters of the district voting at an  
7 election held for that purpose, the district may:

8 (1) install, operate, and maintain street lighting in  
9 a public utility easement or public right-of-way inside the  
10 district; and

11 (2) assess the cost of the installation, operation,  
12 and maintenance of the street lighting as an additional charge in  
13 the monthly billings of the district's customers.

14 (b) The district may not use money from taxes or bonds  
15 supported by taxes for a purpose described by this section.

16 (c) This section does not authorize the district to install,  
17 operate, or maintain street lighting on a right-of-way that is part  
18 of the designated state highway system. (Acts 59th Leg., R.S., Ch.  
19 520, Sec. 2A.)

20 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

21 Sec. 9060.201. TAX METHOD. (a) The district shall use the  
22 ad valorem basis or plan of taxation.

23 (b) The board is not required to hold a hearing on the  
24 adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 520,  
25 Sec. 6(b).)

26 CHAPTER 9061. TATTOR ROAD MUNICIPAL DISTRICT

27 SUBCHAPTER A. GENERAL PROVISIONS

- 1 Sec. 9061.001. DEFINITIONS
- 2 Sec. 9061.002. NATURE OF DISTRICT
- 3 Sec. 9061.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
- 4 Sec. 9061.004. DISTRICT TERRITORY
- 5 Sec. 9061.005. EXPANSION OF DISTRICT
- 6 Sec. 9061.006. HEARINGS FOR EXCLUSION OF LAND
- 7 Sec. 9061.007. STATE POLICY REGARDING WASTE DISPOSAL
- 8 SUBCHAPTER B. BOARD OF DIRECTORS
- 9 Sec. 9061.051. COMPOSITION OF BOARD
- 10 Sec. 9061.052. APPOINTMENT OF TREASURER
- 11 Sec. 9061.053. DIRECTOR AND TREASURER BONDS
- 12 Sec. 9061.054. BOARD VACANCY
- 13 Sec. 9061.055. BOARD PRESIDENT'S POWER TO EXECUTE
- 14 CONTRACTS
- 15 Sec. 9061.056. ABSENCE OR INACTION OF BOARD PRESIDENT
- 16 Sec. 9061.057. DISTRICT OFFICE
- 17 SUBCHAPTER C. POWERS AND DUTIES
- 18 Sec. 9061.101. WATER CONTROL AND IMPROVEMENT DISTRICT
- 19 POWERS
- 20 Sec. 9061.102. ADDITIONAL POWERS
- 21 Sec. 9061.103. LIMIT ON EMINENT DOMAIN
- 22 Sec. 9061.104. COST OF RELOCATING OR ALTERING PROPERTY
- 23 Sec. 9061.105. NOTICE OF ELECTION
- 24 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
- 25 Sec. 9061.151. TAX METHOD
- 26 Sec. 9061.152. DISTRICT ACCOUNTS
- 27 Sec. 9061.153. COPY OF AUDIT REPORT

1 Sec. 9061.154. PAYMENT OF TAX OR ASSESSMENT NOT

2 REQUIRED

3 Sec. 9061.155. DEPOSITORY

4 SUBCHAPTER E. BONDS

5 Sec. 9061.201. ISSUANCE OF BONDS

6 Sec. 9061.202. ADDITIONAL SECURITY

7 Sec. 9061.203. TRUST INDENTURE

8 Sec. 9061.204. ORDER OR RESOLUTION AUTHORIZING

9 ISSUANCE OF CERTAIN BONDS

10 Sec. 9061.205. USE OF BOND PROCEEDS

11 CHAPTER 9061. TATTOR ROAD MUNICIPAL DISTRICT

12 SUBCHAPTER A. GENERAL PROVISIONS

13 Sec. 9061.001. DEFINITIONS. In this chapter:

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

15 (2) "Director" means a member of the board.

16 (3) "District" means the Tattor Road Municipal

17 District. (Acts 61st Leg., R.S., Ch. 846, Sec. 1 (part); New.)

18 Sec. 9061.002. NATURE OF DISTRICT. The district is a  
19 conservation and reclamation district in Harris County created  
20 under Section 59, Article XVI, Texas Constitution. (Acts 61st Leg.,  
21 R.S., Ch. 846, Sec. 1 (part).)

22 Sec. 9061.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

23 The district is created to serve a public use and benefit.

24 (b) All land and other property included in the boundaries  
25 of the district will benefit from the works and projects  
26 accomplished by the district under the powers conferred by Section  
27 59, Article XVI, Texas Constitution.

1 (c) The district is essential to accomplish the purposes of  
2 Section 59, Article XVI, Texas Constitution.

3 (d) The accomplishment of the purposes stated in this  
4 chapter will benefit the people of this state and improve their  
5 property and industries.

6 (e) The district in carrying out the purposes of this  
7 chapter will be performing an essential public function under the  
8 Texas Constitution. (Acts 61st Leg., R.S., Ch. 846, Secs. 1 (part),  
9 4, 21 (part).)

10 Sec. 9061.004. DISTRICT TERRITORY. (a) The district is  
11 composed of the territory described by Section 2, Chapter 846, Acts  
12 of the 61st Legislature, Regular Session, 1969, as that territory  
13 may have been modified under:

14 (1) Subchapter O, Chapter 51, Water Code;

15 (2) Subchapter J, Chapter 49, Water Code;

16 (3) Section 9061.005 or its predecessor statute,  
17 former Section 9, Chapter 846, Acts of the 61st Legislature,  
18 Regular Session, 1969; or

19 (4) other law.

20 (b) The boundaries and field notes of the district form a  
21 closure. A mistake in the field notes or in copying the field notes  
22 in the legislative process does not affect:

23 (1) the district's organization, existence, or  
24 validity;

25 (2) the district's right to issue any type of bond for  
26 a purpose for which the district is created or to pay the principal  
27 of and interest on the bond;

1 (3) the district's right to impose a tax; or

2 (4) in any other manner, the legality or operation of  
3 the district or its governing body. (Acts 61st Leg., R.S., Ch. 846,  
4 Sec. 3; New.)

5 Sec. 9061.005. EXPANSION OF DISTRICT. (a) If land is  
6 annexed by the district under Section 49.301 or 51.714, Water Code,  
7 the board may require the petitioners to:

8 (1) assume the petitioners' pro rata share of the voted  
9 but unissued bonds of the district; and

10 (2) authorize the board to impose a tax on the  
11 petitioners' property to pay for the bonds after the bonds have been  
12 issued.

13 (b) If land is annexed by the district under Section 49.302,  
14 Water Code, the board may submit to the voters of the area to be  
15 annexed a proposition on the question of the assumption by the area  
16 to be annexed of its part of the voted but not yet issued or sold tax  
17 or tax-revenue bonds of the district and the imposition of an ad  
18 valorem tax on taxable property in the area to be annexed along with  
19 a tax in the rest of the district for the payment of the bonds.

20 (c) If the petitioners consent or if the election results  
21 favorably, the district may issue its voted but unissued tax or  
22 tax-revenue bonds regardless of changes to district boundaries  
23 since the voting or authorization of those bonds. (Acts 61st Leg.,  
24 R.S., Ch. 846, Sec. 9 (part).)

25 Sec. 9061.006. HEARINGS FOR EXCLUSION OF LAND. (a) The  
26 board is not required to call or hold a hearing on the exclusion of  
27 land or other property from the district; provided, however, that



1 the board shall hold a hearing if an owner of land or other property  
2 located in the district files a written petition for a hearing with  
3 the board secretary before the district's first bond election is  
4 called.

5 (b) The board may act on the petition in the same manner that  
6 it may act on a petition for the addition of land under Section  
7 49.301 or 51.714, Water Code. A notice of hearing is not required.

8 (c) The board on its own motion may call and hold an  
9 exclusion hearing under general law. (Acts 61st Leg., R.S., Ch.  
10 846, Sec. 7.)

11 Sec. 9061.007. STATE POLICY REGARDING WASTE DISPOSAL. The  
12 district's powers and duties are subject to the state policy of  
13 encouraging the development and use of integrated area-wide waste  
14 collection, treatment, and disposal systems to serve the waste  
15 disposal needs of this state's residents, if integrated systems can  
16 reasonably be provided for an area, so as to avoid the economic  
17 burden on residents and the impact on state water quality caused by  
18 the construction and operation of numerous small waste collection,  
19 treatment, and disposal facilities. (Acts 61st Leg., R.S., Ch.  
20 846, Sec. 5 (part).)

21 SUBCHAPTER B. BOARD OF DIRECTORS

22 Sec. 9061.051. COMPOSITION OF BOARD. The board consists of  
23 five elected directors. (Acts 61st Leg., R.S., Ch. 846, Sec. 10  
24 (part).)

25 Sec. 9061.052. APPOINTMENT OF TREASURER. The board may  
26 appoint the treasurer. (Acts 61st Leg., R.S., Ch. 846, Sec. 10  
27 (part).)

1           Sec. 9061.053. DIRECTOR AND TREASURER BONDS. (a) Each  
2 director shall qualify by giving bond in the amount of \$5,000 for  
3 the faithful performance of the director's duties.

4           (b) The directors' bonds must be recorded in a record kept  
5 for that purpose in the district's office.

6           (c) The treasurer shall give bond in the amount required by  
7 the board, conditioned on the treasurer's faithful accounting for  
8 all money that comes into the treasurer's custody as district  
9 treasurer. (Acts 61st Leg., R.S., Ch. 846, Sec. 10 (part).)

10          Sec. 9061.054. BOARD VACANCY. (a) Except as provided by  
11 Subsection (b), a vacancy in the office of director shall be filled  
12 in the manner provided by Section [49.105](#), Water Code.

13          (b) The county judge of Harris County shall appoint  
14 directors to fill all of the vacancies on the board if the number of  
15 qualified directors is less than three. (Acts 61st Leg., R.S., Ch.  
16 846, Sec. 10 (part).)

17          Sec. 9061.055. BOARD PRESIDENT'S POWER TO EXECUTE  
18 CONTRACTS. The board president may execute all contracts, including  
19 construction contracts, entered into by the board on behalf of the  
20 district. (Acts 61st Leg., R.S., Ch. 846, Sec. 10 (part).)

21          Sec. 9061.056. ABSENCE OR INACTION OF BOARD PRESIDENT. (a)  
22 When the board president is absent or fails or declines to act, the  
23 board vice president shall perform all duties and exercise all  
24 power that this chapter or general law gives the president.

25          (b) If the board president is absent from a board meeting,  
26 the board vice president may sign an order adopted or other action  
27 taken at the meeting, or the board may authorize the president to

1 sign the order or action. (Acts 61st Leg., R.S., Ch. 846, Sec. 10  
2 (part).)

3 Sec. 9061.057. DISTRICT OFFICE. (a) The board shall  
4 designate, establish, and maintain a district office as provided by  
5 Section 49.062, Water Code.

6 (b) The board may establish a second district office outside  
7 the district. If the board establishes a district office outside  
8 the district, the board shall give notice of the location of that  
9 office by:

10 (1) filing a copy of the board resolution that  
11 establishes the location of the office:

12 (A) with the Texas Commission on Environmental  
13 Quality; and

14 (B) in the water control and improvement district  
15 records of Harris County; and

16 (2) publishing the location of the office in a  
17 newspaper of general circulation in Harris County.

18 (c) A district office may be a private residence, office, or  
19 dwelling. A district office that is a private residence, office, or  
20 dwelling is a public place for matters relating to the district's  
21 business.

22 (d) The board shall give notice of any change in the  
23 location of the district office outside the district in the manner  
24 required by Subsection (b). (Acts 61st Leg., R.S., Ch. 846, Sec.  
25 15.)

26 SUBCHAPTER C. POWERS AND DUTIES

27 Sec. 9061.101. WATER CONTROL AND IMPROVEMENT DISTRICT

1 POWERS. The district has all of the rights, powers, privileges, and  
2 functions provided by general law applicable to water control and  
3 improvement districts created under Section 59, Article XVI, Texas  
4 Constitution, including Chapters 49 and 51, Water Code. (Acts 61st  
5 Leg., R.S., Ch. 846, Sec. 5 (part).)

6 Sec. 9061.102. ADDITIONAL POWERS. (a) The district may:

7 (1) make, purchase, construct, lease, or otherwise  
8 acquire property, works, facilities, or improvements, existing or  
9 to be made, constructed, or acquired, inside or outside the  
10 district's boundaries and necessary to carry out the powers granted  
11 by this chapter or general law; or

12 (2) enter into a contract with a person on terms the  
13 board considers desirable, fair, and advantageous for:

14 (A) the purchase or sale of water;

15 (B) the transportation, treatment, and disposal  
16 of the domestic, industrial, or communal wastes of the district or  
17 others;

18 (C) the continuing and orderly development of  
19 land and property in the district through the purchase,  
20 construction, or installation of facilities, works, or  
21 improvements that the district is otherwise authorized to do or  
22 perform so that, to the greatest extent reasonably possible,  
23 considering sound engineering and economic practices, all of the  
24 land and property may ultimately receive the services of the  
25 facilities, works, or improvements; and

26 (D) the performance of any of the rights or  
27 powers granted by this chapter or general law relating to water

1 control and improvement districts.

2 (b) A contract under Subsection (a)(2) may not have a  
3 duration of more than 40 years. (Acts 61st Leg., R.S., Ch. 846,  
4 Sec. 5 (part).)

5 Sec. 9061.103. LIMIT ON EMINENT DOMAIN. The district may  
6 exercise the power of eminent domain only:

7 (1) in Harris County; and

8 (2) when necessary to carry out the purposes for which  
9 the district was created. (Acts 61st Leg., R.S., Ch. 846, Sec. 13  
10 (part).)

11 Sec. 9061.104. COST OF RELOCATING OR ALTERING PROPERTY.

12 (a) In this section, "sole expense" means the actual cost of  
13 relocating, raising, lowering, rerouting, changing the grade of, or  
14 altering the construction of a facility described by Subsection (b)  
15 in providing comparable replacement without enhancement of the  
16 facility, after deducting from that cost the net salvage value  
17 derived from the old facility.

18 (b) If the district's exercise of the power of eminent  
19 domain makes necessary relocating, raising, rerouting, changing  
20 the grade of, or altering the construction of a highway, railroad,  
21 electric transmission line, telegraph or telephone property or  
22 facility, or pipeline, the necessary action shall be accomplished  
23 at the sole expense of the district. (Acts 61st Leg., R.S., Ch.  
24 846, Sec. 13 (part).)

25 Sec. 9061.105. NOTICE OF ELECTION. Notice of an election  
26 may be given under the hand of the board president or secretary.  
27 (Acts 61st Leg., R.S., Ch. 846, Sec. 18 (part).)

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2 Sec. 9061.151. TAX METHOD. (a) The district shall use the  
3 ad valorem plan of taxation.

4 (b) The board is not required to call or hold a hearing on  
5 the adoption of a plan of taxation. (Acts 61st Leg., R.S., Ch. 846,  
6 Sec. 8.)

7 Sec. 9061.152. DISTRICT ACCOUNTS. The district shall keep  
8 a complete system of the district's accounts. (Acts 61st Leg.,  
9 R.S., Ch. 846, Sec. 14 (part).)

10 Sec. 9061.153. COPY OF AUDIT REPORT. A copy of the audit  
11 report prepared under Subchapter G, Chapter 49, Water Code, shall  
12 be delivered:

13 (1) to each director; and

14 (2) to a holder of at least 25 percent of the  
15 outstanding bonds of the district, on request. (Acts 61st Leg.,  
16 R.S., Ch. 846, Sec. 14 (part); New.)

17 Sec. 9061.154. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.  
18 The district is not required to pay a tax or assessment on:

19 (1) district property; or

20 (2) a purchase made by the district. (Acts 61st Leg.,  
21 R.S., Ch. 846, Sec. 21 (part).)

22 Sec. 9061.155. DEPOSITORY. (a) The board shall select one  
23 or more banks in this state to act as depository for the district's  
24 money.

25 (b) To the extent that money in the depository bank is not  
26 insured by the Federal Deposit Insurance Corporation, the money  
27 must be secured in the manner provided by law for the security of

1 county funds.

2 (c) A director may be a shareholder in a bank that is a  
3 depository of district money. (Acts 61st Leg., R.S., Ch. 846, Sec.  
4 14 (part).)

5 SUBCHAPTER E. BONDS

6 Sec. 9061.201. ISSUANCE OF BONDS. (a) The district may  
7 issue tax bonds, revenue bonds, or tax and revenue bonds to provide  
8 money for any purpose of this chapter, including the acquisition of  
9 land.

10 (b) The district must issue bonds in the manner provided by  
11 Chapters 49 and 51, Water Code, except that the district may issue  
12 bonds payable solely from net revenue by resolution or order of the  
13 board without an election.

14 (c) Bonds issued under this subchapter may be payable from  
15 all or any designated part of the revenue of district property and  
16 facilities or under a specific contract, as provided in the order or  
17 resolution authorizing the issuance of the bonds. (Acts 61st Leg.,  
18 R.S., Ch. 846, Sec. 12 (part).)

19 Sec. 9061.202. ADDITIONAL SECURITY. (a) Within the  
20 discretion of the board, bonds issued under this subchapter may be  
21 additionally secured by a deed of trust or mortgage lien on physical  
22 property of the district and franchises, easements, water rights  
23 and appropriation permits, leases, contracts, and all rights  
24 appurtenant to that property, vesting in the trustee:

25 (1) the power to sell the property for payment of the  
26 debt;

27 (2) the power to operate the property; and

1           (3) all other powers to further secure the bonds.

2           (b) A purchaser under a sale under the deed of trust or  
3 mortgage lien, if one is given:

4           (1) is the absolute owner of the property, facilities,  
5 and rights purchased; and

6           (2) may maintain and operate the property and  
7 facilities. (Acts 61st Leg., R.S., Ch. 846, Sec. 12 (part).)

8           Sec. 9061.203. TRUST INDENTURE. A trust indenture created  
9 under Section 9061.202, regardless of the existence of a deed of  
10 trust or mortgage lien on the property, may:

11           (1) contain provisions prescribed by the board for the  
12 security of the bonds and the preservation of the trust estate;

13           (2) provide for amendment or modification of the trust  
14 indenture;

15           (3) provide for the issuance of bonds to replace lost  
16 or mutilated bonds;

17           (4) condition the right to spend district money or  
18 sell district property on the approval of a licensed engineer  
19 selected as provided by the trust indenture; and

20           (5) provide for the investment of district money.  
21 (Acts 61st Leg., R.S., Ch. 846, Sec. 12 (part).)

22           Sec. 9061.204. ORDER OR RESOLUTION AUTHORIZING ISSUANCE OF  
23 CERTAIN BONDS. (a) In an order or resolution authorizing the  
24 issuance of revenue, tax-revenue, revenue refunding, or  
25 tax-revenue refunding bonds, the board may:

26           (1) provide for:

27           (A) the flow of money; and



1 (B) the establishment and maintenance of the  
2 interest and sinking fund, reserve fund, or other fund;

3 (2) make additional covenants with respect to the  
4 bonds and the pledged revenue and the operation and maintenance of  
5 the improvements and facilities the revenue of which is pledged,  
6 including provisions for the operation or leasing of all or part of  
7 the improvements and facilities and the use or pledge of money  
8 received from the operation contract or lease as the board  
9 considers appropriate;

10 (3) prohibit the further issuance of bonds or other  
11 obligations payable from the pledged revenue or reserve the right  
12 to issue additional bonds to be secured by a pledge of and payable  
13 from the revenue on a parity with, or subordinate to, the lien and  
14 pledge in support of the bonds being issued, subject to any  
15 conditions set forth in the order or resolution; and

16 (4) include any other provision or covenant, as the  
17 board determines, that is not prohibited by the Texas Constitution  
18 or this chapter.

19 (b) The board may adopt and cause to be executed any other  
20 proceeding or instrument necessary or convenient in the issuance of  
21 the bonds. (Acts 61st Leg., R.S., Ch. 846, Sec. 12 (part).)

22 Sec. 9061.205. USE OF BOND PROCEEDS. (a) The district may  
23 appropriate or set aside out of proceeds from the sale of district  
24 bonds an amount for:

25 (1) the payment of interest, administrative, and  
26 operating expenses expected to accrue during the period of  
27 construction, as may be provided in the bond orders or resolutions;

1 and

2 (2) the payment of all expenses incurred and to be  
3 incurred in the issuance, sale, and delivery of the bonds.

4 (b) For purposes of this section, the period of construction  
5 may not exceed three years. (Acts 61st Leg., R.S., Ch. 846, Sec. 12  
6 (part).)

7 CHAPTER 9062. TREASURE ISLAND MUNICIPAL UTILITY DISTRICT OF  
8 BRAZORIA COUNTY, TEXAS

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 9062.001. DEFINITIONS

11 Sec. 9062.002. NATURE OF DISTRICT

12 Sec. 9062.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

13 Sec. 9062.004. DISSOLUTION OF DISTRICT

14 SUBCHAPTER B. DISTRICT TERRITORY

15 Sec. 9062.051. DISTRICT TERRITORY

16 Sec. 9062.052. ADDITION OF LAND TO DISTRICT

17 Sec. 9062.053. EXCLUSION OF LAND FROM DISTRICT

18 SUBCHAPTER C. BOARD OF DIRECTORS

19 Sec. 9062.101. COMPOSITION OF BOARD

20 SUBCHAPTER D. POWERS AND DUTIES

21 Sec. 9062.151. WATER CONTROL AND IMPROVEMENT DISTRICT

22 POWERS

23 Sec. 9062.152. RECLAMATION AND DRAINAGE

24 Sec. 9062.153. ACQUISITION OF IMPROVEMENTS

25 Sec. 9062.154. COST OF RELOCATING OR ALTERING PROPERTY

26 Sec. 9062.155. LIMIT ON EMINENT DOMAIN POWER

1 Sec. 9062.156. DURATION OF CONTRACT FOR WATER PURCHASE

2 OR SALE

3 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

4 Sec. 9062.201. TAX METHOD

5 Sec. 9062.202. DEPOSITORY

6 CHAPTER 9062. TREASURE ISLAND MUNICIPAL UTILITY DISTRICT OF

7 BRAZORIA COUNTY, TEXAS

8 SUBCHAPTER A. GENERAL PROVISIONS

9 Sec. 9062.001. DEFINITIONS. In this chapter:

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

11 (2) "District" means the Treasure Island Municipal  
12 Utility District of Brazoria County, Texas. (Acts 59th Leg., R.S.,  
13 Ch. 532, Sec. 1 (part); New.)

14 Sec. 9062.002. NATURE OF DISTRICT. The district is:

15 (1) a conservation and reclamation district in  
16 Brazoria County under Section 59, Article XVI, Texas Constitution;

17 (2) a water control and improvement district; and

18 (3) a municipal corporation. (Acts 59th Leg., R.S.,  
19 Ch. 532, Secs. 1 (part), 6 (part), 8 (part).)

20 Sec. 9062.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
21 The district is created to serve a public use and benefit.

22 (b) All land and other property in the district will benefit  
23 from the creation of the district and the improvements the district  
24 will purchase, construct, or otherwise acquire.

25 (c) The district is essential to accomplish the purposes of  
26 Section 59, Article XVI, Texas Constitution. (Acts 59th Leg.,  
27 R.S., Ch. 532, Secs. 6 (part), 8 (part).)

1           Sec. 9062.004. DISSOLUTION OF DISTRICT. The district may  
2 be dissolved by the board in accordance with Sections  
3 51.781-51.791, Water Code. (Acts 59th Leg., R.S., Ch. 532, Sec. 4  
4 (part).)

5                           SUBCHAPTER B. DISTRICT TERRITORY

6           Sec. 9062.051. DISTRICT TERRITORY. The district is  
7 composed of the territory described by Section 1, Chapter 532, Acts  
8 of the 59th Legislature, Regular Session, 1965, as that territory  
9 may have been modified under:

- 10                   (1) Subchapter O, Chapter 51, Water Code;  
11                   (2) Subchapter J, Chapter 49, Water Code;  
12                   (3) Section 9062.052 or its predecessor statute,  
13 former Section 4, Chapter 532, Acts of the 59th Legislature,  
14 Regular Session, 1965; or  
15                   (4) other law. (New.)

16           Sec. 9062.052. ADDITION OF LAND TO DISTRICT. The district  
17 may not add land to the district unless:

- 18                   (1) an owner of land adjacent or contiguous to the  
19 district requests in writing that the district add land;  
20                   (2) the owner of the land to be added consents to the  
21 addition; and  
22                   (3) the land is adjacent or contiguous to the district  
23 when added. (Acts 59th Leg., R.S., Ch. 532, Sec. 4 (part).)

24           Sec. 9062.053. EXCLUSION OF LAND FROM DISTRICT. (a) Land  
25 may be excluded from the district in the manner provided by:

- 26                   (1) Subchapter O, Chapter 51, Water Code; or  
27                   (2) Subchapter J, Chapter 49, Water Code.

1           (b) The board is not required to call or hold a hearing on  
2 the exclusion of land or other property from the district;  
3 provided, however, that the board shall hold a hearing if an owner  
4 of land or other property located in the district files a written  
5 request for a hearing with the board secretary before the  
6 district's first bond election is called.

7           (c) Subsection (b) may not be construed to prevent the board  
8 on its own motion from calling and holding an exclusion hearing  
9 under general law. (Acts 59th Leg., R.S., Ch. 532, Secs. 4 (part),  
10 6 (part).)

11                           SUBCHAPTER C. BOARD OF DIRECTORS

12           Sec. 9062.101. COMPOSITION OF BOARD. The board is composed  
13 of five elected directors. (Acts 59th Leg., R.S., Ch. 532, Sec. 3  
14 (part).)

15                           SUBCHAPTER D. POWERS AND DUTIES

16           Sec. 9062.151. WATER CONTROL AND IMPROVEMENT DISTRICT  
17 POWERS. The district has the rights, powers, privileges, and  
18 duties provided by general law applicable to a water control and  
19 improvement district created under Section 59, Article XVI, Texas  
20 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th  
21 Leg., R.S., Ch. 532, Sec. 2 (part).)

22           Sec. 9062.152. RECLAMATION AND DRAINAGE. The district may  
23 provide for the reclamation and drainage of overflowed land and  
24 other land needing drainage in the district. (Acts 59th Leg., R.S.,  
25 Ch. 532, Sec. 2 (part).)

26           Sec. 9062.153. ACQUISITION OF IMPROVEMENTS. The district  
27 may make, construct, or otherwise acquire improvements inside or

1 outside the district that are necessary to carry out a power granted  
2 to the district under this chapter or a general law described by  
3 Section 9062.151. (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

4 Sec. 9062.154. COST OF RELOCATING OR ALTERING PROPERTY.

5 (a) In this section, "sole expense" means the actual cost of  
6 relocating, raising, lowering, rerouting, changing the grade of, or  
7 altering the construction of a facility described by Subsection (b)  
8 in providing comparable replacement without enhancement of the  
9 facility, after deducting from that cost the net salvage value  
10 derived from the old facility.

11 (b) If the district's exercise of the power of eminent  
12 domain, the power of relocation, or any other power granted by this  
13 chapter makes necessary relocating, raising, rerouting, changing  
14 the grade of, or altering the construction of a highway, railroad,  
15 electric transmission line, telephone or telegraph property or  
16 facility, or pipeline, the necessary action shall be accomplished  
17 at the sole expense of the district. (Acts 59th Leg., R.S., Ch.  
18 532, Sec. 2 (part).)

19 Sec. 9062.155. LIMIT ON EMINENT DOMAIN POWER. The district  
20 may not exercise the power of eminent domain outside the district.  
21 (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

22 Sec. 9062.156. DURATION OF CONTRACT FOR WATER PURCHASE OR  
23 SALE. A district contract for the purchase or sale of water may not  
24 exceed 40 years. (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

25 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

26 Sec. 9062.201. TAX METHOD. (a) The district shall use the  
27 ad valorem basis or plan of taxation.

1 (b) The board is not required to hold a hearing on the  
2 adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 532,  
3 Sec. 6 (part).)

4 Sec. 9062.202. DEPOSITORY. (a) The board by resolution  
5 shall designate one or more banks inside or outside the district to  
6 serve as the district's depository. A designated bank serves for  
7 two years and until a successor is designated.

8 (b) All district money shall be secured in the manner  
9 provided for securing county funds. (Acts 59th Leg., R.S., Ch. 532,  
10 Sec. 7.)

11 CHAPTER 9063. UPPER JASPER COUNTY WATER AUTHORITY

12 SUBCHAPTER A. GENERAL PROVISIONS

13 Sec. 9063.001. DEFINITIONS

14 Sec. 9063.002. NATURE OF AUTHORITY

15 Sec. 9063.003. AUTHORITY TERRITORY

16 Sec. 9063.004. SABINE RIVER AUTHORITY NOT AFFECTED;

17 LEGISLATIVE INTENT

18 SUBCHAPTER B. BOARD OF DIRECTORS

19 Sec. 9063.051. COMPOSITION OF BOARD

20 Sec. 9063.052. QUALIFICATIONS FOR OFFICE

21 SUBCHAPTER C. POWERS AND DUTIES

22 Sec. 9063.101. GENERAL POWERS

23 Sec. 9063.102. WATER CONTROL AND IMPROVEMENT DISTRICT

24 POWERS

25 Sec. 9063.103. COOPERATION AND AGREEMENTS WITH OTHER

26 AGENCIES

27 Sec. 9063.104. COST OF RELOCATING OR ALTERING PROPERTY

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2 Sec. 9063.151. TAX METHOD; HEARING REQUIRED

3 CHAPTER 9063. UPPER JASPER COUNTY WATER AUTHORITY

4 SUBCHAPTER A. GENERAL PROVISIONS

5 Sec. 9063.001. DEFINITIONS. In this chapter:

6 (1) "Authority" means the Upper Jasper County Water  
7 Authority.

8 (2) "Board" means the authority's board of directors.

9 (3) "Director" means a board member. (Acts 54th Leg.,  
10 R.S., Ch. 508, Sec. 1 (part); New.)

11 Sec. 9063.002. NATURE OF AUTHORITY. (a) The authority is a  
12 conservation and reclamation district.

13 (b) The creation of the authority is essential to accomplish  
14 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
15 54th Leg., R.S., Ch. 508, Sec. 1 (part).)

16 Sec. 9063.003. AUTHORITY TERRITORY. The authority consists  
17 of the territory included in the boundaries of County Commissioners  
18 Precincts 1 and 2 of Jasper County, as those boundaries existed on  
19 June 22, 1955. The authority's territory may have been modified  
20 under:

21 (1) Subchapter O, Chapter 51, Water Code;

22 (2) Subchapter J, Chapter 49, Water Code; or

23 (3) other law. (Acts 54th Leg., R.S., Ch. 508, Sec. 1  
24 (part); New.)

25 Sec. 9063.004. SABINE RIVER AUTHORITY NOT AFFECTED;  
26 LEGISLATIVE INTENT. In enacting Chapter 508, Acts of the 54th  
27 Legislature, Regular Session, 1955, revised as this chapter, the



1 legislature intended to preserve the area and authority of the  
2 Sabine River Authority as that area and authority existed on June  
3 22, 1955, and this chapter may not be construed as limiting the area  
4 and authority of the Sabine River Authority as it existed on June  
5 22, 1955. (Acts 54th Leg., R.S., Ch. 508, Sec. 4 (part).)

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. 9063.051. COMPOSITION OF BOARD. The authority is  
8 governed by a board of five elected directors. (Acts 54th Leg.,  
9 R.S., Ch. 508, Sec. 2 (part).)

10 Sec. 9063.052. QUALIFICATIONS FOR OFFICE. (a) A director  
11 must be:

- 12 (1) at least 18 years of age;  
13 (2) a resident of the state and authority; and  
14 (3) the owner of property subject to taxation in the  
15 authority.

16 (b) At least one director must reside in County  
17 Commissioners Precinct 1 of Jasper County. (Acts 54th Leg., R.S.,  
18 Ch. 508, Sec. 2 (part).)

19 SUBCHAPTER C. POWERS AND DUTIES

20 Sec. 9063.101. GENERAL POWERS. The authority may exercise  
21 the rights, privileges, and functions provided by this chapter.  
22 (Acts 54th Leg., R.S., Ch. 508, Sec. 1 (part).)

23 Sec. 9063.102. WATER CONTROL AND IMPROVEMENT DISTRICT  
24 POWERS. The authority has the rights, powers, privileges, and  
25 duties provided by general law applicable to a water control and  
26 improvement district created under Section 59, Article XVI, Texas  
27 Constitution, including Chapters 49 and 51, Water Code. (Acts 54th

1 Leg., R.S., Ch. 508, Sec. 3 (part); New.)

2           Sec. 9063.103. COOPERATION AND AGREEMENTS WITH OTHER  
3 AGENCIES. (a) On terms the board determines to be in the best  
4 interests of the authority, the authority may cooperate and enter  
5 into agreements with another political subdivision of the state,  
6 including the Sabine River Authority, for the construction,  
7 improvement, extension, maintenance, repair, and operation of  
8 water supply and distribution projects and facilities in the  
9 authority.

10           (b) The authority may, separately or jointly with an agency  
11 described by Subsection (a), acquire, construct, enlarge, improve,  
12 extend, repair, maintain, and operate water distribution projects  
13 and facilities for supplying water to users in the authority. (Acts  
14 54th Leg., R.S., Ch. 508, Sec. 4 (part).)

15           Sec. 9063.104. COST OF RELOCATING OR ALTERING PROPERTY. If  
16 the authority's exercise of the power of eminent domain, the power  
17 of relocation, or any other power granted by this chapter makes  
18 necessary relocating, raising, rerouting, changing the grade of, or  
19 altering the construction of a railroad, highway or other public  
20 road, electric transmission line, or telephone or telegraph  
21 property or facility, the necessary action shall be accomplished at  
22 the sole expense of the authority. (Acts 54th Leg., R.S., Ch. 508,  
23 Sec. 3a.)

24                           SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

25           Sec. 9063.151. TAX METHOD; HEARING REQUIRED. Before an  
26 election authorizing bonds, the board must hold a public hearing on  
27 the adoption of the plan of taxation to be used by the authority and

1 adopt a plan of taxation. (Acts 54th Leg., R.S., Ch. 508, Sec. 3  
2 (part).)

3 SECTION 1.07. Subtitle X, Title 6, Special District Local  
4 Laws Code, is amended by adding Chapters 11005, 11006, and 11007 to  
5 read as follows:

6 CHAPTER 11005. MUENSTER WATER DISTRICT

7 SUBCHAPTER A. GENERAL PROVISIONS

8 Sec. 11005.001. DEFINITIONS

9 Sec. 11005.002. NATURE OF DISTRICT

10 Sec. 11005.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

11 SUBCHAPTER B. DISTRICT TERRITORY; ANNEXATION

12 Sec. 11005.051. DISTRICT TERRITORY

13 Sec. 11005.052. ANNEXATION OF CITY TERRITORY

14 Sec. 11005.053. ANNEXATION OF OTHER TERRITORY

15 Sec. 11005.054. DETACHMENT OF DISTRICT TERRITORY AFTER

16 ISSUANCE OF BONDS

17 SUBCHAPTER C. BOARD OF DIRECTORS

18 Sec. 11005.101. COMPOSITION OF BOARD; TERMS

19 Sec. 11005.102. COMPENSATION OF DIRECTORS

20 Sec. 11005.103. QUALIFICATIONS FOR OFFICE

21 Sec. 11005.104. VACANCIES

22 Sec. 11005.105. REMOVAL FROM OFFICE

23 Sec. 11005.106. BOARD RESOLUTIONS; QUORUM; VOTING

24 REQUIREMENTS

25 Sec. 11005.107. OFFICERS AND ASSISTANTS

26 Sec. 11005.108. DUTIES OF OFFICERS AND ASSISTANTS

27 Sec. 11005.109. MEETINGS

- 1 Sec. 11005.110. PERSONAL LIABILITY OF DIRECTORS  
2 SUBCHAPTER D. POWERS AND DUTIES  
3 Sec. 11005.151. DISTRICT POWERS  
4 Sec. 11005.152. PERMITS  
5 Sec. 11005.153. GENERAL AUTHORITY OF PUBLIC AGENCIES  
6 AND POLITICAL SUBDIVISIONS TO  
7 CONTRACT WITH DISTRICT  
8 Sec. 11005.154. DISTRICT AUTHORITY TO CONTRACT TO  
9 SUPPLY WATER  
10 Sec. 11005.155. SOURCES FOR WATER; ACQUISITION OF  
11 LAND; STORAGE CAPACITY  
12 Sec. 11005.156. CONSTRUCTION CONTRACTS  
13 Sec. 11005.157. CONVEYANCE OF LAND TO DISTRICT  
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16 CHAPTER 11005. MUENSTER WATER DISTRICT

17 SUBCHAPTER A. GENERAL PROVISIONS

18 Sec. 11005.001. DEFINITIONS. In this chapter:

- 19 (1) "Board" means the board of directors of the
- 20 district.
- 21 (2) "City" means the city of Muenster.
- 22 (3) "City council" means the city council of the city.
- 23 (4) "Director" means a member of the board appointed
- 24 by the city council.
- 25 (5) "District" means the Muenster Water District.
- 26 (Acts 63rd Leg., R.S., Ch. 619, Secs. 1 (part), 2 (part), 4(a)
- 27 (part); New.)

1           Sec. 11005.002. NATURE OF DISTRICT. The district is a  
2 conservation and reclamation district created under Section 59,  
3 Article XVI, Texas Constitution. (Acts 63rd Leg., R.S., Ch. 619,  
4 Sec. 1 (part).)

5           Sec. 11005.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

6 (a) All territory and taxable property in the city will benefit  
7 from the works and improvements of the district.

8           (b) The accomplishment of the purposes stated in this  
9 chapter will benefit the people of this state and improve their  
10 property and industries.

11           (c) The district, in carrying out the purposes of this  
12 chapter, will be performing an essential public function under the  
13 constitution. (Acts 63rd Leg., R.S., Ch. 619, Secs. 2 (part), 22  
14 (part).)

15                           SUBCHAPTER B. DISTRICT TERRITORY; ANNEXATION

16           Sec. 11005.051. DISTRICT TERRITORY. (a) The boundaries of  
17 the district are coextensive with the boundaries of the city as  
18 those boundaries existed on January 1, 1973, and as the district  
19 territory may have been modified under:

20                           (1) this subchapter or its predecessor statute,  
21 Section 7, Chapter 619, Acts of the 63rd Legislature, Regular  
22 Session, 1973;

23                           (2) Subchapter J, Chapter 49, Water Code; or

24                           (3) other law.

25           (b) An invalidity in the fixing of the boundaries of the  
26 city as they existed on January 1, 1973, does not affect the  
27 boundaries of the district. (Acts 63rd Leg., R.S., Ch. 619, Sec. 2

1 (part); New.)

2 Sec. 11005.052. ANNEXATION OF CITY TERRITORY. (a)  
3 Territory annexed to the city after January 1, 1973, may be annexed  
4 to the district as provided by this section.

5 (b) At any time after final passage of an ordinance or  
6 resolution annexing territory to the city, the board may give  
7 notice of a hearing on the question of annexing that territory to  
8 the district. The notice is sufficient if it:

9 (1) states the date and place of the hearing; and

10 (2) describes the territory proposed to be annexed or  
11 refers to the annexation ordinance or resolution of the city.

12 (c) At least 10 days before the date set for the hearing, the  
13 notice must be published one time in a newspaper of general  
14 circulation in the city.

15 (d) If, as a result of the hearing, the board finds that the  
16 territory will benefit from the present or contemplated  
17 improvements, works, or facilities of the district, the board shall  
18 adopt a resolution annexing the territory to the district.

19 (e) After the territory is annexed to the district, the  
20 board may hold an election in the entire district to determine  
21 whether:

22 (1) the entire district will assume any tax-supported  
23 bonds then outstanding and those bonds previously voted but not yet  
24 sold; and

25 (2) an ad valorem tax for the payment of the bonds will  
26 be imposed on all taxable property in the district.

27 (f) An election held under Subsection (e) must be held and

1 notice must be given in the same manner as an election is held and  
2 notice is given under Section 11005.254 for the issuance of bonds.  
3 (Acts 63rd Leg., R.S., Ch. 619, Secs. 7 (part), (a), (b), (c), (d).)

4       Sec. 11005.053. ANNEXATION OF OTHER TERRITORY.       (a)  
5 Territory other than territory subject to Section 11005.052 may be  
6 annexed to the district as provided by this section.

7       (b) The board may annex territory or a municipality under  
8 this section only if a petition requesting annexation is signed by  
9 50 registered voters of the territory or municipality to be  
10 annexed, or a majority of the registered voters of that territory or  
11 municipality, whichever is fewer, and is filed with the board. The  
12 petition must describe the territory to be annexed by metes and  
13 bounds, or otherwise. If the territory is the same as that  
14 contained in the boundaries of a municipality, the petition is  
15 sufficient if it states that the territory to be annexed is the  
16 territory contained in the municipal boundaries.

17       (c) If the board finds that the petition complies with  
18 Subsection (b), that the annexation would be in the best interest of  
19 the territory or municipality and the district, and that the  
20 district will be able to supply water to the territory or  
21 municipality, the board shall:

22               (1) adopt a resolution stating the conditions, if any,  
23 under which the territory or municipality may be annexed to the  
24 district; and

25               (2) set a time and place to hold a hearing on the  
26 question of whether the territory or municipality to be annexed  
27 will benefit from:



1           (A) the improvements, works, or facilities owned  
2 or operated or contemplated to be owned or operated by the district;  
3 or

4           (B) the other functions of the district.

5           (d) At least 10 days before the date of the hearing, notice  
6 of the adoption of the resolution stating the time and place of the  
7 hearing must be published one time in a newspaper of general  
8 circulation in the territory or municipality proposed to be  
9 annexed. The notice must describe the territory in the same manner  
10 in which Subsection (b) requires or permits the petition to  
11 describe the territory.

12           (e) Any interested person may appear at the hearing and  
13 offer evidence for or against the annexation.

14           (f) The hearing may proceed in the order and under the rules  
15 prescribed by the board. The hearing may be recessed from time to  
16 time.

17           (g) If, at the conclusion of the hearing, the board finds  
18 that the property in the territory or municipality will benefit  
19 from the present or contemplated improvements, works, or facilities  
20 of the district, the board shall adopt a resolution making a finding  
21 of the benefit and calling an election in the territory or  
22 municipality to be annexed.

23           (h) The resolution must state:

24               (1) the date of the election;

25               (2) each place where the election will be held; and

26               (3) the proposition to be voted on.

27           (i) At least 10 days before the date set for the election,

1 notice of the election must be given by publishing a substantial  
2 copy of the resolution calling the election one time in a newspaper  
3 of general circulation in the territory proposed to be annexed.

4 (j) In calling an election on the proposition for annexation  
5 of the territory or municipality, the board may include, as part of  
6 the same proposition or as a separate proposition, a proposition  
7 for:

8 (1) the territory to assume its part of the  
9 tax-supported bonds of the district then outstanding and those  
10 bonds previously voted but not yet sold; and

11 (2) an ad valorem tax to be imposed on taxable property  
12 in the territory along with the tax in the rest of the district for  
13 the payment of the bonds.

14 (k) If a majority of the votes cast at the election are in  
15 favor of annexation, the board by resolution shall annex the  
16 territory to the district.

17 (l) An annexation under this section is incontestable  
18 except in the manner and within the time for contesting elections  
19 under the Election Code. (Acts 63rd Leg., R.S., Ch. 619, Sec. 7(e)  
20 (part).)

21 Sec. 11005.054. DETACHMENT OF DISTRICT TERRITORY AFTER  
22 ISSUANCE OF BONDS. Territory may not be detached from the district  
23 after the issuance of bonds payable from revenue or taxes, or both  
24 revenue and taxes. (Acts 63rd Leg., R.S., Ch. 619, Sec. 17(a)  
25 (part).)

26 SUBCHAPTER C. BOARD OF DIRECTORS

27 Sec. 11005.101. COMPOSITION OF BOARD; TERMS. (a) The

1 district is governed by a board of five directors appointed by the  
2 city council. The directors occupy numbered places on the board.

3 (b) Directors serve staggered two-year terms, with the  
4 terms of the directors occupying Places 1, 2, and 3 expiring at  
5 midnight on March 1 of each odd-numbered year and the terms of the  
6 directors occupying Places 4 and 5 expiring at midnight on March 1  
7 of each even-numbered year.

8 (c) The mayor of the city serves, *ex officio*, as an honorary  
9 board member. The mayor may attend all board meetings and  
10 participate in all board proceedings except that the mayor may not  
11 vote. (Acts 63rd Leg., R.S., Ch. 619, Sec. 4(a) (part).)

12 Sec. 11005.102. COMPENSATION OF DIRECTORS. (a) A director  
13 may not receive any remuneration or emolument of office, but the  
14 director is entitled to reimbursement for the actual expenses  
15 incurred in performing the director's duties, to the extent  
16 authorized and permitted by the board.

17 (b) In all areas of conflict with Subsection (a) of this  
18 section, Section 49.060, Water Code, takes precedence.

19 (c) A director's compensation may be increased as  
20 authorized by Section 49.060, Water Code, by resolution adopted by  
21 the board in accordance with Subsection (e) of that section on or  
22 after September 1, 1995. (Acts 63rd Leg., R.S., Ch. 619, Sec. 5(a);  
23 New.)

24 Sec. 11005.103. QUALIFICATIONS FOR OFFICE. (a) To be  
25 eligible to be appointed or to serve as a director, a person:

26 (1) must be a resident, qualified voter of the  
27 district;

1           (2) must not hold any other public office; and

2           (3) must not be an officer or employee of the city.

3           (b) A director is eligible for reappointment. (Acts 63rd  
4 Leg., R.S., Ch. 619, Secs. 4(a) (part), (b).)

5           Sec. 11005.104. VACANCIES. Any vacancy occurring on the  
6 board shall be filled for the unexpired term by appointment in the  
7 manner in which the vacating director was appointed. (Acts 63rd  
8 Leg., R.S., Ch. 619, Sec. 4(a) (part).)

9           Sec. 11005.105. REMOVAL FROM OFFICE. (a) After reasonable  
10 notice and a public hearing, the board may remove a director from  
11 office for misfeasance, malfeasance, or wilful neglect of duty.

12           (b) Reasonable notice and a public hearing are not required  
13 if the notice and hearing are expressly waived in writing. (Acts  
14 63rd Leg., R.S., Ch. 619, Sec. 4(c).)

15           Sec. 11005.106. BOARD RESOLUTIONS; QUORUM; VOTING  
16 REQUIREMENTS. (a) The district shall act through resolutions  
17 adopted by the board.

18           (b) Three directors constitute a quorum.

19           (c) Each director has a vote.

20           (d) The affirmative vote of at least three directors is  
21 necessary to adopt any resolution. (Acts 63rd Leg., R.S., Ch. 619,  
22 Sec. 5(c).)

23           Sec. 11005.107. OFFICERS AND ASSISTANTS. (a) The board  
24 shall elect a president, vice president, secretary, and treasurer  
25 at the first meeting of the board in March of each year or at any  
26 time necessary to fill a vacancy.

27           (b) The board shall elect the president and vice president

1 from among the directors.

2 (c) The president shall serve for a term of one year.

3 (d) The offices of secretary and treasurer:

4 (1) may be held by one person; and

5 (2) are not required to be held by a director.

6 (e) The board may appoint as assistant board secretary one  
7 or more persons who are not directors. (Acts 63rd Leg., R.S., Ch.  
8 619, Secs. 5(b) (part), (d) (part).)

9 Sec. 11005.108. DUTIES OF OFFICERS AND ASSISTANTS. (a) The  
10 board president shall preside at board meetings and perform other  
11 duties prescribed by the board.

12 (b) The board secretary is the official custodian of the  
13 minutes, books, records, and seal of the board and shall perform  
14 other duties and functions prescribed by the board. An assistant  
15 board secretary may perform any duty or function of the board  
16 secretary.

17 (c) The board treasurer shall perform duties and functions  
18 prescribed by the board. (Acts 63rd Leg., R.S., Ch. 619, Sec. 5(b)  
19 (part).)

20 Sec. 11005.109. MEETINGS. The board shall have regular  
21 meetings at times specified by board resolution and shall have  
22 special meetings when called by the board president or by any three  
23 directors. (Acts 63rd Leg., R.S., Ch. 619, Sec. 5(e).)

24 Sec. 11005.110. PERSONAL LIABILITY OF DIRECTORS. A  
25 director is not personally liable for any bond issued or contract  
26 executed by the district. (Acts 63rd Leg., R.S., Ch. 619, Sec.  
27 5(f).)

SUBCHAPTER D. POWERS AND DUTIES

Sec. 11005.151. DISTRICT POWERS. The district may exercise any power necessary or appropriate to achieve the purposes of this chapter, including the power to:

(1) sue and be sued, and plead and be impleaded, in its own name;

(2) adopt an official seal;

(3) adopt and enforce bylaws and rules for the conduct of its affairs;

(4) acquire, hold, use, and dispose of its receipts and money from any source;

(5) select a depository or depositories;

(6) acquire, own, rent, lease, accept, hold, or dispose of property, or an interest in property, including a right or easement, by purchase, exchange, gift, assignment, condemnation, sale, lease, or otherwise, in performing district duties or exercising district powers under this chapter;

(7) hold, manage, operate, or improve property;

(8) lease or rent any land, building, structure, or facility from or to any person;

(9) sell, assign, lease, encumber, mortgage, or otherwise dispose of property, or an interest in property, and release or relinquish a right, title, claim, lien, interest, easement, or demand, regardless of the manner in which acquired, and conduct a transaction authorized by this subdivision by public or private sale, with or without public bidding;

(10) issue bonds, provide for and secure the payment

1 of the bonds, and provide for the rights of the holders of the bonds  
2 in the manner and to the extent authorized by this chapter;

3 (11) request and accept any appropriation, grant,  
4 allocation, subsidy, guaranty, aid, service, material, or gift from  
5 any source, including the federal government, the state, a public  
6 agency, or a political subdivision;

7 (12) operate and maintain an office;

8 (13) appoint and determine the duties, tenure,  
9 qualifications, and compensation of officers, employees, agents,  
10 professional advisors, and counselors considered necessary or  
11 advisable by the board, including financial consultants,  
12 accountants, attorneys, architects, engineers, appraisers, and  
13 financing experts; and

14 (14) exercise any power granted by Chapter 30, Water  
15 Code, to districts created under Section 59, Article XVI, Texas  
16 Constitution. (Acts 63rd Leg., R.S., Ch. 619, Sec. 6 (part).)

17 Sec. 11005.152. PERMITS. (a) The district may obtain  
18 through appropriate proceedings an appropriation permit or a  
19 diversion permit from the Texas Commission on Environmental  
20 Quality.

21 (b) The district may acquire a water appropriation permit  
22 from a permit owner by contract or otherwise. (Acts 63rd Leg., R.S.,  
23 Ch. 619, Sec. 8 (part).)

24 Sec. 11005.153. GENERAL AUTHORITY OF PUBLIC AGENCIES AND  
25 POLITICAL SUBDIVISIONS TO CONTRACT WITH DISTRICT. A public agency  
26 or political subdivision of this state, including the city, may  
27 enter into a contract or agreement with the district, on terms

1 agreed to by the parties, for any purpose relating to the district's  
2 powers or functions, including a contract or agreement for a water  
3 supply. Approval, notice, consent, or an election is not required  
4 in connection with the contract or agreement. (Acts 63rd Leg.,  
5 R.S., Ch. 619, Sec. 9(b) (part).)

6 Sec. 11005.154. DISTRICT AUTHORITY TO CONTRACT TO SUPPLY  
7 WATER. (a) The district may contract with municipalities and  
8 others, including the city, to supply water to them. The district  
9 may sell water inside or outside the boundaries of the district.

10 (b) The district may contract with a public agency or  
11 political subdivision for the rental or leasing of or for the  
12 operation of the water production, water supply, water filtration  
13 or purification, and water supply facilities of the entity on the  
14 consideration agreed to by the district and the entity.

15 (c) A contract under Subsection (a) or (b) may:

16 (1) be on terms and for the time agreed to by the  
17 parties; and

18 (2) provide that it will continue in effect until  
19 bonds specified in it and refunding bonds issued in lieu of the  
20 bonds are paid.

21 (d) The district may contract with the city for the  
22 operation of the district's water facilities by the city. An  
23 election is not required in connection with the contract. (Acts  
24 63rd Leg., R.S., Ch. 619, Secs. 9(a) (part), 19.)

25 Sec. 11005.155. SOURCES FOR WATER; ACQUISITION OF LAND;  
26 STORAGE CAPACITY. (a) The district may acquire or construct,  
27 inside or outside the district, a reservoir or any work, plant,



1 transmission line, or other facility necessary or useful to divert,  
2 impound, store, treat, or transport to the city and others water for  
3 municipal, domestic, industrial, mining, oil flooding, or any other  
4 useful purpose.

5 (b) The district may develop or otherwise acquire  
6 underground sources of water.

7 (c) The district may acquire land, or an interest in land,  
8 inside or outside the district, for any work, plant, or other  
9 facility necessary or useful to divert, impound, store, treat, or  
10 transport to the city and others water for municipal, domestic,  
11 industrial, mining, oil flooding, or any other useful purpose.

12 (d) The district may lease, purchase, or otherwise acquire  
13 rights in and to storage and storage capacity in any reservoir  
14 constructed or to be constructed by any person or from the United  
15 States. (Acts 63rd Leg., R.S., Ch. 619, Secs. 8 (part), 9(a)  
16 (part), 10 (part).)

17 Sec. 11005.156. CONSTRUCTION CONTRACTS. (a) The district  
18 may award a construction contract that requires an expenditure of  
19 more than \$5,000 only after publication of notice to bidders once  
20 each week for two weeks in a newspaper of general circulation in the  
21 district.

22 (b) The notice is sufficient if it states:

23 (1) the time and place for opening the bids;

24 (2) the general nature of the work to be done or the  
25 material, equipment, or supplies to be purchased; and

26 (3) where the terms of bidding and copies of the plans  
27 and specifications may be obtained. (Acts 63rd Leg., R.S., Ch. 619,

1 Sec. 12.)

2           Sec. 11005.157. CONVEYANCE OF LAND TO DISTRICT. A public  
3 agency or political subdivision of this state, including the city,  
4 may lease, sell, or otherwise convey its land or an interest in its  
5 land to the district for consideration that the parties agree is  
6 adequate. Approval, notice, consent, or an election is not  
7 required in connection with the conveyance. (Acts 63rd Leg., R.S.,  
8 Ch. 619, Sec. 9(b) (part).)

9           Sec. 11005.158. SURPLUS PROPERTY. Subject to the terms of a  
10 resolution or deed of trust authorizing or securing bonds issued by  
11 the district, the district may sell, lease, rent, trade, or  
12 otherwise dispose of property that the board considers is not  
13 needed for a district purpose. (Acts 63rd Leg., R.S., Ch. 619, Sec.  
14 10 (part).)

15           Sec. 11005.159. EMINENT DOMAIN. (a) To carry out a power  
16 conferred by this chapter, the district may exercise the power of  
17 eminent domain to acquire the fee simple title to land, or any other  
18 interest in land, and other property and easements, inside or  
19 outside the district, including land or an interest in land needed  
20 for a reservoir, dam, or flood easement above the probable  
21 high-water line around a reservoir.

22           (b) The district must exercise the power of eminent domain  
23 in the manner provided by Chapter 21, Property Code.

24           (c) The district is a municipal corporation for the purposes  
25 of Chapter 21, Property Code.

26           (d) The board shall determine the amount and the type of  
27 interest in land, other property, or easements to be acquired under

1 this section. (Acts 63rd Leg., R.S., Ch. 619, Sec. 11(a) (part).)

2       Sec. 11005.160. COST OF RELOCATING OR ALTERING PROPERTY;  
3 RIGHTS-OF-WAY AND EASEMENTS. (a) If the district's exercise of its  
4 eminent domain, police, or other power requires relocating,  
5 raising, lowering, rerouting, or changing the grade of or altering  
6 the construction of any railroad, electric transmission,  
7 telegraph, or telephone line, conduit, pole, property, or facility  
8 or pipeline, the action shall be accomplished at the sole expense of  
9 the district. The term "sole expense" means the actual cost of the  
10 lowering, rerouting, or change in grade or alteration of  
11 construction to provide a comparable replacement without enhancing  
12 the facility, after deducting from the cost the net salvage value  
13 derived from the old facility.

14       (b) The district has all necessary or useful rights-of-way  
15 and easements along, over, under, and across all public, state,  
16 municipal, and county roads, highways, and places for any of its  
17 purposes. The district shall restore a used facility to its  
18 previous condition as nearly as possible at the sole expense of the  
19 district. (Acts 63rd Leg., R.S., Ch. 619, Secs. 11(b), (c).)

20       Sec. 11005.161. OTHER DISTRICT POWERS. The district has  
21 the same power as is conferred by general law on municipal utility  
22 districts or on water control and improvement districts, with  
23 reference to entering land and making surveys and attending to  
24 other business of the district. (Acts 63rd Leg., R.S., Ch. 619,  
25 Sec. 11(a) (part).)

26               SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

27       Sec. 11005.201. DEPOSITORY. (a) The board shall designate

1 one or more banks inside or outside the district to serve as the  
2 depository for the district's money.

3 (b) District money shall be deposited in the depository  
4 designated by the board, except that:

5 (1) bond proceeds and money pledged to pay bonds, to  
6 the extent provided in a resolution or trust indenture authorizing  
7 or securing district bonds, may be deposited with another bank or  
8 trustee named in the bond resolution or trust indenture; and

9 (2) money shall be remitted to each paying agent for  
10 the payment of principal of and interest on the bonds.

11 (c) To the extent that money in a depository bank or trustee  
12 bank is not insured by the Federal Deposit Insurance Corporation,  
13 the money must be secured in the manner provided by law for the  
14 security of municipal money. (Acts 63rd Leg., R.S., Ch. 619, Sec.  
15 20 (part).)

16 Sec. 11005.202. INVESTMENT OF DISTRICT MONEY. The board  
17 may invest district money in obligations and make time deposits of  
18 district money in the manner determined by the board or in the  
19 manner permitted or required in a resolution or trust indenture  
20 authorizing or securing district bonds. (Acts 63rd Leg., R.S., Ch.  
21 619, Sec. 20 (part).)

22 Sec. 11005.203. DISTRICT FACILITIES EXEMPT FROM TAXATION  
23 AND ASSESSMENT. The district is not required to pay a tax or  
24 assessment on its facilities or any part of its facilities. (Acts  
25 63rd Leg., R.S., Ch. 619, Sec. 22 (part).)

26 SUBCHAPTER F. BONDS

27 Sec. 11005.251. AUTHORITY TO ISSUE BONDS. (a) The district

1 may issue bonds payable from and secured by revenue or ad valorem  
2 taxes, or both revenue and ad valorem taxes, of the district to  
3 carry out any power conferred by this chapter. The bonds must be  
4 authorized by a board resolution.

5 (b) The bonds must be issued in the manner and under the  
6 terms of the resolution authorizing the issuance of the bonds.  
7 (Acts 63rd Leg., R.S., Ch. 619, Secs. 14(a), (b) (part), (e)  
8 (part).)

9 Sec. 11005.252. FORM OF BONDS. District bonds must be:

- 10 (1) issued in the district's name;  
11 (2) signed by the president or vice president; and  
12 (3) attested by the secretary. (Acts 63rd Leg., R.S.,  
13 Ch. 619, Sec. 14(b) (part).)

14 Sec. 11005.253. MATURITY. District bonds must mature not  
15 later than 40 years after the date of their issuance. (Acts 63rd  
16 Leg., R.S., Ch. 619, Sec. 14(b) (part).)

17 Sec. 11005.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM  
18 TAXES. (a) Bonds, other than refunding bonds, payable wholly or  
19 partly from ad valorem taxes may not be issued unless authorized by  
20 a majority of the district voters voting at an election held for  
21 that purpose.

22 (b) The board may call an election under this section  
23 without a petition. The resolution calling the election must  
24 specify:

- 25 (1) the time and place at which the election will be  
26 held;  
27 (2) the purpose for which the bonds will be issued;

- 1           (3) the amount of the bonds;  
2           (4) the form of the ballot; and  
3           (5) other matters the board considers necessary or  
4 advisable.

5           (c) Notice of the election must be given by publishing a  
6 substantial copy of the resolution calling the election in a  
7 newspaper of general circulation in the district. The notice must  
8 be published once each week for two consecutive weeks. The first  
9 publication must be not later than the 14th day before the date of  
10 the election.

11           (d) The district may issue bonds not payable wholly or  
12 partly from ad valorem taxes without an election. (Acts 63rd Leg.,  
13 R.S., Ch. 619, Secs. 17(a) (part), (b).)

14           Sec. 11005.255. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.

15           (a) District bonds issued may be secured by a pledge of all or part  
16 of the district's revenue, or by all or part of the revenue of one or  
17 more contracts previously or subsequently made or other revenue or  
18 income specified by board resolution or a trust indenture securing  
19 the bonds. The pledge may reserve the right, under conditions  
20 specified by the pledge, to issue additional bonds that will be on a  
21 parity with or subordinate to the bonds then being issued.

22           (b) The district may issue bonds secured by both taxes and  
23 revenue of the district described by Subsection (a). (Acts 63rd  
24 Leg., R.S., Ch. 619, Secs. 14(d), (e) (part).)

25           Sec. 11005.256. BONDS PAYABLE FROM AD VALOREM TAXES. (a)

26 If bonds are issued payable wholly or partly from ad valorem taxes,  
27 the board shall annually impose a tax on the taxable property in the

1 district in an amount sufficient to pay the principal of and  
2 interest on the bonds when due.

3 (b) The district may adopt the rate of a tax imposed under  
4 Subsection (a) for any year after giving consideration to the money  
5 received from the pledged revenue that may be available for payment  
6 of principal and interest, to the extent and in the manner permitted  
7 by the resolution authorizing the issuance of the bonds. (Acts 63rd  
8 Leg., R.S., Ch. 619, Secs. 14(e) (part), 23(b) (part).)

9 Sec. 11005.257. ADDITIONAL SECURITY. (a) District bonds,  
10 including refunding bonds, that are not payable wholly from ad  
11 valorem taxes may be additionally secured, at the discretion of the  
12 board, by a deed of trust or mortgage lien on physical property of  
13 the district and all franchises, easements, water rights and  
14 appropriation permits, leases, and contracts and all rights  
15 appurtenant to the property, vesting in the trustee power to:

- 16 (1) sell the property for the payment of the debt;  
17 (2) operate the property; and  
18 (3) take other action to further secure the bonds.

19 (b) A purchaser under a sale under the deed of trust lien, if  
20 one is given:

- 21 (1) is the absolute owner of property, facilities, and  
22 rights purchased; and  
23 (2) is entitled to maintain and operate the property,  
24 facilities, and rights. (Acts 63rd Leg., R.S., Ch. 619, Sec. 16  
25 (part).)

26 Sec. 11005.258. TRUST INDENTURE. (a) District bonds,  
27 including refunding bonds, that are not payable wholly from ad

1 valorem taxes may be additionally secured by a trust indenture. The  
2 trustee may be a bank with trust powers located inside or outside  
3 the state.

4 (b) A trust indenture, regardless of the existence of a deed  
5 of trust or mortgage lien on property, may:

6 (1) provide for the security of the bonds and the  
7 preservation of the trust estate as prescribed by the board;

8 (2) provide for amendment or modification of the trust  
9 indenture;

10 (3) provide for the issuance of bonds to replace lost  
11 or mutilated bonds;

12 (4) condition the right to spend district money or  
13 sell district property on the approval of a licensed engineer  
14 selected as provided by the trust indenture; and

15 (5) provide for the investment of district money.

16 (Acts 63rd Leg., R.S., Ch. 619, Sec. 16 (part).)

17 Sec. 11005.259. RATES FOR SERVICES; PAYMENT OF REVENUE  
18 BONDS. (a) If district bonds payable wholly from revenue are  
19 issued, the board shall set the rates of compensation for water sold  
20 and services provided by the district. The rates must be sufficient  
21 to:

22 (1) pay the expense of operating and maintaining  
23 district facilities;

24 (2) pay the principal of and interest on the bonds when  
25 due; and

26 (3) maintain the reserve fund and other funds as  
27 provided in the resolution authorizing the bonds.



1           (b) If bonds payable partly from revenue are issued, the  
2 board shall set the rate of compensation for water sold and any  
3 other services provided by the district. The rate must be  
4 sufficient to ensure compliance with the resolution authorizing the  
5 bonds or the trust indenture securing the bonds. (Acts 63rd Leg.,  
6 R.S., Ch. 619, Sec. 14(f).)

7           Sec. 11005.260. USE OF BOND PROCEEDS. (a) The district may  
8 set aside an amount of proceeds from the sale of district bonds for:

9                   (1) the payment of interest expected to accrue during  
10 construction not to exceed three years;

11                   (2) a reserve interest and sinking fund; and

12                   (3) other funds as may be provided in the resolution  
13 authorizing the bonds or in the trust indenture.

14           (b) The district may use proceeds from the sale of the bonds  
15 to pay any expense necessarily incurred in accomplishing the  
16 purpose of the district, including any expense of issuing and  
17 selling the bonds. (Acts 63rd Leg., R.S., Ch. 619, Sec. 14(g).)

18           Sec. 11005.261. APPOINTMENT OF RECEIVER. (a) On default or  
19 threatened default in the payment of the principal of or interest on  
20 district bonds that are payable wholly or partly from revenue, a  
21 court may, on petition of the holders of outstanding bonds, appoint  
22 a receiver for the district.

23           (b) The receiver may collect and receive all district  
24 income, except taxes, employ and discharge district agents and  
25 employees, take charge of money on hand, except money received from  
26 taxes, unless commingled, and manage the proprietary affairs of the  
27 district without consent or hindrance by the board.

1 (c) The receiver may be authorized to sell or contract for  
2 the sale of water or to renew those contracts with the approval of  
3 the court that appointed the receiver.

4 (d) The court may vest the receiver with any other power or  
5 duty the court finds necessary to protect the bondholders. (Acts  
6 63rd Leg., R.S., Ch. 619, Sec. 14(h) (part).)

7 Sec. 11005.262. REFUNDING BONDS. (a) The district may  
8 issue refunding bonds to refund outstanding district bonds and  
9 interest on those bonds.

10 (b) Refunding bonds may:

11 (1) be issued to refund bonds of more than one series;

12 (2) combine the pledges for the outstanding bonds for  
13 the security of the refunding bonds; or

14 (3) be secured by a pledge of other or additional  
15 revenue or mortgage liens.

16 (c) The provisions of this subchapter regarding the  
17 issuance of other bonds, their security, and the remedies of the  
18 holders apply to refunding bonds.

19 (d) The comptroller shall register the refunding bonds on  
20 surrender and cancellation of the bonds to be refunded.

21 (e) Instead of issuing bonds to be registered on the  
22 surrender and cancellation of the bonds to be refunded, the  
23 district, in the resolution authorizing the issuance of the  
24 refunding bonds, may provide for the sale of the refunding bonds and  
25 the deposit of the proceeds in a bank at which the bonds to be  
26 refunded are payable. In that case, the refunding bonds may be  
27 issued in an amount sufficient to pay the principal of and interest

1 and any required redemption premium on the bonds to be refunded to  
2 any redemption date or to their maturity date, and the comptroller  
3 shall register the refunding bonds without the surrender and  
4 cancellation of the bonds to be refunded.

5 (f) An election is not required to authorize the issuance of  
6 refunding bonds.

7 (g) The district may also issue refunding bonds under any  
8 other applicable law. (Acts 63rd Leg., R.S., Ch. 619, Sec. 15.)

9 Sec. 11005.263. LIMITATION ON RIGHTS OF BONDHOLDERS. The  
10 resolution authorizing the bonds or the trust indenture securing  
11 the bonds may limit or qualify the rights of the holders of less  
12 than all of the outstanding bonds payable from the same source to  
13 institute or prosecute litigation affecting the district's  
14 property or income. (Acts 63rd Leg., R.S., Ch. 619, Sec. 14(h)  
15 (part).)

16 Sec. 11005.264. BONDS EXEMPT FROM TAXATION. A district  
17 bond, the transfer of the bond, and the income from the bond,  
18 including profits made on the sale of the bond, are exempt from  
19 taxation in this state. (Acts 63rd Leg., R.S., Ch. 619, Sec. 22  
20 (part).)

21 CHAPTER 11006. SOUTH TEXAS WATER AUTHORITY

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1 CHAPTER 11006. SOUTH TEXAS WATER AUTHORITY

2 SUBCHAPTER A. GENERAL PROVISIONS

3 Sec. 11006.001. DEFINITIONS. In this chapter:

4 (1) "Authority" means the South Texas Water Authority.

5 (2) "Board" means the board of directors of the  
6 authority.

7 (3) "Cities" means the cities of Agua Dulce, Bishop,  
8 Driscoll, and Kingsville.

9 (4) "Director" means a member of the board. (Acts 66th  
10 Leg., R.S., Ch. 436, Secs. 1 (part), 4(a) (part); New.)

11 Sec. 11006.002. NATURE OF AUTHORITY. The authority is a  
12 conservation and reclamation district created under Section 59,  
13 Article XVI, Texas Constitution. (Acts 66th Leg., R.S., Ch. 436,  
14 Sec. 1 (part).)

15 Sec. 11006.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

16 (a) The authority is created to serve a public use and benefit.

17 (b) All land and other property in the authority will  
18 benefit from the works and projects to be accomplished by the  
19 authority under powers conferred by Section 59, Article XVI, Texas  
20 Constitution.

21 (c) The accomplishment of the purposes stated in this  
22 chapter will benefit the people of this state and improve their  
23 properties and industries.

24 (d) The authority, in carrying out the purposes of this  
25 chapter, will be performing an essential public function under the  
26 constitution of this state. (Acts 66th Leg., R.S., Ch. 436, Secs.  
27 3, 22 (part).)

1           SUBCHAPTER B. AUTHORITY TERRITORY; ANNEXATION

2           Sec. 11006.051. AUTHORITY TERRITORY. (a) The authority is  
3 composed of the territory described by Section 2, Chapter 436, Acts  
4 of the 66th Legislature, Regular Session, 1979, as that territory  
5 may have been modified under:

6           (1) this subchapter or its predecessor statute,  
7 Section 7, Chapter 436, Acts of the 66th Legislature, Regular  
8 Session, 1979;

9           (2) Subchapter J, Chapter 49, Water Code; or

10          (3) other law.

11          (b) The boundaries of the authority form a closure. A  
12 mistake does not affect:

13          (1) the authority's organization, existence, or  
14 validity;

15          (2) the authority's right to issue any type of bond for  
16 a purpose for which the authority is created or to pay the principal  
17 of and interest on the bond;

18          (3) the authority's right to impose a tax; or

19          (4) the legality or operation of the authority, its  
20 bonds, or its governing body. (Acts 66th Leg., R.S., Ch. 436, Sec.  
21 2 (part).)

22          Sec. 11006.052. ANNEXATION OF TERRITORY. (a) Territory  
23 may be annexed to the authority as provided by this section.

24          (b) The board may annex territory or a municipality under  
25 this section only if a petition requesting annexation is signed by  
26 50 registered voters of the territory or municipality to be  
27 annexed, or a majority of the registered voters of that territory or

1 municipality, whichever is fewer, and is filed with the board. The  
2 petition must describe the territory to be annexed by metes and  
3 bounds, or otherwise, except that if the territory is the same as  
4 that contained in the boundaries of a municipality, the petition is  
5 sufficient if it states that the territory to be annexed is the  
6 territory contained in the municipal boundaries.

7 (c) If the board determines that the petition complies with  
8 Subsection (b), that the annexation would be in the best interest of  
9 the territory or municipality and the authority, and that the  
10 authority will be able to supply water or have water supplied to the  
11 territory or municipality, the board shall:

12 (1) adopt a resolution stating the conditions, if any,  
13 under which the territory or municipality may be annexed to the  
14 authority; and

15 (2) set a time and place to hold a hearing on the  
16 question of whether the territory or municipality to be annexed  
17 will benefit from:

18 (A) the improvements, works, or facilities owned  
19 or operated or contemplated to be owned or operated by the  
20 authority; or

21 (B) the other functions of the authority.

22 (d) At least 10 days before the date of the hearing, notice  
23 of the adoption of the resolution stating the time and place of the  
24 hearing must be published one time in a newspaper of general  
25 circulation in the territory or municipality proposed to be  
26 annexed. The notice must describe the territory in the same manner  
27 in which Subsection (b) requires the petition to describe the



1 territory.

2 (e) Any interested person may appear at the hearing and  
3 offer evidence for or against the annexation.

4 (f) The hearing may proceed in the order and under the rules  
5 prescribed by the board and may be recessed from time to time.

6 (g) If, at the conclusion of the hearing, the board finds  
7 that the property in the territory or municipality will benefit  
8 from the present or contemplated improvements, works, or  
9 facilities, the board shall adopt a resolution making a finding of  
10 the benefit and calling an election in the territory or  
11 municipality to be annexed.

12 (h) The resolution must state:

13 (1) the date of the election;

14 (2) each place where the election will be held; and

15 (3) the proposition to be voted on.

16 (i) At least 10 days before the date set for the election,  
17 notice of the election must be given by publishing a substantial  
18 copy of the resolution calling the election one time in a newspaper  
19 of general circulation in the territory or municipality proposed to  
20 be annexed.

21 (j) If a majority of the votes cast at the election are in  
22 favor of annexation, the board by resolution shall annex the  
23 territory or municipality to the authority.

24 (k) An annexation under this section is incontestable  
25 except in the manner and within the time for contesting elections  
26 under the Election Code.

27 (l) The board is not required to call an election if:

1           (1) a petition requesting annexation is signed by all  
2 residents and landowners of the territory or municipality to be  
3 annexed, the same as provided by law for conveyance of real  
4 property; and

5           (2) the petition:

6                 (A) states that the petitioners:

7                         (i) approve their share of the outstanding  
8 bonds or other obligations and the unissued bonds, if any, of the  
9 authority; and

10                        (ii) authorize the board to set rates  
11 sufficient to pay their share of the debt and impose taxes  
12 sufficient to pay those bonds, if authorized; and

13                 (B) is filed in the office of the county clerk of  
14 each county in which the authority is located. (Acts 66th Leg.,  
15 R.S., Ch. 436, Secs. 7(a), (b), (c) (part), (d) (part), (e).)

16                                 SUBCHAPTER C. BOARD OF DIRECTORS

17           Sec. 11006.101. COMPOSITION OF BOARD; TERMS. (a) The  
18 authority is governed by a board of nine directors. The directors  
19 occupy numbered places on the board. The Commissioners Court of  
20 Kleberg County shall appoint directors for Places 1, 3, 5, 7, and 9,  
21 and the Commissioners Court of Nueces County shall appoint  
22 directors for Places 2, 4, 6, and 8.

23           (b) Directors serve staggered two-year terms, with the  
24 terms of the directors occupying Places 1, 2, 3, and 4 commencing at  
25 12:01 a.m. on April 1 of each even-numbered year and the terms of  
26 the directors occupying Places 5, 6, 7, 8, and 9 commencing at 12:01  
27 a.m. on April 1 of each odd-numbered year.

1 (c) In March of each year, the appropriate commissioners  
2 court shall appoint directors to the appropriate places on the  
3 board. (Acts 66th Leg., R.S., Ch. 436, Sec. 4(a) (part).)

4 Sec. 11006.102. QUALIFICATIONS FOR OFFICE. (a) To be  
5 eligible to be appointed or to serve as a director, a person:

6 (1) must be a resident, qualified voter of:

7 (A) the authority; and

8 (B) the county from which the person is  
9 appointed; and

10 (2) may not:

11 (A) hold another public office; or

12 (B) be an officer or employee of the authority.

13 (b) Of the directors appointed by the Commissioners Court of  
14 Nueces County:

15 (1) one must be a resident of the municipality of Agua  
16 Dulce;

17 (2) one must be a resident of the municipality of  
18 Bishop;

19 (3) one must be a resident of the municipality of  
20 Driscoll; and

21 (4) one must be appointed at large and may be a  
22 resident of any of those municipalities.

23 (c) A director is eligible for reappointment. (Acts 66th  
24 Leg., R.S., Ch. 436, Secs. 4(a) (part), (b).)

25 Sec. 11006.103. VACANCIES. Any vacancy occurring on the  
26 board shall be filled for the unexpired term by appointment in the  
27 manner in which the vacating director was appointed. (Acts 66th

1 Leg., R.S., Ch. 436, Sec. 4(a) (part).)

2           Sec. 11006.104. REMOVAL FROM OFFICE. After reasonable  
3 notice and a public hearing, the board may remove a director from  
4 office for misfeasance, malfeasance, or wilful neglect of duty.  
5 Reasonable notice and a public hearing are not required if the  
6 notice and hearing are expressly waived in writing. (Acts 66th  
7 Leg., R.S., Ch. 436, Sec. 4(c).)

8           Sec. 11006.105. BOND. Each director shall execute a good  
9 and sufficient bond for \$5,000 that is:

10                   (1) payable to the authority; and

11                   (2) conditioned on the faithful performance of the  
12 director's duties. (Acts 66th Leg., R.S., Ch. 436, Sec. 5(b)  
13 (part).)

14           Sec. 11006.106. BOARD RESOLUTIONS; VOTING. (a) The  
15 authority shall act by resolutions adopted by the board.

16                   (b) All directors are entitled to vote. (Acts 66th Leg.,  
17 R.S., Ch. 436, Sec. 5(d) (part).)

18           Sec. 11006.107. OFFICERS AND ASSISTANTS. (a) The board  
19 shall elect a president, vice president, secretary, and treasurer  
20 at the first meeting of the board in April of each year or at any  
21 time necessary to fill a vacancy.

22                   (b) The board shall elect the president and vice president  
23 from among the directors.

24                   (c) The president serves for a one-year term.

25                   (d) The offices of secretary and treasurer:

26                           (1) may be held by one person; and

27                           (2) are not required to be held by a director.

1 (e) The board may appoint as assistant board secretary one  
2 or more persons who are not directors. (Acts 66th Leg., R.S., Ch.  
3 436, Secs. 5(c) (part), (e) (part).)

4 Sec. 11006.108. DUTIES OF OFFICERS AND ASSISTANTS. (a) The  
5 board president shall preside at board meetings and perform other  
6 duties prescribed by the board.

7 (b) The board vice president shall perform the duties of the  
8 president when the president is not present or is otherwise  
9 incapacitated.

10 (c) The board secretary is the official custodian of the  
11 minutes, books, records, and seal of the board and shall perform  
12 other duties and functions prescribed by the board. An assistant  
13 board secretary may perform any duty or function of the board  
14 secretary.

15 (d) The board treasurer shall perform duties and functions  
16 prescribed by the board. (Acts 66th Leg., R.S., Ch. 436, Sec. 5(c)  
17 (part).)

18 Sec. 11006.109. MEETINGS. The board shall have regular  
19 meetings at times specified by board resolution and shall have  
20 special meetings when called by the board president or by any three  
21 directors. (Acts 66th Leg., R.S., Ch. 436, Sec. 5(f).)

22 Sec. 11006.110. PERSONAL LIABILITY OF DIRECTORS. A  
23 director is not personally liable for a bond issued or contract  
24 executed by the authority. (Acts 66th Leg., R.S., Ch. 436, Sec.  
25 5(g).)

26 SUBCHAPTER D. POWERS AND DUTIES

27 Sec. 11006.151. GENERAL POWERS. The authority may exercise

1 any power necessary or appropriate to achieve the purposes of this  
2 chapter, including the power to:

3 (1) sue and be sued and plead and be impleaded in its  
4 own name;

5 (2) adopt an official seal;

6 (3) adopt and enforce bylaws and rules for the conduct  
7 of its affairs;

8 (4) acquire, hold, use, and dispose of its receipts  
9 and money from any source;

10 (5) select a depository or depositories;

11 (6) acquire, own, rent, lease, accept, hold, or  
12 dispose of property, or an interest in property, including a right  
13 or easement, by purchase, exchange, gift, assignment,  
14 condemnation, sale, lease, or otherwise, in performing authority  
15 duties or exercising authority powers under this chapter;

16 (7) hold, manage, operate, or improve property;

17 (8) lease or rent any land, building, structure, or  
18 facility from or to any person;

19 (9) sell, assign, lease, encumber, mortgage, or  
20 otherwise dispose of property, or an interest in property, and  
21 release or relinquish a right, title, claim, lien, interest,  
22 easement, or demand, regardless of the manner in which acquired,  
23 and conduct a transaction authorized by this subdivision by public  
24 or private sale, with or without public bidding, notwithstanding  
25 any other law;

26 (10) issue bonds, provide for and secure the payment  
27 of the bonds, and provide for the rights of the holders of the bonds

1 in the manner and to the extent authorized by this chapter;

2 (11) request and accept any appropriation, grant,  
3 allocation, subsidy, guaranty, aid, service, material, or gift from  
4 any source, including the federal government, the state, a public  
5 agency, or a political subdivision;

6 (12) operate and maintain an office;

7 (13) appoint and determine the duties, tenure,  
8 qualifications, and compensation of officers, employees, agents,  
9 professional advisors, and counselors, including financial  
10 consultants, accountants, attorneys, architects, engineers,  
11 appraisers, and financing experts considered necessary or  
12 advisable by the board; and

13 (14) exercise any power granted by Chapter 383, Health  
14 and Safety Code, or Chapter 30, Water Code. (Acts 66th Leg., R.S.,  
15 Ch. 436, Secs. 6(a), (b), (c), (d), (e), (f), (g), (h), (i), (k).)

16 Sec. 11006.152. PERMITS. (a) The authority may obtain,  
17 through appropriate proceedings, an appropriation permit or a  
18 diversion permit from the Texas Commission on Environmental  
19 Quality.

20 (b) The authority may acquire a water appropriation permit  
21 from a permit owner by contract or otherwise. (Acts 66th Leg.,  
22 R.S., Ch. 436, Sec. 8 (part).)

23 Sec. 11006.153. GENERAL POWER OF PUBLIC AGENCIES AND  
24 POLITICAL SUBDIVISIONS TO CONTRACT WITH AUTHORITY. A public agency  
25 or political subdivision of this state, including the cities, may  
26 enter into a contract or agreement with the authority, on terms  
27 agreed to by the parties, for any purpose relating to the

1 authority's powers or functions. Approval, notice, consent, or an  
2 election is not required in connection with the contract or  
3 agreement. (Acts 66th Leg., R.S., Ch. 436, Sec. 9(b) (part).)

4 Sec. 11006.154. CONTRACTS TO SUPPLY WATER. (a) The  
5 authority may contract with public agencies or political  
6 subdivisions, including the cities, to supply water to them. The  
7 authority may sell water inside or outside the boundaries of the  
8 authority.

9 (b) Contracts under Subsection (a) may provide that the  
10 contractual payments by the political subdivisions:

11 (1) will be payable from revenue or the imposition of  
12 taxes or both; and

13 (2) will constitute the purchase of the authority's  
14 system at the time all indebtedness incurred by the authority for  
15 acquisition, construction, improvement, and extensions of the  
16 system is paid in full.

17 (c) The authority may contract with a public agency or  
18 political subdivision for the rental or leasing of or for the  
19 operation of the water supply, water, and filtration or  
20 purification facilities of the entity for the consideration agreed  
21 to by the authority and the entity.

22 (d) A contract under Subsection (a) or (c) may:

23 (1) be on the terms and for the time agreed to by the  
24 parties; and

25 (2) provide that it will continue in effect until  
26 bonds specified in it and refunding bonds issued in lieu of the  
27 bonds are paid.



1           (e) The authority may enter into contracts or agreements  
2 with the Nueces River Authority and the City of Corpus Christi for  
3 the purchase of water.

4           (f) The authority and the City of Corpus Christi may enter  
5 into contracts or agreements for the sale of water and the operation  
6 and maintenance of the authority's water lines if considered  
7 advisable.

8           (g) Public agencies or political subdivisions of this  
9 state, including the cities, may enter into contracts or agreements  
10 with the authority for a water supply.

11           (h) Approval, notice, consent, or an election is not  
12 required in connection with a contract or agreement described by  
13 Subsection (e), (f), or (g). (Acts 66th Leg., R.S., Ch. 436, Secs.  
14 9(a) (part), (b) (part), 19.)

15           Sec. 11006.155. SOURCES FOR WATER; ACQUISITION OF LAND;  
16 STORAGE CAPACITY. (a) The authority may acquire or construct,  
17 inside or outside the authority, any work, well, plant,  
18 transmission line, or other facility necessary or useful to divert,  
19 impound, drill for, store, treat, or transport water to the cities  
20 for municipal, domestic, agricultural, industrial, or any other  
21 useful purposes.

22           (b) The authority may develop or otherwise acquire  
23 underground sources of water.

24           (c) The authority may acquire land, or an interest in land,  
25 inside or outside the authority for any reservoir, work, well,  
26 plant, transmission line, or other facility necessary or useful to  
27 impound, store, treat, or transport water to the cities and others

1 for municipal, domestic, agricultural, industrial, mining, oil  
2 flooding, or any other useful purposes.

3 (d) The authority may lease, purchase, or otherwise acquire  
4 rights in and to storage and storage capacity in any reservoir  
5 constructed or to be constructed by any person. (Acts 66th Leg.,  
6 R.S., Ch. 436, Secs. 8 (part), 9(a) (part), 10 (part).)

7 Sec. 11006.156. CONVEYANCE OF LAND TO AUTHORITY. A public  
8 agency or political subdivision of this state, including the  
9 cities, may lease, sell, or otherwise convey its land or an interest  
10 in its land to the authority for the consideration that the parties  
11 agree is adequate. Approval, notice, consent, or an election is not  
12 required in connection with the conveyance. (Acts 66th Leg., R.S.,  
13 Ch. 436, Sec. 9(b) (part).)

14 Sec. 11006.157. SURPLUS PROPERTY. Subject to the terms of a  
15 resolution or deed of trust authorizing or securing bonds issued by  
16 the authority, the authority may sell, lease, rent, trade, or  
17 otherwise dispose of property that the board considers not needed  
18 for an authority purpose. (Acts 66th Leg., R.S., Ch. 436, Sec. 10  
19 (part).)

20 Sec. 11006.158. EMINENT DOMAIN. (a) To carry out a power  
21 conferred by this chapter, the authority may exercise the power of  
22 eminent domain to acquire the fee simple title to land, or any other  
23 interest in land, and other property and easements, inside or  
24 outside the authority, including land or an interest in land needed  
25 for a reservoir, dam, or flood easement above the probable  
26 high-water line around a reservoir.

27 (b) The authority must exercise the power of eminent domain

1 in the manner provided by Chapter 21, Property Code.

2 (c) The authority is a municipal corporation for the  
3 purposes of Chapter 21, Property Code.

4 (d) The board shall determine the amount and the type of  
5 interest in land, other property, or easements to be acquired.  
6 (Acts 66th Leg., R.S., Ch. 436, Sec. 11(a) (part).)

7 Sec. 11006.159. COST OF RELOCATING OR ALTERING PROPERTY;  
8 RIGHTS-OF-WAY AND EASEMENTS. (a) If the authority's exercise of  
9 its eminent domain, police, or other power requires relocating,  
10 raising, lowering, rerouting, or changing the grade of or altering  
11 the construction of any railroad, electric transmission,  
12 telegraph, or telephone line, conduit, pole, property, or facility  
13 or pipeline, the action shall be accomplished at the sole expense of  
14 the authority. The term "sole expense" means the actual cost of the  
15 raising, lowering, rerouting, or change in grade or alteration of  
16 construction to provide a comparable replacement without enhancing  
17 the facility, after deducting from the cost the net salvage value  
18 derived from the old facility.

19 (b) The authority has all necessary or useful rights-of-way  
20 and easements along, over, under, and across all public, state,  
21 municipal, and county roads, highways, and places for any of its  
22 purposes. The authority shall restore a used facility to its  
23 previous condition as nearly as possible at the sole expense of the  
24 authority. (Acts 66th Leg., R.S., Ch. 436, Secs. 11(b), (c).)

25 Sec. 11006.160. OTHER AUTHORITY POWERS. The authority has  
26 the same power as is conferred by general law on municipal utility  
27 districts and on water control and improvement districts with

1 reference to entering land, making surveys, and attending to other  
2 business of the authority. (Acts 66th Leg., R.S., Ch. 436, Sec.  
3 11(a) (part).)

4 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

5 Sec. 11006.201. DEPOSITORY. (a) The board shall designate  
6 one or more banks inside or outside the authority to serve as the  
7 depository for the authority's money.

8 (b) Authority money shall be deposited in the depository  
9 designated by the board, except that:

10 (1) bond proceeds and money pledged to pay bonds, to  
11 the extent provided in a resolution or trust indenture authorizing  
12 or securing authority bonds, may be deposited with another bank or  
13 trustee named in the bond resolution or trust indenture; and

14 (2) money shall be remitted to each paying agent for  
15 the payment of principal of and interest on the bonds.

16 (c) To the extent that money in a depository bank or a  
17 trustee bank is not insured by the Federal Deposit Insurance  
18 Corporation, the money must be secured in the manner provided by law  
19 for the security of municipal money. (Acts 66th Leg., R.S., Ch.  
20 436, Sec. 20 (part).)

21 Sec. 11006.202. INVESTMENT OF AUTHORITY MONEY. The board  
22 may invest authority money in obligations and make time deposits of  
23 authority money in the manner determined by the board or in the  
24 manner permitted or required in a resolution or trust indenture  
25 authorizing or securing authority bonds. (Acts 66th Leg., R.S.,  
26 Ch. 436, Sec. 20 (part).)

27 Sec. 11006.203. AUTHORITY ACCOUNTS. The authority shall

1 maintain a complete system of the authority's accounts. (Acts 66th  
2 Leg., R.S., Ch. 436, Sec. 25 (part).)

3 Sec. 11006.204. AUTHORITY FACILITIES EXEMPT FROM TAXATION  
4 AND ASSESSMENT. The authority is not required to pay a tax or  
5 assessment on its facilities or any part of its facilities. (Acts  
6 66th Leg., R.S., Ch. 436, Sec. 22 (part).)

7 SUBCHAPTER F. BONDS

8 Sec. 11006.251. AUTHORITY TO ISSUE BONDS. (a) The  
9 authority may issue bonds payable from and secured by revenue or ad  
10 valorem taxes, or both revenue and ad valorem taxes, of the  
11 authority to carry out any power or authority conferred by this  
12 chapter. The bonds must be authorized by a board resolution.

13 (b) The bonds must be issued in the manner and under the  
14 terms of the resolution authorizing the issuance of the bonds.  
15 (Acts 66th Leg., R.S., Ch. 436, Secs. 13(a), (b) (part), (d)  
16 (part).)

17 Sec. 11006.252. FORM OF BONDS. Authority bonds must be:

- 18 (1) issued in the authority's name;  
19 (2) signed by the president or vice president; and  
20 (3) attested by the secretary. (Acts 66th Leg., R.S.,  
21 Ch. 436, Sec. 13(b) (part).)

22 Sec. 11006.253. MATURITY. Authority bonds must mature not  
23 later than 50 years after the date of their issuance. (Acts 66th  
24 Leg., R.S., Ch. 436, Sec. 13(b) (part).)

25 Sec. 11006.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM  
26 TAXES. (a) Bonds, other than refunding bonds, payable wholly or  
27 partly from ad valorem taxes may not be issued unless authorized by

1 a majority of the authority voters voting at an election held for  
2 that purpose.

3 (b) The board may call an election under this section  
4 without a petition. The resolution calling the election must  
5 specify:

6 (1) the time and place at which the election will be  
7 held;

8 (2) the purpose for which the bonds will be issued;

9 (3) the amount of the bonds;

10 (4) the form of the ballot; and

11 (5) other matters the board considers necessary or  
12 advisable.

13 (c) Notice of the election must be given by publishing a  
14 substantial copy of the resolution calling the election in a  
15 newspaper of general circulation in the authority. The notice must  
16 be published once each week for two consecutive weeks. The first  
17 publication must be not later than the 14th day before the date of  
18 the election.

19 (d) The authority may issue bonds not payable wholly or  
20 partly from ad valorem taxes without an election. (Acts 66th Leg.,  
21 R.S., Ch. 436, Secs. 16 (part), 17(a) (part), (b).)

22 Sec. 11006.255. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.

23 (a) Authority bonds issued may be secured by a pledge of all or part  
24 of the authority's revenue or by all or part of the revenue of one or  
25 more contracts made or other revenue or income specified by board  
26 resolution or a trust indenture securing the bonds. The pledge may  
27 reserve the right, under conditions specified by the pledge, to

1 issue additional bonds that will be on a parity with or subordinate  
2 to the bonds then being issued.

3 (b) The authority may issue bonds secured by both taxes and  
4 revenue of the authority described by Subsection (a). (Acts 66th  
5 Leg., R.S., Ch. 436, Secs. 13(c), (d) (part).)

6 Sec. 11006.256. BONDS PAYABLE FROM AD VALOREM TAXES. (a)  
7 If bonds are issued payable wholly or partly from ad valorem taxes,  
8 the board shall annually impose a tax on the taxable property in the  
9 authority in an amount sufficient to pay the principal of and  
10 interest on the bonds when due but not to exceed 20 cents on the \$100  
11 valuation of taxable property in the authority.

12 (b) The board may adopt the rate of a tax imposed under  
13 Subsection (a) for any year after giving consideration to the money  
14 received from the pledged revenue that may be available for payment  
15 of principal and interest, to the extent and in the manner permitted  
16 by the resolution authorizing the issuance of the bonds. (Acts 66th  
17 Leg., R.S., Ch. 436, Secs. 13(d) (part), 24(b) (part).)

18 Sec. 11006.257. ADDITIONAL SECURITY. (a) Authority bonds,  
19 including refunding bonds, that are not payable wholly from ad  
20 valorem taxes may be additionally secured, at the discretion of the  
21 board, by a deed of trust or mortgage lien on physical property of  
22 the authority and all franchises, easements, water rights and  
23 appropriation permits, leases, and contracts and all rights  
24 appurtenant to the property, vesting in the trustee power to:

25 (1) sell the property for the payment of the debt;

26 (2) operate the property; and

27 (3) take other action to further secure the bonds.

1 (b) A purchaser under a sale under the deed of trust lien, if  
2 one is given:

3 (1) is the absolute owner of property, facilities, and  
4 rights purchased; and

5 (2) is entitled to maintain and operate the property,  
6 facilities, and rights. (Acts 66th Leg., R.S., Ch. 436, Sec. 15  
7 (part).)

8 Sec. 11006.258. TRUST INDENTURE. (a) Authority bonds,  
9 including refunding bonds, that are not payable wholly from ad  
10 valorem taxes may be additionally secured by a trust indenture. The  
11 trustee may be a bank with trust powers located inside or outside  
12 this state.

13 (b) A trust indenture, regardless of the existence of a deed  
14 of trust or mortgage lien on property, may:

15 (1) provide for the security of the bonds and the  
16 preservation of the trust estate as prescribed by the board;

17 (2) provide for amendment or modification of the trust  
18 indenture;

19 (3) provide for the issuance of bonds to replace lost  
20 or mutilated bonds;

21 (4) condition the right to spend authority money or  
22 sell authority property on the approval of a licensed engineer  
23 selected as provided by the trust indenture; and

24 (5) provide for the investment of authority money.  
25 (Acts 66th Leg., R.S., Ch. 436, Sec. 15 (part).)

26 Sec. 11006.259. CHARGES FOR AUTHORITY SERVICES. (a) If  
27 authority bonds payable wholly from revenue are issued, the board



1 shall set and from time to time revise the rates of compensation for  
2 water sold and services provided by the authority. The rates must  
3 be sufficient to:

4 (1) pay the expenses of operating and maintaining  
5 authority facilities;

6 (2) pay the principal of and interest on the bonds when  
7 due; and

8 (3) maintain the reserve fund and other funds as  
9 provided in the resolution authorizing the bonds.

10 (b) If bonds payable partly from revenue are issued, the  
11 board shall set and from time to time revise the rate of  
12 compensation for water sold and any other services provided by the  
13 authority. The rate must be sufficient to ensure compliance with  
14 the resolution authorizing the bonds or the trust indenture  
15 securing the bonds. (Acts 66th Leg., R.S., Ch. 436, Sec. 13(e).)

16 Sec. 11006.260. USE OF BOND PROCEEDS. (a) The authority  
17 may set aside an amount of proceeds of the sale of authority bonds  
18 for:

19 (1) the payment of interest expected to accrue during  
20 construction not to exceed three years;

21 (2) a reserve interest and sinking fund; and

22 (3) other funds as may be provided in the resolution  
23 authorizing the bonds or in the trust indenture.

24 (b) The authority may use proceeds from the sale of bonds to  
25 pay any expense necessarily incurred in accomplishing the purpose  
26 of the authority, including:

27 (1) any expense of issuing and selling the bonds; and

1           (2) the amount needed to operate the authority during  
2 construction of the improvements. (Acts 66th Leg., R.S., Ch. 436,  
3 Sec. 13(f).)

4           Sec. 11006.261. APPOINTMENT OF RECEIVER. (a) On default or  
5 threatened default in the payment of the principal of or interest on  
6 authority bonds that are payable wholly or partly from revenue, a  
7 court may, on petition of the holders of outstanding bonds, appoint  
8 a receiver for the authority.

9           (b) The receiver may collect and receive all authority  
10 income, employ and discharge authority agents and employees, take  
11 charge of money on hand, and manage the proprietary affairs of the  
12 authority without consent or hindrance by the board.

13           (c) The receiver may be authorized to sell or contract for  
14 the sale of water or to renew contracts with the approval of the  
15 court that appointed the receiver.

16           (d) The court may vest the receiver with any other power or  
17 duty the court finds necessary to protect the bondholders. (Acts  
18 66th Leg., R.S., Ch. 436, Sec. 13(g) (part).)

19           Sec. 11006.262. REFUNDING BONDS. (a) The authority may  
20 issue refunding bonds to refund outstanding authority bonds and  
21 interest on those bonds.

22           (b) Refunding bonds may:

23               (1) be issued to refund bonds of more than one series;

24               (2) combine the pledges for the outstanding bonds for  
25 the security of the refunding bonds; or

26               (3) be secured by a pledge of other or additional  
27 revenue or mortgage liens.

1 (c) The provisions of this subchapter regarding the  
2 issuance of other bonds, their security, and the remedies of the  
3 holders apply to refunding bonds.

4 (d) The comptroller shall register the refunding bonds on  
5 surrender and cancellation of the bonds to be refunded.

6 (e) Instead of issuing bonds to be registered on the  
7 surrender and cancellation of the bonds to be refunded, the  
8 authority, in the resolution authorizing the issuance of the  
9 refunding bonds, may provide for the sale of the refunding bonds and  
10 the deposit of the proceeds in a bank at which the bonds to be  
11 refunded are payable. In that case, the refunding bonds may be  
12 issued in an amount sufficient to pay the principal of and interest  
13 and any required redemption premium on the bonds to be refunded to  
14 any redemption date or to their maturity date, and the comptroller  
15 shall register the refunding bonds without the surrender and  
16 cancellation of the bonds to be refunded.

17 (f) An election is not required to authorize the issuance of  
18 refunding bonds.

19 (g) The authority may also issue refunding bonds under any  
20 other applicable law. (Acts 66th Leg., R.S., Ch. 436, Sec. 14.)

21 Sec. 11006.263. LIMITATION ON RIGHTS OF BONDHOLDERS. The  
22 resolution authorizing the bonds or the trust indenture securing  
23 the bonds may limit or qualify the rights of the holders of less  
24 than all of the outstanding bonds payable from the same source to  
25 institute or prosecute litigation affecting the authority's  
26 property or income. (Acts 66th Leg., R.S., Ch. 436, Sec. 13(g)  
27 (part).)

1           Sec. 11006.264. BONDS EXEMPT FROM TAXATION. An authority  
2 bond, the transfer of the bond, and the income from the bond,  
3 including profits made on the sale of the bond, are exempt from  
4 taxation in this state. (Acts 66th Leg., R.S., Ch. 436, Sec. 22  
5 (part).)

6           Sec. 11006.265. DETACHMENT OF AUTHORITY TERRITORY AFTER  
7 ISSUANCE OF BONDS. Territory may not be detached from the authority  
8 after the issuance of bonds payable from revenue or taxes, or both  
9 revenue and taxes. (Acts 66th Leg., R.S., Ch. 436, Secs. 16 (part),  
10 17(a) (part).)

11       CHAPTER 11007. WEST JEFFERSON COUNTY MUNICIPAL WATER DISTRICT

12                           SUBCHAPTER A. GENERAL PROVISIONS

13       Sec. 11007.001. DEFINITIONS

14       Sec. 11007.002. NATURE OF DISTRICT

15       Sec. 11007.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

16       Sec. 11007.004. LIBERAL CONSTRUCTION OF CHAPTER

17       Sec. 11007.005. DISTRICT TERRITORY

18                           SUBCHAPTER B. BOARD OF DIRECTORS

19       Sec. 11007.051. COMPOSITION OF BOARD; TERMS

20       Sec. 11007.052. QUALIFICATIONS FOR OFFICE

21       Sec. 11007.053. BOARD RESOLUTIONS; VOTING REQUIREMENTS

22       Sec. 11007.054. OFFICERS AND ASSISTANTS

23       Sec. 11007.055. OFFICER DUTIES

24       Sec. 11007.056. MEETINGS

25                           SUBCHAPTER C. POWERS AND DUTIES

26       Sec. 11007.101. DISTRICT POWERS

27       Sec. 11007.102. GENERAL POWERS REGARDING WATER

- 1 Sec. 11007.103. GENERAL POWERS REGARDING WASTE  
2 Sec. 11007.104. GENERAL POWERS REGARDING GARBAGE  
3 COLLECTION AND DISPOSAL  
4 Sec. 11007.105. GENERAL CONTRACT POWERS  
5 Sec. 11007.106. AUTHORITY OF PUBLIC AGENCIES AND  
6 POLITICAL SUBDIVISIONS TO CONTRACT  
7 WITH DISTRICT  
8 Sec. 11007.107. CONVEYANCE OF PROPERTY TO DISTRICT  
9 Sec. 11007.108. ACQUISITION OF EXISTING FACILITIES  
10 Sec. 11007.109. EMINENT DOMAIN  
11 Sec. 11007.110. COST OF RELOCATING OR ALTERING  
12 PROPERTY; RIGHTS-OF-WAY AND  
13 EASEMENTS  
14 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
15 Sec. 11007.151. IMPOSITION OF MAINTENANCE TAX;  
16 PROHIBITION ON OTHER TAXES OR  
17 ASSESSMENTS  
18 Sec. 11007.152. ELECTION TO IMPOSE TAX  
19 Sec. 11007.153. DEPOSITORY  
20 Sec. 11007.154. INVESTMENT OF DISTRICT MONEY  
21 Sec. 11007.155. DISTRICT FACILITIES EXEMPT FROM  
22 TAXATION AND ASSESSMENT  
23 SUBCHAPTER E. BONDS  
24 Sec. 11007.201. AUTHORITY TO ISSUE BONDS  
25 Sec. 11007.202. FORM OF BONDS  
26 Sec. 11007.203. MATURITY

- 1 Sec. 11007.204. BONDS SECURED BY REVENUE; ADDITIONAL
- 2 BONDS
- 3 Sec. 11007.205. ADDITIONAL SECURITY
- 4 Sec. 11007.206. TRUST INDENTURE
- 5 Sec. 11007.207. CHARGES FOR DISTRICT SERVICES
- 6 Sec. 11007.208. STATE PLEDGE REGARDING RIGHTS AND
- 7 REMEDIES OF BONDHOLDERS
- 8 Sec. 11007.209. USE OF BOND PROCEEDS
- 9 Sec. 11007.210. APPOINTMENT OF RECEIVER
- 10 Sec. 11007.211. REFUNDING BONDS
- 11 Sec. 11007.212. OTHER REMEDIES AND COVENANTS
- 12 Sec. 11007.213. LIMITATION ON RIGHTS OF BONDHOLDERS
- 13 Sec. 11007.214. BONDS EXEMPT FROM TAXATION

14 CHAPTER 11007. WEST JEFFERSON COUNTY MUNICIPAL WATER DISTRICT  
15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 11007.001. DEFINITIONS. In this chapter:

- 17 (1) "Board" means the board of directors of the
- 18 district.
- 19 (2) "Bond" means a bond or note.
- 20 (3) "Director" means a member of the board.
- 21 (4) "District" means the West Jefferson County
- 22 Municipal Water District. (Acts 65th Leg., R.S., Ch. 337, Secs. 1
- 23 (part), 4(a) (part), 15(a) (part); New.)

24 Sec. 11007.002. NATURE OF DISTRICT. The district is a  
25 conservation and reclamation district in Jefferson County created  
26 under Section 59, Article XVI, Texas Constitution. (Acts 65th  
27 Leg., R.S., Ch. 337, Sec. 1 (part).)

1           Sec. 11007.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

2       (a) The district is created to serve a public use and benefit.

3           (b) All land and other property in the district will benefit  
4 from the works and projects to be accomplished by the district under  
5 the powers conferred by Section 59, Article XVI, Texas  
6 Constitution.

7           (c) The accomplishment of the purposes stated in this  
8 chapter will benefit the people of this state and improve their  
9 properties and industries. The district, in carrying out the  
10 purposes of this chapter, will be performing an essential public  
11 function under the constitution of this state. (Acts 65th Leg.,  
12 R.S., Ch. 337, Secs. 3, 22 (part).)

13           Sec. 11007.004. LIBERAL CONSTRUCTION OF CHAPTER. This  
14 chapter shall be liberally construed to effect the purposes,  
15 powers, rights, and functions stated in this chapter. (Acts 65th  
16 Leg., R.S., Ch. 337, Sec. 23 (part).)

17           Sec. 11007.005. DISTRICT TERRITORY. (a) The district is  
18 composed of the territory described by Section 1, Chapter 337, Acts  
19 of the 65th Legislature, Regular Session, 1977, as that territory  
20 may have been modified under:

21                   (1) Subsection (c) or its predecessor statute, Section  
22 2, Chapter 337, Acts of the 65th Legislature, Regular Session,  
23 1977;

24                   (2) Subchapter H, Chapter 54, Water Code;

25                   (3) Subchapter J, Chapter 49, Water Code; or

26                   (4) other law.

27       (b) The boundaries of the district form a closure. A

1 mistake in copying the field notes in the legislative process or  
2 another mistake in the field notes does not affect:

3 (1) the district's organization, existence, or  
4 validity;

5 (2) the district's right to issue bonds or to pay the  
6 principal of and interest on the bonds;

7 (3) the district's right to impose a tax; or

8 (4) the legality or operation of the district or the  
9 board.

10 (c) The board may redefine the boundaries of the district to  
11 correct any mistake in the field notes appearing in Section 1,  
12 Chapter 337, Acts of the 65th Legislature, Regular Session, 1977.  
13 (Acts 65th Leg., R.S., Ch. 337, Sec. 2; New.)

14 SUBCHAPTER B. BOARD OF DIRECTORS

15 Sec. 11007.051. COMPOSITION OF BOARD; TERMS. (a) The  
16 district is governed by a board of seven elected directors, each of  
17 whom occupies a numbered place on the board.

18 (b) Directors serve staggered terms.

19 (c) Director elections must be held in the manner provided  
20 in the Water Code for municipal utility districts. (Acts 65th Leg.,  
21 R.S., Ch. 337, Sec. 4(a) (part).)

22 Sec. 11007.052. QUALIFICATIONS FOR OFFICE. To be eligible  
23 to be elected or to serve as a director, a person must be a resident,  
24 qualified voter of the district. (Acts 65th Leg., R.S., Ch. 337,  
25 Sec. 4(b).)

26 Sec. 11007.053. BOARD RESOLUTIONS; VOTING REQUIREMENTS.

27 (a) The district shall act through orders or resolutions adopted by



1 the board.

2 (b) All directors are entitled to vote.

3 (c) The affirmative vote of a majority of the directors in  
4 attendance, but not fewer than four directors, is necessary to  
5 adopt an order or resolution. (Acts 65th Leg., R.S., Ch. 337, Sec.  
6 4(g).)

7 Sec. 11007.054. OFFICERS AND ASSISTANTS. (a) The board  
8 shall elect a president, vice president, secretary, and treasurer.

9 (b) The board shall elect the president and vice president  
10 from among the directors.

11 (c) The president serves for a one-year term.

12 (d) The offices of secretary and treasurer:

13 (1) may be held by one person; and

14 (2) are not required to be held by a director.

15 (e) The board may appoint one or more assistant officers who  
16 are not required to be directors. (Acts 65th Leg., R.S., Ch. 337,  
17 Sec. 4(f) (part).)

18 Sec. 11007.055. OFFICER DUTIES. (a) The board president  
19 shall preside at board meetings and perform other duties prescribed  
20 by the board.

21 (b) The board vice president shall perform the duties of the  
22 president when the president is not present or is otherwise  
23 incapacitated.

24 (c) The board secretary is the official custodian of the  
25 minutes, books, records, and seal of the board and shall perform  
26 other duties and functions prescribed by the board.

27 (d) The board treasurer shall perform duties and functions

1 prescribed by the board.

2 (e) An assistant officer shall perform duties and functions  
3 prescribed by the board. (Acts 65th Leg., R.S., Ch. 337, Sec. 4(f)  
4 (part).)

5 Sec. 11007.056. MEETINGS. The board shall have regular  
6 meetings at times specified by board resolution or bylaws and shall  
7 have special meetings when called by the board president or by any  
8 three directors. (Acts 65th Leg., R.S., Ch. 337, Sec. 4(h).)

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 11007.101. DISTRICT POWERS. The district may exercise  
11 any power necessary or appropriate to achieve the purposes of this  
12 chapter, including the power to:

13 (1) adopt an official seal;

14 (2) adopt and enforce:

15 (A) bylaws and rules for the conduct of its  
16 affairs; and

17 (B) rules that a municipal utility district may  
18 adopt and enforce under Section 54.205 et seq., Water Code;

19 (3) acquire, hold, use, invest, reinvest, and dispose  
20 of its receipts and money from any source;

21 (4) select a depository or depositories;

22 (5) acquire, own, rent, lease, accept, hold, or  
23 dispose of property or an interest in property, including a right or  
24 easement, by purchase, exchange, gift, assignment, condemnation,  
25 sale, lease, or other means, in performing a duty or exercising a  
26 power under this chapter;

27 (6) hold, manage, operate, or improve property;

1           (7) lease or rent any land, buildings, structures, or  
2 facilities from or to any person;

3           (8) sell, assign, lease, encumber, mortgage, or  
4 otherwise dispose of property or an interest in property, and  
5 release or relinquish a right, title, claim, lien, interest,  
6 easement, or demand, regardless of the manner in which acquired,  
7 and conduct a transaction authorized by this subdivision by public  
8 or private sale, notwithstanding any other law;

9           (9) in the manner and to the extent permitted by this  
10 chapter:

11                   (A) borrow money for a corporate purpose;

12                   (B) enter into an agreement in connection with  
13 the borrowing;

14                   (C) issue bonds for money borrowed;

15                   (D) provide for and secure the payment of the  
16 bonds; and

17                   (E) provide for the rights of the holders of the  
18 bonds;

19           (10) request and accept any appropriation, grant,  
20 allocation, subsidy, guaranty, aid, service, material, or gift from  
21 any public or private source, including the federal government, the  
22 state, a public agency, or a political subdivision;

23           (11) operate and maintain an office; and

24           (12) appoint and determine the duties, tenure,  
25 qualifications, and compensation of officers, employees, agents,  
26 and professional advisors and counselors considered necessary or  
27 advisable by the board, including financial consultants,

1 accountants, attorneys, architects, engineers, appraisers, and  
2 financing experts. (Acts 65th Leg., R.S., Ch. 337, Sec. 10 (part).)

3       Sec. 11007.102. GENERAL POWERS REGARDING WATER. The  
4 district has all rights, powers, and privileges necessary or useful  
5 to enable it to acquire, provide, supply, deliver, and sell potable  
6 water inside or outside its boundaries for any beneficial purpose.  
7 (Acts 65th Leg., R.S., Ch. 337, Sec. 6.)

8       Sec. 11007.103. GENERAL POWERS REGARDING WASTE. The  
9 district has all rights, powers, and privileges necessary or useful  
10 to enable it to collect, transport, dispose of, and control  
11 domestic, industrial, or communal wastes, whether in fluid, solid,  
12 or composite state. (Acts 65th Leg., R.S., Ch. 337, Sec. 7.)

13       Sec. 11007.104. GENERAL POWERS REGARDING GARBAGE  
14 COLLECTION AND DISPOSAL. The district has all rights, powers, and  
15 privileges necessary or useful to enable it to provide for garbage  
16 collection and disposal in all or part of the district on terms and  
17 at rates and charges the board considers just and reasonable to:

18               (1) preserve the water of rivers and streams in the  
19 district and this state; and

20               (2) aid in the preservation and conservation of the  
21 natural resources of the district and this state. (Acts 65th Leg.,  
22 R.S., Ch. 337, Sec. 8.)

23       Sec. 11007.105. GENERAL CONTRACT POWERS. (a) The district  
24 may enter into and enforce a contract or agreement necessary or  
25 convenient to the exercise of the powers, rights, privileges, and  
26 functions conferred on the district by this chapter or general law,  
27 including a contract or agreement with any person as the board

1 considers necessary or proper for, or in connection with, any power  
2 or function of the district for:

3 (1) the purchase or sale of water;

4 (2) the collection, transportation, processing, or  
5 disposal of waste; or

6 (3) the construction, acquisition, ownership,  
7 financing, operation, maintenance, sale, leasing to or from, or  
8 other use or disposition of any facilities authorized to be  
9 developed, acquired, or constructed under this chapter or general  
10 law.

11 (b) The authority to enter into or enforce the contract or  
12 agreement includes the authority to enter into or enforce a  
13 contract or agreement regarding:

14 (1) any improvements, structures, facilities,  
15 equipment, and other property of any kind in connection with the  
16 subject of the contract or agreement;

17 (2) any land, leaseholds, and easements; and

18 (3) any interests in the property.

19 (c) The contract or agreement:

20 (1) may not have a term of more than 40 years; and

21 (2) may contain provisions the board determines to be  
22 in the best interest of the district.

23 (d) The district may pledge all or part of its revenue to the  
24 payment of its obligations under the contract or agreement to the  
25 same extent and on the same conditions as it may pledge revenue to  
26 secure district bonds. (Acts 65th Leg., R.S., Ch. 337, Sec. 9(a).)

27 Sec. 11007.106. AUTHORITY OF PUBLIC AGENCIES AND POLITICAL

1 SUBDIVISIONS TO CONTRACT WITH DISTRICT. A public agency or  
2 political subdivision of this state, including a city, town, or  
3 village in the district, may enter into a contract or agreement with  
4 the district, on terms agreed to by the parties, for:

5 (1) the purchase or sale of water;

6 (2) waste collection, transportation, processing, or  
7 disposal; or

8 (3) any purpose relating to the district's powers or  
9 functions. (Acts 65th Leg., R.S., Ch. 337, Sec. 9(b) (part).)

10 Sec. 11007.107. CONVEYANCE OF PROPERTY TO DISTRICT. A  
11 public agency or political subdivision of this state, including a  
12 city, town, or village in the district, may lease, sell, or  
13 otherwise convey to the district, for any consideration that the  
14 parties agree is adequate, any of its land, improvements, property,  
15 plants, lines, or other facilities related to:

16 (1) the supply of water; or

17 (2) waste collection, transportation, processing, or  
18 disposal. (Acts 65th Leg., R.S., Ch. 337, Sec. 9(b) (part).)

19 Sec. 11007.108. ACQUISITION OF EXISTING FACILITIES. If the  
20 district acquires existing works, improvements, facilities,  
21 plants, equipment, or appliances that are completed, partially  
22 created, or under construction, the district may:

23 (1) assume the contracts and obligations of the  
24 previous owner; and

25 (2) perform the obligations of the previous owner in  
26 the same manner and to the same extent that any other purchaser or  
27 assignee would be bound. (Acts 65th Leg., R.S., Ch. 337, Sec.

1 9(c).)

2           Sec. 11007.109. EMINENT DOMAIN. (a) To carry out a power  
3 conferred by this chapter, the district may exercise the power of  
4 eminent domain inside or outside the district to acquire the fee  
5 simple title to land, or any other interest in land as determined by  
6 the board, and other property and easements, necessary for water  
7 wells, water or sewer treatment plants, water or sewer lines,  
8 pumping stations and force mains, storage tanks, or other similar  
9 facilities.

10           (b) The district must exercise the power of eminent domain  
11 in the manner provided by Chapter 21, Property Code. (Acts 65th  
12 Leg., R.S., Ch. 337, Sec. 11(a) (part).)

13           Sec. 11007.110. COST OF RELOCATING OR ALTERING PROPERTY;  
14 RIGHTS-OF-WAY AND EASEMENTS. (a) If the district's exercise of its  
15 eminent domain, police, or other power requires relocating,  
16 raising, lowering, rerouting, or changing the grade of or altering  
17 the construction of any highway, railroad, electric, transmission,  
18 telegraph, or telephone line, conduit, pole, property, or facility  
19 or pipeline, the action shall be accomplished at the sole expense of  
20 the district. The term "sole expense" means the actual cost of the  
21 lowering, rerouting, or change in grade or alteration of  
22 construction to provide a comparable replacement without enhancing  
23 the facility, after deducting from the cost the net salvage value  
24 derived from the old facility.

25           (b) The district has all necessary or useful rights-of-way  
26 and easements along, over, under, and across all public, state,  
27 municipal, and county roads, highways, and places for any of its

1 purposes. The district shall restore a used facility to its  
2 previous condition as nearly as possible at the sole expense of the  
3 district. (Acts 65th Leg., R.S., Ch. 337, Secs. 11(c), (d).)

4 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

5 Sec. 11007.151. IMPOSITION OF MAINTENANCE TAX; PROHIBITION  
6 ON OTHER TAXES OR ASSESSMENTS. (a) The district may impose a tax,  
7 not to exceed 10 cents on each \$100 valuation of taxable property in  
8 the district, for:

9 (1) maintenance purposes, including money for  
10 studying, planning, maintaining, repairing, and operating all  
11 necessary plants, works, facilities, improvements, appliances, and  
12 equipment of the district;

13 (2) paying costs of proper services, engineering, and  
14 legal fees; and

15 (3) organization and administrative expenses.

16 (b) The district may not impose a maintenance tax unless the  
17 tax is approved by a majority of the voters voting at an election  
18 held for that purpose.

19 (c) Except for the maintenance tax authorized by this  
20 section, the district may not under this chapter or any other law  
21 levy or collect a tax or assessment or create a debt payable from a  
22 tax or assessment. (Acts 65th Leg., R.S., Ch. 337, Secs. 12(a), (b)  
23 (part), (c).)

24 Sec. 11007.152. ELECTION TO IMPOSE TAX. (a) The board may  
25 order an election to impose a maintenance tax. The election order  
26 must specify:

27 (1) the time and place of the election;



- 1           (2) the maximum amount of tax to be authorized;  
2           (3) the form of the ballot; and  
3           (4) other matters the board considers necessary or  
4 advisable.

5           (b) Notice of the election must be given by publishing once  
6 a week for two consecutive weeks a substantial copy of the election  
7 order in a newspaper of general circulation in the district. The  
8 first publication must occur at least 14 days before the date of the  
9 election. (Acts 65th Leg., R.S., Ch. 337, Sec. 12(b) (part).)

10           Sec. 11007.153. DEPOSITORY. (a) The board shall designate  
11 one or more banks inside or outside the district to serve as the  
12 depository for the district's money.

13           (b) All district money shall be deposited in the depository  
14 designated by the board, except that:

15           (1) bond proceeds and money pledged to pay bonds, to  
16 the extent provided in a resolution or trust indenture authorizing  
17 or securing district bonds, may be deposited with another bank or  
18 trustee named in the bond resolution or trust indenture; and

19           (2) money shall be remitted to each paying agent for  
20 the payment of principal of and interest on the bonds.

21           (c) To the extent that money in a depository bank or the  
22 trustee bank is not insured by the Federal Deposit Insurance  
23 Corporation, the money must be secured in the manner provided by law  
24 for the security of the county funds in this state. (Acts 65th  
25 Leg., R.S., Ch. 337, Sec. 19 (part).)

26           Sec. 11007.154. INVESTMENT OF DISTRICT MONEY. The board  
27 may invest district money in obligations and make time deposits of

1 district money in a manner determined by the board or in the manner  
2 permitted or required in a resolution or trust indenture  
3 authorizing or securing district bonds. (Acts 65th Leg., R.S., Ch.  
4 337, Sec. 19 (part).)

5 Sec. 11007.155. DISTRICT FACILITIES EXEMPT FROM TAXATION  
6 AND ASSESSMENT. The district is not required to pay a tax or  
7 assessment on its facilities or any part of its facilities. (Acts  
8 65th Leg., R.S., Ch. 337, Sec. 22 (part).)

9 SUBCHAPTER E. BONDS

10 Sec. 11007.201. AUTHORITY TO ISSUE BONDS. (a) The district  
11 may issue bonds payable from and secured by district revenue to  
12 carry out any power conferred by this chapter. The bonds must be  
13 authorized by a board resolution.

14 (b) The bonds must be issued in the manner and under the  
15 terms of the resolution authorizing the issuance of the bonds.  
16 (Acts 65th Leg., R.S., Ch. 337, Secs. 15(a) (part), (b) (part).)

17 Sec. 11007.202. FORM OF BONDS. District bonds must be:

- 18 (1) issued in the district's name;  
19 (2) signed by the president or vice president; and  
20 (3) attested by the secretary. (Acts 65th Leg., R.S.,  
21 Ch. 337, Sec. 15(b) (part).)

22 Sec. 11007.203. MATURITY. District bonds must mature not  
23 later than 40 years after the date of their issuance. (Acts 65th  
24 Leg., R.S., Ch. 337, Sec. 15(b) (part).)

25 Sec. 11007.204. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.

26 (a) District bonds may be secured by a pledge of all or part of the  
27 district's revenue, or by all or part of the payments or rentals

1 under one or more contracts or leases specified by board resolution  
2 or a trust indenture securing the bonds.

3 (b) A resolution authorizing the issuance of bonds secured  
4 by a pledge of revenue of all or part of the district's facilities  
5 may provide that the district shall first pay the expenses of  
6 operating and maintaining all or part of the facilities as the board  
7 considers appropriate before paying the principal of and interest  
8 on the bonds.

9 (c) In a resolution authorizing the issuance of bonds  
10 secured by revenue, contract payments, or lease rentals, the  
11 district may reserve the right, under conditions specified by the  
12 resolution, to issue additional bonds that will be on a parity with,  
13 superior to, or subordinate to the bonds then being issued. (Acts  
14 65th Leg., R.S., Ch. 337, Sec. 15(d).)

15 Sec. 11007.205. ADDITIONAL SECURITY. (a) District bonds  
16 may be additionally secured, at the discretion of the board, by a  
17 deed of trust or mortgage lien on all or part of the district's  
18 physical property, facilities, easements, water rights and  
19 appropriation permits, leases, contracts, and all rights  
20 appurtenant to the property, vesting in the trustee power to:

- 21 (1) sell the property for the payment of the debt;  
22 (2) operate the property; and  
23 (3) take other action to further secure the bonds.

24 (b) A purchaser under a sale under the deed of trust lien, if  
25 one is given:

- 26 (1) is the absolute owner of the property, facilities,  
27 and rights purchased; and

1           (2) is entitled to maintain and operate the property,  
2 facilities, and rights. (Acts 65th Leg., R.S., Ch. 337, Sec. 16  
3 (part).)

4           Sec. 11007.206. TRUST INDENTURE. District bonds authorized  
5 by this chapter, including refunding bonds, may be additionally  
6 secured by a trust indenture. The trustee may be a bank with trust  
7 powers that is located inside or outside the state. (Acts 65th  
8 Leg., R.S., Ch. 337, Sec. 16 (part).)

9           Sec. 11007.207. CHARGES FOR DISTRICT SERVICES. If district  
10 bonds payable wholly from revenue are issued, the board shall set  
11 and from time to time revise the rates, fees, and charges assessed  
12 for water sold and waste collection and treatment services provided  
13 by the district. The rates, fees, and charges must be sufficient  
14 to:

15           (1) pay the expense of operating and maintaining the  
16 district facilities that generate the revenue from which the bonds  
17 will be paid;

18           (2) pay the principal of and interest on the bonds when  
19 due; and

20           (3) maintain the reserve fund and other funds as  
21 provided in the resolution authorizing the bonds. (Acts 65th Leg.,  
22 R.S., Ch. 337, Sec. 15(e) (part).)

23           Sec. 11007.208. STATE PLEDGE REGARDING RIGHTS AND REMEDIES  
24 OF BONDHOLDERS. Without depriving this state of its power to  
25 regulate and control the rates, fees, and charges assessed for  
26 water sold and waste collection and treatment services provided by  
27 the district, the state pledges to and agrees with the holders of

1 district bonds that the state will not exercise its power to  
2 regulate and control the rates, fees, and charges in any way that  
3 would impair the rights or remedies of the holders of the bonds.  
4 (Acts 65th Leg., R.S., Ch. 337, Sec. 15(e) (part).)

5 Sec. 11007.209. USE OF BOND PROCEEDS. (a) The district may  
6 set aside an amount of proceeds from the sale of district bonds for:

7 (1) the payment of interest expected to accrue during  
8 construction not to exceed three years;

9 (2) a debt service reserve fund; and

10 (3) other funds as may be provided in the resolution  
11 authorizing the bonds or in the trust indenture.

12 (b) The district may use proceeds from the sale of the bonds  
13 to pay any expense necessarily incurred in accomplishing the  
14 purpose of the district, including any expense of issuing and  
15 selling the bonds. (Acts 65th Leg., R.S., Ch. 337, Sec. 15(f).)

16 Sec. 11007.210. APPOINTMENT OF RECEIVER. (a) On default or  
17 threatened default in the payment of the principal of or interest on  
18 district bonds that are payable wholly or partly from revenue, a  
19 court may, on petition of the holders of at least 25 percent of the  
20 district's outstanding revenue bonds, appoint a receiver for the  
21 district.

22 (b) The receiver may collect and receive all district  
23 revenue, other than taxes, employ and discharge district agents and  
24 employees, and take charge of money on hand, other than money  
25 received from taxes, unless commingled, and/or hindrance by the  
26 board.

27 (c) The receiver may be authorized to sell or contract for

1 the sale of water or the collection or treatment of waste or to  
2 renew contracts, with the approval of the court that appointed the  
3 receiver.

4 (d) The court may vest the receiver with any other power or  
5 duty the court finds necessary to protect the bondholders. (Acts  
6 65th Leg., R.S., Ch. 337, Sec. 15(g) (part).)

7 Sec. 11007.211. REFUNDING BONDS. (a) The district may  
8 issue refunding bonds to refund outstanding district bonds and  
9 interest on those bonds.

10 (b) Refunding bonds may:

11 (1) be issued to refund bonds of more than one series;

12 (2) combine the pledges for the outstanding bonds for  
13 the security of the refunding bonds; or

14 (3) be secured by a pledge of other or additional  
15 revenue or mortgage liens.

16 (c) The provisions of this subchapter regarding the  
17 issuance of other bonds, their security, and the remedies of the  
18 holders apply to refunding bonds.

19 (d) The comptroller shall register the refunding bonds on  
20 the surrender and cancellation of the bonds to be refunded.

21 (e) Instead of issuing bonds to be registered on the  
22 surrender and cancellation of the bonds to be refunded, the  
23 district, in the resolution authorizing the issuance of the  
24 refunding bonds, may provide for the sale of the refunding bonds and  
25 the deposit of the proceeds in a bank at which the bonds to be  
26 refunded are payable. In that case, the refunding bonds may be  
27 issued in an amount sufficient to pay the principal of and interest

1 and any required redemption premium on the bonds to be refunded to  
2 or through any redemption date or through or on their maturity date,  
3 and the comptroller shall register the refunding bonds without the  
4 surrender and cancellation of the bonds to be refunded.

5 (f) An election is not required to authorize the issuance of  
6 refunding bonds.

7 (g) The district may also issue refunding bonds under any  
8 other applicable law. (Acts 65th Leg., R.S., Ch. 337, Sec. 17.)

9 Sec. 11007.212. OTHER REMEDIES AND COVENANTS. The  
10 resolution authorizing the issuance of district bonds, including  
11 refunding bonds, or the trust indenture securing the bonds, may  
12 provide other remedies and covenants the board considers necessary  
13 to issue the bonds on the most favorable terms. (Acts 65th Leg.,  
14 R.S., Ch. 337, Sec. 15(h).)

15 Sec. 11007.213. LIMITATION ON RIGHTS OF BONDHOLDERS. The  
16 resolution authorizing the bonds or the trust indenture securing  
17 the bonds may limit or qualify the rights of the holders of less  
18 than all of the outstanding bonds payable from the same source to  
19 institute or prosecute litigation affecting the district's  
20 property or income. (Acts 65th Leg., R.S., Ch. 337, Sec. 15(g)  
21 (part).)

22 Sec. 11007.214. BONDS EXEMPT FROM TAXATION. A district  
23 bond, the transfer of the bond, and the income from the bond,  
24 including profits made on the sale of the bond, are exempt from  
25 taxation in this state. (Acts 65th Leg., R.S., Ch. 337, Sec. 22  
26 (part).)

27 ARTICLE 2. CONFORMING AMENDMENTS

1 SECTION 2.01. Section 1, Chapter 145, Acts of the 41st  
2 Legislature, Regular Session, 1929, is amended to read as follows:

3 Sec. 1. Cameron County Drainage District Number One of  
4 Cameron County, Texas, including within its limits the territory  
5 described and defined in that certain order of the Commissioners'  
6 Court of Cameron County, Texas, passed and adopted by said Court on  
7 the 22nd day of January, A. D. 1920, recorded in Book "J," pages 536  
8 to 540, Minutes of the Commissioners' Court of said County, same  
9 including within its limits the territory described and defined in  
10 said order, the metes and bounds of which said territory is as  
11 follows, to-wit:

12 Being all of the Territory situated and lying in Cameron  
13 County Texas and bounded on the North by the Cautes Resaca, on the  
14 West by the East line of Share No. 1, a subdivision of the Espiritu  
15 Santo Grant.

16 On the South by the Resaca de la Guerra, and the Resaca Rancho  
17 Viejo. On the East between Resaca Rancho Viejo and Resaca de la  
18 Guerra, by the East line of Partition Share 29 and between Resaca  
19 Rancho Viejo and Cuates Resaca by the East line of Partition Share  
20 No. 32 and being more fully described by metes and Bounds as  
21 follows:

22 Beginning at a point on the East line of Partition Share No. 1  
23 a subdivision of the Espiritu Santo Grant, and at the N. W. corner  
24 of a 440 acre survey being Partition Share No. 4, a subdivision of  
25 said Espiritu Santo Grant, and running Thence N. 8°00' E. with the  
26 East line of Partition Share No. 1, a distance of 50231 feet to a  
27 stake on the North Bank of the Resaca de los Cuates for N. W. Corner;



1 Thence down said Cuates Resaca and the North Bank thereof to a point  
2 at the intersection of said North Bank with the West line of  
3 Partition Share 32, a subdivision of the Espiritu Santo Grant.  
4 Thence East to the East line of said Share No. 32, and on West line  
5 of Laguna Vista tract; thence in a southerly direction with the West  
6 line of Laguna Vista tract, Santa Isabel Tract, and San Martin  
7 tract, a distance of 66800 feet to a point which is 9484 feet from a  
8 stone and concrete monument on the estero near the river and being,  
9 a corner of the San Martin Grant as called for in its patent; Thence  
10 West to Resaca Rancho Viejo; Thence up Resaca Rancho Viejo with its  
11 meanders to the East line of Partition Share No. 29, a subdivision  
12 of Espiritu Santo Grant; Thence in a southerly direction with the  
13 East line of Share No. 29, a distance of 13212 feet to the North bank  
14 of Resaca de la Guerra; Thence up the North bank of Resaca de la  
15 Guerra with its various meanders, to the West line of Partition  
16 Share No. 17, a subdivision of the Espiritu Santo Grant; Thence in a  
17 northerly direction with said West line of Share No. 17 to the place  
18 of beginning, containing 81136 acres[~~, is hereby created and~~  
19 ~~established as a Conservation District in said county under~~  
20 ~~authority of Section 59 of Article 16 of the Constitution of the~~  
21 ~~State of Texas, for the purpose of the reclamation and drainage of~~  
22 ~~its seeped, salty, waterlogged and over flowed lands, and other~~  
23 ~~lands needing drainage, and all other purposes as contemplated by~~  
24 ~~section 59 of Article 16 of the Constitution of this State, and said~~  
25 ~~district shall be a governmental agency and body politic with all~~  
26 ~~powers as are granted to such conservation districts in the~~  
27 ~~Constitution and in the General Laws of the State of Texas].~~

1 SECTION 2.02. Section 1, Chapter 533, Acts of the 57th  
2 Legislature, Regular Session, 1961, is amended to read as follows:

3 Sec. 1. The [~~Under and pursuant to the provisions of Section~~  
4 ~~59 of Article XVI, Constitution of Texas, a conservation and~~  
5 ~~reclamation district is hereby created and incorporated in Liberty~~  
6 ~~County, Texas, to be known as "Hull Fresh Water Supply District,"~~  
7 ~~hereafter referred to as the "District," and the~~] boundaries of the  
8 Hull Fresh Water Supply District [~~said District~~] shall be as  
9 follows:

10 BEGINNING at the NE corner of the Chas. Underton Survey,  
11 A-391, Liberty County, Texas, which point of beginning is also the  
12 SE corner of the C. F. Stevens Survey, A-920, and is in the West line  
13 of the A. Melonson Survey No. 194, A-701;

14 THENCE following the East line of said Stevens Survey in a  
15 Northerly direction to the NE corner of said Stevens Survey, A-920,  
16 the same being the NW corner of the aforesaid A. Melonson Survey No.  
17 194, A-701;

18 THENCE in an Easterly direction following the North line of  
19 said A. Melonson Survey No. 194 to the SE corner of the Humble  
20 Pipeline Co. 40.25 acre tract of land;

21 THENCE in a Northerly direction following the East line of  
22 said Humble Pipeline Co. 40.25 acre tract, and the Northerly  
23 prolongation of said East line to a point in the North right-of-way  
24 line of the Missouri Pacific RR;

25 THENCE in a Westerly direction following said North  
26 right-of-way line of said RR to the SE corner of the Magnolia  
27 Pipeline Co. 39.08 acre tract;

1           THENCE in a Northerly direction following the East line of  
2 said 39.08 acre tract to the NE corner of same;

3           THENCE in a Westerly direction following the North line of  
4 said 39.08 acre tract and the Westerly prolongation of same to the  
5 SE corner of the Leo Fregia 4 acre tract of land;

6           THENCE following the East line of said Fregia 4 acre tract in  
7 a Northerly direction to the NE corner of said tract;

8           THENCE following the North line of said Leo Fregia 4 acre  
9 tract in a Westerly direction to the NW corner of same, said corner  
10 being the most Easterly SE corner of the J. L. Deckert tract of land  
11 situated in the H. T. C. Survey No. 193, A-239;

12           THENCE following the East line of said J. L. Deckert tract in  
13 a Northerly direction to the NE corner of same, said corner being in  
14 the North line of said H. T. C. Survey No. 193;

15           THENCE following the North line of said H. T. C. Survey No.  
16 193 in an Easterly direction to a point in line with the Southerly  
17 prolongation of the East line of the H. Taylor 4.5 acre tract of  
18 land in the Francis Smith Survey, A-346;

19           THENCE in a Northerly direction along said Southerly  
20 prolongation of said East line of said H. Taylor 4.5 acre tract and  
21 continuing along said East line of said 4.5 acre tract and the  
22 Northerly prolongation of said East line to the center line of  
23 Batiste Creek;

24           THENCE in a generally Northwesterly direction following the  
25 meanders of the center of Batiste Creek upstream to a point in the  
26 West line of the J. W. Mecom 48 acre tract in the Francis Smith  
27 Survey, A-346;

1           THENCE following the West line of said J. W. Mecom 48 acre  
2 tract in a Southerly direction to the SW corner of same, and the SE  
3 corner of another tract of land belonging to said J. W. Mecom and  
4 containing 73.33 acres;

5           THENCE in a Westerly direction following the South line of  
6 said J. W. Mecom 73.33 acre tract and the Westerly prolongation of  
7 same to the NW corner of Garden Subdivision out of said Francis  
8 Smith Survey, A-346, according to a map or plat of said Subdivision,  
9 of record in Vol. 113, page 177, of the Deed Records of Liberty  
10 County, Texas;

11           THENCE in a Southerly direction following the West line of  
12 said Garden Subdivision and the Southerly prolongation of said West  
13 line to a point 280 ft. South of the intersection of said Southerly  
14 prolongation of said West line with the South right-of-way line of  
15 F.M. Hwy. 834 based upon a right-of-way width of 80 ft.;

16           THENCE in an Easterly direction at right angles to said  
17 Southerly prolongation of the West line of said Garden Subdivision  
18 to a point in the West line of the J. S. Wheless and Thos. J. Baten  
19 15 acre tract;

20           THENCE in a Southerly direction following the West line of  
21 said Wheless and Baten 15 acre tract to the SW corner of said tract,  
22 the same being a point in the North line of the Jewell Vaughn 14.33  
23 acre tract;

24           THENCE in a Westerly direction following the North line of  
25 said Vaughn 14.33 acre tract to the NW corner of said tract;

26           THENCE in a Southerly direction following the West line of  
27 said Jewell Vaughn 14.33 acre tract and the Southerly prolongation

1 of said West line to the SW corner of the T. D. Richardson, et al., 8  
2 acre tract, which SW corner of said tract is in the North line of the  
3 C. F. Stevens Survey 194, A-767;

4 THENCE in a Westerly direction following the North line of  
5 said Stevens Survey to the NW corner of said Survey, the same being  
6 a point in the East line of the William Smith Survey, A-342;

7 THENCE following the East line of said William Smith Survey,  
8 A-342, in a Southerly direction a distance of 2,000 ft.;

9 THENCE in an Easterly direction at right angles to the East  
10 line of said William Smith Survey, A-342, following a straight line  
11 to the West line of the J. P. Richardson 75.88 acre tract;

12 THENCE following the West line of said J. P. Richardson 75.88  
13 acre tract in a Southerly direction to the North line of the Chas.  
14 Underton Survey, A-391;

15 THENCE following the North line of said Chas. Underton  
16 Survey, A-391, in an Easterly direction to the NE corner of said  
17 Underton Survey the POINT OF BEGINNING, containing 1,076 acres of  
18 land, more or less.

19 SECTION 2.03. Section 1, Chapter 20, Acts of the 57th  
20 Legislature, 3rd Called Session, 1962, is amended to read as  
21 follows:

22 Sec. 1. ~~[Authority Created. Pursuant to, and as expressly~~  
23 ~~authorized by Section 59, Article XVI of the Constitution of the~~  
24 ~~State of Texas, and in addition to all other districts into which~~  
25 ~~the State has been divided heretofore, there is hereby created a~~  
26 ~~conservation and reclamation district to be known as "Memorial~~  
27 ~~Villages Water Authority" (hereinafter referred to as the~~

1 ~~Authority), which shall be recognized to be a governmental agency,~~  
2 ~~a body politic and corporate, and a political subdivision of this~~  
3 ~~State.]~~ The area of the Memorial Villages Water Authority

4 [~~Authority~~] shall consist of the following:

5 All land which on the effective date of this Act is located  
6 within the corporate limits of the City of Hedwig Village,  
7 Texas, located in the Isaac Bunker A-121 and A. H. Osbourne  
8 A-610 surveys, in Harris County, Texas; and all land which on  
9 the effective date of this Act is located within the  
10 corporate limits of the City of Piney Point Village, Texas  
11 located in the Bunker and Osbourne surveys and in the John D.  
12 Taylor survey A-72, except that certain area of 0.19 square  
13 miles annexed by Ordinance No. 19 passed and approved by the  
14 City Council of the City of Piney Point Village, Texas, on  
15 October 13, 1955, and delineated in METES AND BOUNDS OF PINEY  
16 POINT VILLAGE AND ANNEXED AREA recorded in Volume 3604, Page  
17 708 of the Deed Records of Harris County, Texas, and in Volume  
18 58, Page 41 of the Map Records of Harris County, Texas; and  
19 all land which on the effective date of the Act is located  
20 within the corporate limits of the City of Hunter's Creek  
21 Village, Texas, north of Buffalo Bayou except that portion  
22 thereof known as Creekside Manor subdivision in the said  
23 Taylor, Osbourne and R. Vince A-77 surveys, all of such land  
24 being situated in Harris County, Texas.

25 SECTION 2.04. Section 1, Chapter 38, Acts of the 57th  
26 Legislature, 3rd Called Session, 1962, is amended to read as  
27 follows:

1           Sec. 1. The [~~Under and pursuant to the provisions of Section~~  
2 ~~59 of Article XVI, Constitution of Texas, a conservation and~~  
3 ~~reclamation district is hereby created and incorporated in Bee~~  
4 ~~County, Texas, to be known as "Pettus Municipal Utility District,"~~  
5 ~~hereinafter referred to as the "District," and the~~] boundaries of  
6 the Pettus Municipal Utility District [~~said District~~] shall be as  
7 follows:

8           Beginning at the Southeast corner of the Town of Pettus, Bee  
9 County, Texas, according to plat filed in Vol. K, Page 517, Deed  
10 Records, Bee County, Texas, in the George A. Kerr Survey, Abstract  
11 209;

12           Thence N. 18° 10' W. with the eastern boundary line of said  
13 Town of Pettus a distance of 2,560 feet to the Northeast corner of  
14 said Town of Pettus;

15           Thence S. 71° 50' W. along the northern boundary line of said  
16 Town of Pettus a distance of 103.9 feet;

17           Thence N. 60° 26' W. a distance of 40.3 feet;

18           Thence N. 71° 50' E. a distance of 214 feet;

19           Thence Northeasterly along the northern right-of-way line of  
20 F. M. Highway No. 623, rotating 24° 53' 53" about a radial center  
21 with radius of 449.26 feet, an arc distance of 195.23 feet, to a  
22 point on said northern right-of-way line of said Highway No. 623;

23           Thence N. 48° 14' E. along said Northern right-of-way line of  
24 said Highway No. 623 a distance of 50.66 feet to a corner of that  
25 certain tract of land conveyed by George A. Ray, Jr. to the Pettus  
26 Independent School District by Deed recorded in Volume 218, Page  
27 292, Bee County records;

1           Thence N. 05° 20' W. with the eastern boundary of said tract of  
2 land conveyed by George A. Ray, Jr. to said School District a  
3 distance of 298.08 feet for a corner;

4           Thence S. 84° 17' W. a distance of 1,114.1 feet to a point for  
5 corner;

6           Thence N. 60° 26' W. a distance of 480.8 feet;

7           Thence S. 52° 40' W. a distance of 477.5 feet to the most  
8 easterly eastern boundary line of the Danaho Refinery tract,  
9 described in Deed of Trust Records, Volume 64, Page 424, Bee County  
10 records;

11           Thence N. 18° 10' W. with said most easterly eastern boundary  
12 line of the said Danaho Refinery tract a distance of 1,819.5 feet to  
13 the Northeast corner of said Danaho Refinery tract;

14           Thence S. 71° 50' W. with the northern boundary line of said  
15 Danaho Refinery tract, at 734 feet pass a 3/4 inch iron pipe set in  
16 the eastern right-of-way line of the T & NO (S. P.) railroad  
17 property, and continuing on the same course along the westerly  
18 projection of said Northern boundary line of the said Danaho  
19 Refinery tract a distance of approximately 2250 feet to a point in  
20 the centerline of Medio Creek;

21           Thence down the centerline of said Medio Creek with its  
22 meanders in a generally southerly direction to a point in said  
23 centerline from whence the Northeast corner of the Denver C.  
24 Roberts 32.08 acre tract (description recorded in Deed Volume 184,  
25 Page 302) bears S. 58° 14' W. at approximately 580 feet;

26           Thence S. 58° 14' W., at approximately 580 feet pass a one inch  
27 iron pipe set at said Northeast corner of said Roberts 32.08 acre



1 tract, a total distance of 2,369 feet, more or less, to the  
2 Northwest corner of said Roberts 32.08 acre tract;

3 Thence S. 70° 14' W. with the northern boundary line of the  
4 Fred Hoffer 11.25 acre tract, the northern boundary line of the  
5 Mineral Heights Subdivision, and continuing on the same course a  
6 total distance of approximately 4,480 feet to the western boundary  
7 line of said George A. Kerr Survey, Abstract 209;

8 Thence S. 20° E. with said western boundary line of said Kerr  
9 Survey a distance of approximately 943.5 feet to a point, said point  
10 being S. 20° E. 150 feet from the intersection of said western  
11 boundary line of said Kerr Survey and the southern right-of way line  
12 of F. M. Highway No. 623;

13 Thence N. 70° 14' E. along a line parallel to and 150 feet at  
14 right angles southerly from said southern right-of-way line of  
15 F. M. Highway No. 623 a distance of approximately 6,880 feet, and  
16 continuing in a generally easterly direction along the tangents and  
17 curves of said line parallel to and 150 feet at right angles  
18 southerly from such southern right-of-way line of said F. M.  
19 Highway 623 to a point in the centerline of said Medio Creek;

20 Thence in a generally southerly and westerly direction down  
21 the centerline of said Medio Creek with its meanders a distance of  
22 approximately 1,310 feet to its intersection with a line projected  
23 800 feet westerly at right angles from the northerly projection of  
24 the western right-of-way line of U. S. Highway No. 181, and from  
25 such intersection a point in the centerline of said T. & NO Railroad  
26 bears N. 71° 50' E. at 970 feet;

27 Thence in a generally southerly direction along the tangents

1 and curves of a line parallel to and 800 feet westerly at right  
2 angles from said northerly projection and said western right-of-way  
3 line of said highway a distance of approximately 2,650 feet to a  
4 point from whence the southeast corner of the George A. Ray, Jr.  
5 75.64 acre tract bears S. 79° 20' E. at 843.8 feet and from whence a  
6 point in said western right-of-way line of U. S. Highway No. 181  
7 bears S. 86° 53' E. at 800 feet;

8 Thence S. 86° 53' E. a distance of 689 feet to the point of  
9 intersection of the centerlines of two small creeks from whence a  
10 1/4 inch iron pipe set at the southeast corner of said George A.  
11 Ray, Jr. 75.64 acre tract bears S. 49° 55' E. at 184.5 feet;

12 Thence in a generally easterly direction up the centerline of  
13 that one of the said two small creeks which runs approximately S.  
14 86° 53' E., with its meanders, under U. S. Highway No. 181 and the T &  
15 NO Railroad and continuing up said creek to a point in its  
16 centerline from whence a point in the eastern right-of-way line of  
17 said T & NO Railroad bears N. 86° 53' W. at 800 feet and from whence  
18 said Southeast corner of said Ray 75.64 acre tract bears S. 86° 54'  
19 W. at 1,028 feet;

20 Thence in a generally northeasterly direction along the  
21 tangents and curves of a line parallel to and 800 feet easterly at  
22 right angles from the eastern right-of-way line of said T & NO  
23 Railroad a distance of approximately 3,000 feet to a point in the  
24 centerline of a small creek;

25 Thence up the centerline of said small creek with its  
26 meanders in a generally northeasterly direction a distance of  
27 approximately 940 feet to a point in the southern boundary line of

1 the Town of Pettus from whence the Southeast corner of said Town of  
2 Pettus bears N. 71° 50' E. at approximately 700 feet;

3 Thence N. 71° 50' E along said southern boundary line of the  
4 Town of Pettus a distance of approximately 700 feet to the Southeast  
5 corner of the Town of Pettus, the place of beginning, containing 600  
6 acres more or less, in Bee County, Texas.

7 Beginning at the Southeast corner of the Town of Pettus, Bee  
8 County, Texas, according to plat filed in Vol. K, Page 517, Deed  
9 Records, Bee County, Texas, in the George A. Kerr Survey, Abstract  
10 209;

11 Thence N. 18° 10' W. with the eastern boundary line of said  
12 Town of Pettus a distance of 2,560 feet to the Northeast corner of  
13 said Town of Pettus;

14 Thence S. 71° 50' W. along the northern boundary line of said  
15 Town of Pettus a distance of 103.9 feet;

16 Thence N. 60° 26' W. a distance of 40.3 feet;

17 Thence N. 71° 50' E. a distance of 214 feet;

18 Thence Northeasterly along the northern right-of-way line of  
19 F. M Highway No. 623, rotating 24° 53' 53" about a radial center with  
20 radius of 449.26 feet, an arc distance of 195.23 feet, to a point on  
21 said northern right-of-way line of said Highway No. 623;

22 Thence N. 48° 14' E. along said Northern right-of-way line of  
23 said Highway No. 623 a distance of 50.66 feet to a corner of that  
24 certain tract of land conveyed by George A. Ray, Jr. to the Pettus  
25 Independent School District by Deed recorded in Volume 218, Page  
26 292, Bee County records;

27 Thence N. 05° 20' W. with the eastern boundary of said tract of

1 land conveyed by George A. Ray, Jr. to said School District a  
2 distance of 298.08 feet for a corner;

3 Thence S. 84° 17' W. a distance of 1,114.1 feet to a point for  
4 corner;

5 Thence N. 60° 26' W. a distance of 480.8 feet;

6 Thence S. 52° 40' W. a distance of 477.5 feet to the most  
7 easterly eastern boundary line of the Danaho Refinery tract,  
8 described in Deed of Trust Records, Volume 64, Page 424, Bee County  
9 records;

10 Thence N. 18° 10' W. with said most easterly eastern boundary  
11 line of the said Danaho Refinery tract a distance of 1,819.5 feet to  
12 the Northeast corner of said Danaho Refinery tract;

13 Thence S. 71° 50' W. with the northern boundary line of said  
14 Danaho Refinery tract, at 734 feet pass a 3/4 inch iron pipe set in  
15 the eastern right-of-way line of the T & NO (S. P.) railroad  
16 property, and continuing on the same course along the westerly  
17 projection of said Northern boundary line of the said Danaho  
18 Refinery tract a distance of approximately 2250 feet to a point in  
19 the centerline of Medio Creek;

20 Thence down the centerline of said Medio Creek with its  
21 meanders in a generally southerly direction to a point in said  
22 centerline from whence the Northeast corner of the Denver C.  
23 Roberts 32.08 acre tract (description recorded in Deed Volume 184,  
24 Page 302) bears S. 58° 14' W. at approximately 580 feet;

25 Thence S. 58° 14' W., at approximately 580 feet pass a one inch  
26 iron pipe set at said Northeast corner of said Roberts 32.08 acre  
27 tract, a total distance of 2,369 feet, more or less, to the

1 Northwest corner of said Roberts 32.08 acre tract;

2 Thence S. 70° 14' W. with the northern boundary line of the  
3 Fred Hoffer 11.25 acre tract, the northern boundary line of the  
4 Mineral Heights Subdivision, and continuing on the same course a  
5 total distance of approximately 4,480 feet to the western boundary  
6 line of said George A. Kerr Survey, Abstract 209;

7 Thence S. 20° E. with said western boundary line of said Kerr  
8 Survey a distance of approximately 943.5 feet to a point, said point  
9 being S. 20° E. 150 feet from the intersection of said western  
10 boundary line of said Kerr Survey and the southern right-of-way  
11 line of F. M. Highway No. 623;

12 Thence N. 70° 14' E. along a line parallel to and 150 feet at  
13 right angles southerly from said southern right-of-way line of  
14 F. M. Highway No. 623 a distance of approximately 6,880 feet, and  
15 continuing in a generally easterly direction along the tangents and  
16 curves of said line parallel to and 150 feet at right angles  
17 southerly from such southern right-of-way line of said F. M.  
18 Highway 623 to a point in the centerline of said Medio Creek;

19 Thence in a generally southerly and westerly direction down  
20 the centerline of said Medio Creek with its meanders a distance of  
21 approximately 1,310 feet to its intersection with a line projected  
22 800 feet westerly at right angles from the northerly projection of  
23 the western right-of-way line of U. S. Highway No. 181, and from  
24 such intersection a point in the centerline of said T. & NO Railroad  
25 bears N. 71° 50' E. at 970 feet;

26 Thence in a generally southerly direction along the tangents  
27 and curves of a line parallel to and 800 feet westerly at right

1 angles from said northerly projection and said western right-of-way  
2 line of said highway a distance of approximately 2,650 feet to a  
3 point from whence the southeast corner of the George A. Ray, Jr.  
4 75.64 acre tract bears S. 79° 20' E. at 843.8 feet and from whence a  
5 point in said western right-of-way line of U. S. Highway No. 181  
6 bears S. 86° 53' E. at 800 feet;

7 Thence S. 86° 53' E. a distance of 689 feet to the point of  
8 intersection of the centerlines of two small creeks from whence a  
9 1/4 inch iron pipe set at the southeast corner of said George A.  
10 Ray, Jr. 75.64 acre tract bears S. 49° 55' E. at 184.5 feet;

11 Thence in a generally easterly direction up the centerline of  
12 that one of the said two small creeks which runs approximately S.  
13 86° 53' E., with its meanders, under U. S. Highway No. 181 and the T &  
14 NO Railroad and continuing up said creek to a point in its  
15 centerline from whence a point in the eastern right-of-way line of  
16 said T & NO Railroad bears N. 86° 53' W. at 800 feet and from whence  
17 said Southeast corner of said Ray 75.64 acre tract bears S. 86° 54'  
18 W. at 1,028 feet;

19 Thence in a generally northeasterly direction along the  
20 tangents and curves of a line parallel to and 800 feet easterly at  
21 right angles from the eastern right-of-way line of said T & NO  
22 Railroad a distance of approximately 3,000 feet to a point in the  
23 centerline of a small creek;

24 Thence up the centerline of said small creek with its  
25 meanders in a generally northeasterly direction a distance of  
26 approximately 940 feet to a point in the southern boundary line of  
27 the Town of Pettus from whence the Southeast corner of said Town of

1 Pettus bears N. 71° 50' E. at approximately 700 feet;

2 Thence N. 71° 50' E along said southern boundary line of the  
3 Town of Pettus a distance of approximately 700 feet to the Southeast  
4 corner of the Town of Pettus, the place of beginning, containing 600  
5 acres more or less, in Bee County, Texas.

6 SECTION 2.05. Section 1, Chapter 4, Acts of the 58th  
7 Legislature, Regular Session, 1963, is amended to read as follows:

8 Sec. 1. The [~~Under and pursuant to the provisions of Section~~  
9 ~~59 of Article XVI, Constitution of Texas, a Conservation and~~  
10 ~~Reclamation District is hereby created and incorporated in Willacy~~  
11 ~~County, Texas, to be known as "Port Mansfield Public Utility~~  
12 ~~District," hereinafter referred to as the "District," and the~~  
13 boundaries of the Port Mansfield Public Utility District [~~said~~  
14 ~~District~~] shall be as follows:

15 STARTING with the U. S. Coastal and Geodetic Survey,  
16 permanent bench Sauz, which is located as latitude 26 degrees, 32  
17 minutes, 16.012 seconds, and longitude 97 degrees, 25 minutes,  
18 13.527 seconds;

19 THENCE, at an azimuth 202 degrees, 32 minutes, for a distance  
20 of 351.4 feet to the point of beginning, said point being at the  
21 ordinary high tide line on the shoreline of Red Fish Bay and being  
22 the southeast corner of said District;

23 THENCE, west (azimuth 270 degrees, 0 minutes) for a distance  
24 of 7,940 feet to a point, said point being the southwest corner of  
25 said District;

26 THENCE, north (azimuth 0 degrees, 0 minutes) for a distance  
27 of 11,880 feet to a point, said point being the northwest corner of

1 said District;

2 THENCE, east (azimuth 90 degrees, 0 minutes) for a distance  
3 of 5,280 feet to the ordinary high tide line on the shore line of Red  
4 Fish Bay, said point being the northeast corner of said District;

5 THENCE, generally southward, following said ordinary high  
6 tide line of Red Fish Bay to the southeast corner of said District  
7 and POINT OF BEGINNING, containing 1,760 acres of land, more or  
8 less, and being out of and a part of the San Juan de Carricitos Grant  
9 in Willacy County, Texas.

10 SECTION 2.06. Section 2, Chapter 29, Acts of the 55th  
11 Legislature, 1st Called Session, 1957, is amended to read as  
12 follows:

13 Sec. 2. [~~It is expressly determined and found that all of~~  
14 ~~the territory included with the area of the district will be~~  
15 ~~benefited by the works and projects which are to be accomplished by~~  
16 ~~the Authority pursuant to the powers conferred by the provisions of~~  
17 ~~Article XVI, Section 59, of the Constitution of Texas.] The area of  
18 the Donahoe Creek Watershed Authority shall be all of that  
19 territory enclosed within the following metes and bounds  
20 description, to-wit:~~

21 BEGINNING at a point in the center of Little River on the  
22 North line of the Juan J. Acosta Grant, in Milam County, Texas,  
23 where the west ROW line of Farm-Market Road No. 486 crosses said  
24 River;

25 Thence about S 20 W with the West ROW line to its'  
26 intersection with the South ROW line of Farm-Market Road #487,  
27 which is also the North line of the San Gabriel River Water Control



1 and Improvement District No. 1.

2 Thence with the North line of said District as follows:

3 Thence with the South ROW line of F-M Road No. 487 in a  
4 westerly direction, through the Communities of Sharp and Davilla to  
5 the point where said ROW line crosses the Milam, Bell Counties line.

6 Thence S 20 W with the Milam and Bell County lines to their  
7 common corner on the North line of Williamson County.

8 Thence N 65 W with the Bell and Williamson County lines to the  
9 point where said line crosses the North line of the M F  
10 DeGraffenreid Survey No. 107.

11 Thence N 70 W with the North line of the M F DeGraffenreid  
12 Survey No. 107 to the N W corner of same.

13 Thence S 20 W with the West line of said survey No. 107, and  
14 the East lines of the M F DeGraffenreid Surveys Nos. 109 and 110, to  
15 the S E corner of Survey No. 110.

16 Thence N 70 W with the south line of Survey No. 110, to the N E  
17 corner of the M F DeGraffenreid Survey No. 111.

18 Thence S 20 W with the East line of Survey No. 111, to the S E  
19 corner of Survey No. 111.

20 Thence N 70 W with the South line of Survey No. 111, to the  
21 lower S W corner of Survey No. 111, on the East line of the J B  
22 Rogers Survey No. 9.

23 Thence N 20 E with the east line of the J B Rogers Survey No. 9  
24 to the N E corner of same.

25 Thence N 70 W with the North line of the J B Rogers Survey to N  
26 W corner of same.

27 Thence S 20 W with the West line of the J B Rogers Survey to

1 the S W corner of same, the S E corner of the I & G N Railroad Co.  
2 Survey No. 196.

3 Thence N 70 W with the south line of the I & G N RR Co Surveys  
4 Nos. 196 and 195 to the S W corner of Survey No. 195.

5 Thence N 19 W with the West line of Survey No. 195 to the N W  
6 corner, in the south line of the Willis Donahoe Survey.

7 Thence N 70 W with the south lines of the Willis Donahoe and  
8 Edward Ryan surveys, to the lower S W corner of the Edward Ryan  
9 Survey, in the East line of the W A Jenkins Survey.

10 Thence N 19 W with the Jenkins and Ryan Surveys, to the lower  
11 N W corner of the Ryan Survey, the S W corner of the J. J.  
12 Stubblefield Survey.

13 Thence N 71 E with the south line of the J J Stubblefield  
14 Survey to the S E corner of same.

15 Thence N 19 W with the East line of the J J Stubblefield  
16 Survey to the N E corner of same.

17 Thence southwesterly with the North line of the J J  
18 Stubblefield Survey, to the N W corner of same, the N E corner of the  
19 Herman Aiken Survey, an angle corner in the South line of the Wm  
20 Adams Survey.

21 Thence S 71 W with the south line of the Wm Adams Survey to the  
22 S W corner of same, in the East line of the A A Lewis Survey.

23 Thence N 19 W with the West line of the Wm Adams Survey and the  
24 East line of the A A Lewis Survey, to the point in the East line of  
25 the Lewis Survey where the South ROW line of F-M Road #487 crosses  
26 same.

27 Thence Southwesterly across the A A Lewis and the Robert Lile

1 Surveys, to the point where the F-M Road crosses the Lile West line.

2 Thence here leaving the line of the San Gabriel District and  
3 following the West line of the Robert Lile Survey, N 19 W to the  
4 point where it intersects the East ROW line of US Highway #81.

5 Thence Northeasterly with the ROW line of US Highway #81, to  
6 the point where said ROW line crosses the North line of the Lile  
7 Survey.

8 Thence N 71 E with the Robert Lile Survey North line to the N E  
9 corner of said Lile Survey, at or near the N W corner of the Wm B  
10 McClellan Survey.

11 Thence N 71 E with the North line of the McClellan Survey,  
12 crossing the Williamson-Bell County line, to the N E corner of the  
13 McClellan Survey.

14 Thence S 19 E with the East line of the McClellan Survey to  
15 the N W corner of the Samuel Wolfenbarger Survey.

16 Thence with the North lines of the Wolfenbarger and the Jesse  
17 B Holman Survey, N 71 E to the N E corner of the Holman Survey to the  
18 N W corner of the Josiah Chalk Survey.

19 Thence N 71 E with the North line of the Josiah Chalk Survey  
20 and the North line of the H. Barney Survey, Abstract No. 1064, and  
21 the South line of the Rueben Plummer Survey, to the S E corner of the  
22 Plummer Survey and the N E corner of the H. Barney Survey.

23 Thence S 19 E with the upper East line of the H. Barney  
24 Survey, to an Ell corner of the Barney Survey.

25 Thence N 71 E with the lower North line of the Barney Survey,  
26 to the Eastmost N E corner, at the N W corner of the Amos Pollard  
27 Survey, Abstract #667, and at the S W corner of the Henry Barney

1 Survey, Abst. #950.

2 Thence S 70 E with the South line of the Henry Barney Survey  
3 to the S E corner of the Survey.

4 Thence N 20 E with the East line of the Henry Barney Survey to  
5 the N W corner of the John L. Christoph Survey.

6 Thence S 70 E with the North line of the Christoph Survey to  
7 the point where (about 0.6 miles distant) a County road crosses the  
8 survey line.

9 Thence in a Northerly direction about 0.5 miles, with the  
10 road and crossing a part of the M F DeGraffenreid Survey, Abstract  
11 No. 275, to the S W corner of the John Laise Survey, Abst. #515, also  
12 an Ell corner of the DeGraffenreid Survey.

13 Thence N 71 E with the South line of the Laise Survey and the  
14 line of the DeGraffenreid Survey, to the point where another County  
15 road intersects said lines, about the upper N W corner of the  
16 DeGraffenreid Survey.

17 Thence in an E SE direction with the County road, along or  
18 near the North line of this DeGraffenreid Survey and the North line  
19 of another M F DeGraffenreid Survey, Abstract No. 274, to a bend in  
20 the road.

21 Thence S 20 W with the road, about 0.4 miles to a fork in the  
22 road.

23 Thence S 70 E with the road, about 0.6 miles to another bend  
24 in the road, on or near the East line of the DeGraffenreid Survey,  
25 in the West line of the Joseph Branham Survey, Abstract No. 123.

26 Thence N 20 E with the road and survey lines, about 0.1 miles  
27 to another bend in the road.

1 Thence S 70 E about 0.6 miles and with the road to a bend.

2 Thence N 20 E about 0.1 miles with the road, to another bend.

3 Thence S 70 E about 1.0 miles to a crossroad.

4 Thence S 20 W about 0.1 miles to a crossroad.

5 Thence S 70 E at about 0.6 miles cross the East line of the J.  
6 Branham Survey and the West line of the William Newland Survey, in  
7 all about 0.9 miles to a bend.

8 Thence N 20 E with the road about 0.6 miles to a bend.

9 Thence S 70 E with the road about 0.1 miles to the East ROW  
10 line of the M K & T Railroad running between Bartlett and Holland,  
11 Texas.

12 Thence Northerly with the ROW line cross the Newland Survey,  
13 and across the Lucian Barney Survey, to the point where said ROW  
14 line crosses the North line of the Barney Survey and the South line  
15 of the James B. Wills Survey.

16 Thence S 70 E with the South line of the J. B. Wills and the  
17 George Allen Surveys, to the S E corner of the George Allen Survey.

18 Thence N 20 E with the East lines of the George Allen and the  
19 J D Sholl Surveys, to the point where the center of F-M Road running  
20 from just South of Holland through Vilas, crosses the East line of  
21 the Sholl Survey.

22 Thence with the center of said road, in an easterly  
23 direction, passing through Vilas, to the East line of Bell County,  
24 the West line of Milam County, Texas.

25 Thence N 20 E with the County lines, to the point where said  
26 line is crossed by Little River.

27 Thence in an Easterly and Southeasterly direction with the

1 River after about 6 miles a fork in the River bed, follow the new  
2 channel, after about 6 miles more the new channel rejoins the old  
3 channel, continue with old channel about 1 mile more to the POINT OF  
4 BEGINNING.

5 SECTION 2.07. Section 1, Chapter 398, Acts of the 51st  
6 Legislature, Regular Session, 1949, is amended to read as follows:

7 Sec. 1. The Duval County Conservation and Reclamation  
8 District consists [~~Under and pursuant to the provisions of Article~~  
9 ~~16, Section 59, of the Constitution of Texas, there is hereby~~  
10 ~~created within the State of Texas, in addition to the districts into~~  
11 ~~which the state has heretofore been divided, a conservation and~~  
12 ~~reclamation district to be known as the Duval County Conservation~~  
13 ~~and Reclamation District, hereinafter sometimes referred to as the~~  
14 ~~"District," and consisting~~] of that part of the State of Texas which  
15 is included within the boundaries of Duval County, exclusive of  
16 that part of Duval County comprising the Freer Water Control and  
17 Improvement District, of Duval County, and including that part of  
18 Jim Wells County within the corporate limits of the City of San  
19 Diego, Texas.

20 SECTION 2.08. Section 1, Chapter 613, Acts of the 59th  
21 Legislature, Regular Session, 1965, is amended to read as follows:

22 Sec. 1. The [~~Under and pursuant to the provisions of Section~~  
23 ~~59 of Article XVI, Constitution of Texas, a conservation and~~  
24 ~~reclamation district is hereby created and incorporated in~~  
25 ~~Galveston County, Texas, to be known as "Flamingo Isles Municipal~~  
26 ~~Utility District of Galveston County, Texas," hereinafter referred~~  
27 ~~to as the "District," and the~~] boundaries of the Flamingo Isles

1 Municipal Utility District of Galveston County, Texas, [~~said~~  
2 ~~District~~] shall be as follows:

3 All that certain tract of land situated wholly within  
4 Galveston County, Texas, and being a part of the James Spillman  
5 League, Abstract #175, part of the Arthur Burke Survey, Abstract  
6 #25, part of the J. Butler Survey #16, Abstract #194, part of the J.  
7 Butler Survey #18, Abstract #196, all of the J. Butler Survey #17,  
8 Abstract #195 and all of the R. M. Brackenridge Survey, Abstract No.  
9 38, the boundaries of the herein described tract being more fully  
10 described as follows, to wit:

11 BEGINNING at a point where the Westerly line of said James  
12 Spillman League intersects the Southerly line of that certain tract  
13 of land conveyed to the G. C. & S. F. Railroad by deed of record in  
14 Vol. 387, Page 117, in said County Clerk's office;

15 THENCE, in an Easterly direction along the Southerly line of  
16 said G. C. & S. F. property to its most Southerly corner;

17 THENCE, in a Northerly direction along its most Easterly line  
18 to the Southerly line of the G. C. & S. F. Railroad right of way;

19 THENCE, in an Easterly direction along the Southerly line of  
20 said right of way to the most Northerly corner of a subdivision  
21 known as West Galveston, out of said James Spillman League, map of  
22 said Subdivision being of record in Vol. 92, Page 470, in said  
23 County Clerk's office;

24 THENCE, in a general Southerly direction along the Westerly  
25 line of said Subdivision to its West corner;

26 THENCE, in a Southeasterly direction along the Southerly line  
27 of said Subdivision passing the shore line of Galveston Bay and

1 continuing on same course to the intersection with the  
2 Southeasterly line of said James Spillman League;

3       THENCE, in a general Southwesterly direction along the  
4 Southeast line of said League to the most Easterly corner of said R.  
5 M. Brackenridge Survey;

6       THENCE, in a general Southwesterly direction along the  
7 Southeasterly line of said Brackenridge Survey to its most  
8 Southerly corner;

9       THENCE, in a Westerly direction along the most Southerly line  
10 of said Brackenridge Survey to its most Westerly corner;

11       THENCE, in a general Northerly direction along the Westerly  
12 line of said Brackenridge Survey, same being the Easterly line of  
13 the L. T. Yowell Survey, Abstract 216, to the most Northerly corner  
14 of said Brackenridge Survey, same being the most Easterly corner of  
15 said Yowell Survey and on the Southerly line of said Spillman  
16 League;

17       THENCE, in a general Westerly direction along the Southerly  
18 line of said Spillman League, same being the Northerly line of said  
19 Yowell Survey to the Southwesterly corner of said Spillman League,  
20 same being the Northwest corner of said Yowell Survey and on the  
21 Easterly line of the J. Butler Survey #17, same being on the  
22 Easterly line of a tract of land conveyed to John W. Mecom by deed of  
23 record in Vol. 1537, Page 521, in said County Clerk's office;

24       THENCE, in a general Southerly direction along the Easterly  
25 line of said J. Butler Survey #17 to its Southeast corner, same  
26 being the Northeast corner of the Maco Stewart Survey Abstract  
27 #666;



1           THENCE, in a general Westerly direction along the Southerly  
2 line of the J. Butler Survey #17 and the J. Butler Survey #18 and  
3 along the Northerly line of said Maco Stewart Survey to the  
4 Southwesterly corner of the J. Butler Survey #18 same being the  
5 Southeasterly corner of the Wm. Rhodes Survey, Abstract 171, same  
6 being the Southwesterly corner of the aforesaid John W. Mecom  
7 Tract;

8           THENCE, in a general Northerly direction along the West line  
9 of said J. Butler Survey #18 same being the Easterly line of said  
10 Wm. Rhodes Survey to a re-entrant corner of said John W. Mecom  
11 Tract;

12           THENCE, in an Easterly direction along said Mecom Tract to  
13 another re-entrant corner in the J. Butler Survey #18;

14           THENCE, in a general Northerly direction along the Westerly  
15 line of said Mecom Tract passing the Northerly line of the J. Butler  
16 Survey #18 same being the Southerly line of the J. Butler Survey #16  
17 and continuing along the Westerly line of said Mecom Tract to the  
18 Southerly line of the Thomas Toby Survey, Abstract #193 same being  
19 another re-entrant corner in said John W. Mecom Tract;

20           THENCE, in a general Easterly direction along the Southerly  
21 line of said Toby Survey to its Southeast corner same being another  
22 re-entrant corner of said Mecom Tract;

23           THENCE, in a Northerly direction along the Easterly line of  
24 said Thomas Toby Survey and along a Westerly line of the J. Butler  
25 Survey #16 to the Southwesterly corner of the Arthur Burke Survey,  
26 Abstract #26 same being the most Northerly corner of said Mecom  
27 Tract;

1           THENCE, in a general Easterly direction along the Southerly  
2 line of said Arthur Burke Survey, Abstract #26 and along the  
3 Northerly line of said Butler Survey #16 same being a Northerly line  
4 of said Mecom Tract to the Southeast corner of said Arthur Burke  
5 Survey, Abstract #25 being another re-entrant corner of said Mecom  
6 Tract and a re-entrant of said J. Butler Survey #16;

7           THENCE, in a Southerly direction along the Westerly line of  
8 said Arthur Burke Survey, Abstract #25 and along a line in the J.  
9 Butler Survey #16 to the Southwest corner of said Arthur Burke  
10 Survey, Abstract #25 same being a re-entrant corner in said Mecom  
11 Tract and also a reentrant corner of the J. Butler Survey #16;

12           THENCE, in a general Easterly direction along the Southerly  
13 line of said Arthur Burke Survey, Abstract #25 and along the  
14 Northerly line of said J. Butler Survey #16 same being along the  
15 most Southerly Northerly line of said Mecom Tract to the Northeast  
16 corner of said J. Butler Survey #16 same being the Southeasterly  
17 corner of said Arthur Burke Survey, Abstract #25, and being the  
18 Northeast corner of aforementioned Mecom Tract and on the Westerly  
19 line of the James Spillman League;

20           THENCE, in a general Northerly direction along the West line  
21 of said James Spillman League and the Easterly line of the Arthur  
22 Burke Survey, Abstract #25 to the place of beginning.

23           SECTION 2.09. Section 2, Chapter 268, Acts of the 53rd  
24 Legislature, Regular Session, 1953, is amended to read as follows:

25           Sec. 2. The [~~District shall be situated in Wise County,~~  
26 ~~Texas, and the~~] boundaries of the Wise County Water Supply District  
27 [~~thereof~~] shall be as follows:

1 BEGINNING At a point in the original South Boundary Line of  
2 said City of Decatur, Texas, which point is 1 mile South of the  
3 center of the Public Square in Decatur, Texas, an iron pipe about 2  
4 feet long, about 6 inches above the ground, a mesquite tree bears  
5 North 50 1/2° West 82';

6 THENCE East with the original South line of the City Limits of  
7 Decatur, Texas to the East Boundary Line of the Samuel Perrin  
8 Survey, Abstract No. 684, and the West Boundary Line of the A. J.  
9 Walker Survey, Abst. No. 860;

10 THENCE South 1° 31' West of the West Boundary Line of said  
11 Walker Survey and East Boundary Line of said Perrin Survey to the  
12 Northeast Right of Way Line of U.S. Highway 81-287 as now located;

13 THENCE Southeasterly with said Right of Way to the South  
14 Boundary Line of said A. J. Walker Survey;

15 THENCE West with the South Boundary Line of said A. J. Walker  
16 Survey to its intersection with the East Right of Way Line of State  
17 Highway F.M. 730 as now located;

18 THENCE Southerly with the East Right of Way Line of said  
19 Highway F.M. 730 to its intersection with the East Boundary Line of  
20 the A. G. Harris Survey, Abstract No. 375;

21 THENCE South with the East Boundary Line of said A. G. Harris  
22 Survey to the South Boundary Line of same, being the South Boundary  
23 Line of the Valley View Acres Subdivision according to the recorded  
24 plat thereof;

25 THENCE West with the South Boundary Line of said Valley View  
26 Acres Subdivision and said A. G. Harris Survey, to the Southwest  
27 corner of said Subdivision, in the center of a creek;

1           THENCE with the meanderings of said creek as follows:  
2           North 6° 7' West 87.3 feet;  
3           North 46° 55' East 189 feet;  
4           North 53° 55' East 230.4 feet;  
5           South 88° 44' East 176.3 feet;  
6           North 63° 42' East 187.1 feet;  
7           North 62° East 182 feet;  
8           THENCE South 38° 58' East 69.5 feet to a corner;  
9           THENCE South 81° 04' East 30' to a 2" iron stake in old fence  
10 line;  
11          THENCE North 34° 04' West 151.2 feet to a stake on the bank of  
12 a creek;  
13          THENCE North 13° 19' East 53 feet to a stake on the bank of a  
14 creek;  
15          THENCE North 50° 55' East 275 feet to the North corner of a  
16 1.88 acre tract in said Harris Survey in the West Right of Way Line  
17 of State Highway F M 730;  
18          THENCE North with said Right of Way Line 64' to the Southeast  
19 corner of a 1 acre tract conveyed to E. H. McDaniel by deed recorded  
20 in Volume 208, Page 256, Deed Records of Wise County, Texas;  
21          THENCE West with the South Line of said 1 acre tract 100' to  
22 its Southwest corner, a stake in the East Bank of a creek;  
23          THENCE Northeasterly with the meanderings of said creek to  
24 the North Boundary Line of said 1 acre tract;  
25          THENCE East 49' to the Northeast corner of said 1 acre tract,  
26 in the West Right of Way Line of State Highway F M 730;  
27          THENCE Northerly with the West Right of Way Line of said State

1 Highway F M 730 to its intersection with the South Boundary Line of  
2 the A. J. Walker Survey, Abstract No. 860;

3       THENCE West with the South Boundary Line of said Walker  
4 Survey to its Southwest corner, being the Southeast corner of the  
5 Samuel Perrin Survey, Abstract No. 684;

6       THENCE North 1° 31' East with the East Boundary Line of said  
7 Perrin Survey and West Boundary Line of said Walker Survey to the  
8 Southwest Right of Way Line of said U. S. Highway 81-287;

9       THENCE Northwesterly with said Right of Way to its  
10 intersection with the original South City Limits Line of said City  
11 of Decatur;

12       THENCE West with the original South City Limits Line of said  
13 City of Decatur to the East Right of Way Line of State Highway FM 51,  
14 as now located;

15       THENCE Southwesterly with said Right of Way Line to its  
16 intersection with the North Boundary Line of a 310 acre tract out of  
17 the Samuel Isaacs Survey Abst. No. 454, conveyed to Wise County,  
18 Texas by deed of record in Volume 6, Page 4, of the Deed Records of  
19 Wise County, Texas;

20       THENCE East with the North Boundary Line of said 310 acre  
21 tract to its Northeast corner, being the Northeast corner of said  
22 Isaacs Survey;

23       THENCE South 1645 varas with the East Line of said 310 acre  
24 tract to its Southeast corner;

25       THENCE West with the South Line of said 310 acre tract 1066  
26 varas to its Southwest corner, a stake from which a B. J. bears  
27 North 10° West 7 1/2 varas;

1           THENCE North with the East Boundary Line of said 310 acre  
2 tract to the Southwest corner of a 76 acre tract in said Isaacs  
3 Survey conveyed to G. R. Lipsey, Sr., by deed of record in Volume  
4 214, Page 566, Deed Records of Wise County, Texas;

5           THENCE North 85° East, 42 varas to a corner in the West Right  
6 of Way Line of said State Highway FM 51;

7           THENCE Northeasterly with the West Right of Way Line of said  
8 State Highway F M 51 to its intersection with the original South  
9 City Limits Line of said City of Decatur;

10          THENCE West with said original South City Limits Line to the  
11 original Southwest corner of said City of Decatur;

12          THENCE North with the original West City Limits Line of the  
13 City of Decatur to its intersection with the South Line of a 100  
14 acre tract in the D. Moses Survey, Abstract No. 537 described in  
15 deed to Coke L. Gage recorded in Volume 204, Page 244, of the Deed  
16 Records of Wise County, Texas;

17          THENCE West with the South Line of said Coke L. Gage 100 acre  
18 tract 747 varas to its Southwest corner;

19          THENCE North 950 varas to the Northwest corner of said 100  
20 acre tract in the South Right of Way Line of said State Highway No.  
21 24;

22          THENCE West with the South Right of Way Line of said State  
23 Highway No. 24 to a point due South of the most Easterly Southwest  
24 corner of an 84 acre tract in the J. H. Moore Survey, Abstract No.  
25 538, described as FIRST TRACT in deed to C. L. Gage recorded in  
26 Volume 208, Page 354, Deed Records of Wise County, Texas;

27          THENCE North crossing said State Highway No. 24, continuing

1 with the most Easterly West Line of said 84 acre tract to an inward  
2 corner of same, said point being 225 varas North of the North Right  
3 of Way Line of said Highway;

4       THENCE West 150 varas to the most Westerly Southwest corner  
5 of said 84 acre tract;

6       THENCE North 682 varas to the Northwest corner of the said 84  
7 acre tract;

8       THENCE East with the North Line of said 84 acre tract and  
9 continuing East along the North Line of a 72 acre tract described as  
10 SECOND TRACT in Deed to C. L. Gage recorded in Volume 208, Page 354,  
11 Deed Records of Wise County, Texas, to the Northeast corner of said  
12 72 acre tract on the West boundary line of the G. M. Vigil Survey,  
13 Abst. No. 857;

14       THENCE South with the West Boundary Line of said G. M. Vigil  
15 Survey to the Northwest corner of a 29.5 acre tract in said survey,  
16 described as THIRD TRACT in deed to C. L. Gage recorded in Volume  
17 208, Page 354, Deed Records of Wise County, Texas, a corner in  
18 center of a branch;

19       THENCE Easterly with the meanderings of said branch to the  
20 Northeast corner of said 29.5 acre tract, in the West Boundary Line  
21 of the J. B. Williams Survey, Abst. No. 880;

22       THENCE Easterly continuing with the meanderings of said  
23 branch to the Northeast corner of a 15.5 acre tract described as the  
24 FOURTH TRACT in deed to C. L. Gage, recorded in Volume 208, Page  
25 354, Deed Records of Wise County, Texas, being a point in the West  
26 Boundary Line of a 40 acre tract in said J. B. Williams Survey  
27 conveyed to J. H. Valcik by deed of record in Volume 170, Page 142,

1 Deed Records of Wise County, Texas;

2       THENCE North 40.0 varas to the Northwest corner of said J. H.  
3 Valcik 40 acre tract;

4       THENCE East 171.47 varas to the Most Westerly Northeast  
5 corner of said 40 acre tract;

6       THENCE South at 100 varas a branch at 133.2 varas an inward  
7 corner in said 40 acre tract;

8       THENCE South 76° 39' East 254.52 varas to the Most Easterly  
9 Northeast corner of said 40 acre tract;

10       THENCE South 217.6 varas to the Northwest corner of a 7 acre  
11 tract in said J. B. Williams Survey conveyed to T. F. Cook by deed of  
12 record in Volume 224, Page 419, Deed Records of Wise County, Texas;

13       THENCE East with the North Line of said 7 acre tract and the  
14 North Line of a 2.5 acre tract in said Williams Survey conveyed to  
15 J. Sherman by deed of record in Vo. 242, Page 431, Deed Records of  
16 Wise County, Texas, a total distance of 239 varas to the Northeast  
17 corner of said 2.5 acre;

18       THENCE North to the Northwest corner of a 9 acre tract in said  
19 J. B. Williams Survey conveyed to L. P. Cole by deed of record in  
20 Volume 208, Page 596, Deed Records of Wise County, Texas;

21       THENCE East with the North Line of said 9 acre tract a  
22 distance of about 3 feet to the Original West City Limits Line of  
23 the City of Decatur;

24       THENCE North with said Original West City Limits Line to the  
25 original Northwest corner of said City of Decatur, an iron pipe for  
26 corner, an elm tree bears South 75° West 30 1/2 feet;

27       THENCE East with the original North City Limits Line of said



1 City of Decatur, to its intersection with the center of the  
2 Decatur-Forestburg road, being now designated as State Highway FM  
3 730;

4 THENCE Northerly with the center of said Highway to the  
5 Southwest corner of a 19.6 acre tract conveyed to J. N. Hinkle by  
6 deed of record in Volume 158, Page 317, Deed Records of Wise County,  
7 Texas;

8 THENCE North  $76^{\circ} 39'$  East with South Line of said 19.6 acre  
9 tract 613.2 feet to a fence corner;

10 THENCE North  $2^{\circ} 2'$  West 329.3 feet to a fence corner;

11 THENCE South  $79^{\circ} 53'$  East 654.4 feet to a fence corner;

12 THENCE North  $12^{\circ} 28'$  West 543.7 feet to the North line of a  
13 121.16 acre tract conveyed to the City of Decatur by deed of record  
14 in Volume 156, Page 24, Deed Records of Wise County, Texas;

15 THENCE North 300' to a fence corner;

16 THENCE East 280' to a fence corner;

17 THENCE North  $14^{\circ} 20'$  East 751.3 feet to a corner in the South  
18 Boundary Line of the J. M. Birdwell Survey, Abst. No. 68, being in  
19 the South Boundary Line of the 80 acre Decatur Golf Club tract;

20 THENCE West with the South Boundary Line of said J. M.  
21 Birdwell Survey to its Southwest corner;

22 THENCE North 475 varas to the Northwest corner of said  
23 Decatur Golf Club 80 acre tract;

24 THENCE East 950 varas to the Northeast corner of said Decatur  
25 Golf Club tract, in the East Boundary Line of said J. M. Birdwell  
26 Survey;

27 THENCE South with the East Boundary Line of said J. M.

1 Birdwell Survey 475 varas to its Southeast corner;

2           THENCE West with the South Boundary Line of said J. M.  
3 Birdwell Survey, to the most Northerly Northeast corner of the  
4 Decatur Municipal Airport;

5           THENCE South 1028' with the East Boundary Line of said  
6 Decatur Airport tract to an inward corner of same;

7           THENCE East 364.2 feet to the Northeast corner of a 121.16  
8 acre tract conveyed to the City of Decatur by deed of record in  
9 Volume 156, Page 24, Deed Records of Wise County, Texas;

10           THENCE South 1597.2 feet to the North Boundary Line of the R.  
11 J. Lindley Survey, Abst. No. 1201, and the South Boundary Line of  
12 the J. M. Birdwell Survey, Abst. No. 67;

13           THENCE East 18' to the center of the Decatur Cemetery Road;

14           THENCE With the center of said road South 33° West 450' to a  
15 corner;

16           THENCE West 333.3 feet to a fence corner;

17           THENCE South 133.3 feet with fence line to the Northeast  
18 corner of the N. H. Munger Survey, Abst. No. 581;

19           THENCE West with the North Boundary Line of said N. H. Munger  
20 Survey to its intersection of the East Right of Way Line of State  
21 Highway FM 730;

22           THENCE South with said Right of Way Line to the original North  
23 City Limits Line of said City of Decatur;

24           THENCE East with said original North City Limits Line to the  
25 original Northeast corner of said City of Decatur;

26           THENCE South with the original East City Limits Line of said  
27 City of Decatur 10560 feet to an iron pipe for the original

1 Southeast corner of said City of Decatur, a railroad crossing sign  
2 bears South 7° West 247 feet;

3 THENCE West with the original South City Limits Line of the  
4 City of Decatur to the place of beginning.

5 ~~[It is hereby found that all land thus included in said  
6 District will be benefited by the improvements to be acquired and  
7 constructed by said District.]~~

8 SECTION 2.10. Section 1, Chapter 198, Acts of the 53rd  
9 Legislature, Regular Session, 1953, is amended to read as follows:

10 Sec. 1. ~~[Under and pursuant to the provisions of Article 16,  
11 Section 59 of the Constitution, a conservation and reclamation  
12 district is hereby created and incorporated in Medina County,  
13 Texas, to be known as Medina County Water Control and Improvement  
14 District No. 2, hereinafter sometimes referred to as the  
15 "District."]~~ The boundaries of the Medina County Water Control and  
16 Improvement District No. 2 ~~[thereof]~~ shall be as follows:

17 BEGINNING at a point in the east line of Survey No. 438,  
18 Joseph McGinnis, which point is south 6276 feet from the northeast  
19 corner of said Survey No. 438;

20 THENCE, West 1559 feet to a reentrant corner;

21 THENCE, North 2670 feet to a corner;

22 THENCE, West 1735 feet to a corner;

23 THENCE, South 1476 feet to a reentrant corner;

24 THENCE, West 1386 feet to a corner;

25 THENCE, South 1122 feet to a reentrant corner;

26 THENCE, West 812 feet to a corner;

27 THENCE, South 45° west 1016 feet to a point in the south

1 right-of-way line of the old Eagle Pass Road;

2 THENCE, South 300 feet to a corner;

3 THENCE, North 80° 30' east 770 feet to a reentrant corner;

4 THENCE, South 2320.6 feet to a corner, the southwest corner  
5 of the District;

6 THENCE, East 5620 feet to a corner, the extreme southeast  
7 corner of the District;

8 THENCE, North 1690 feet to a reentrant corner;

9 THENCE, East 370 feet to a corner;

10 THENCE, North 450 feet to a reentrant corner;

11 THENCE, East 1914 feet to a corner;

12 THENCE, North 610 feet to a point in the north line of Survey  
13 No. 441, D. C. Burnett;

14 THENCE, West 1120 feet with the north line of said Survey No.  
15 441, D. C. Burnett;

16 THENCE, North 390 feet to a corner;

17 THENCE, West 1333 feet to the point of beginning; containing  
18 approximately 608 acres.

19 SECTION 2.11. Section 1, Chapter 324, Acts of the 57th  
20 Legislature, Regular Session, 1961, is amended to read as follows:

21 Sec. 1. The Rio Grande Palms Water District [~~Under and~~  
22 ~~pursuant to the provisions of Article XVI, Section 59, of the~~  
23 ~~Constitution, a conservation and reclamation district within~~  
24 ~~Cameron County, Texas, is hereby created and incorporated, to be~~  
25 ~~known as "Rio Grande Palms Water District," hereinafter sometimes~~  
26 ~~referred to as the "District."~~ Said District] is situated within  
27 the Espiritu Santo and San Pedro de Carricitos Grants of land in

1 Cameron [~~said~~] County. The boundaries thereof are as follows:

2 BEGINNING at the Northeast corner of what is commonly known  
3 as Noriega Tract out of Share No. One, Espiritu Santo Grant, Cameron  
4 County, Texas, said corner being the intersection of the East line  
5 of the said Share No. One with the centerline of 80.0 feet Iowa  
6 Gardens County Road, for the Northeast corner of the tract herein  
7 described;

8 THENCE, with the North line of said Noriega Tract and the said  
9 centerline of Iowa Gardens Road, N 80 deg 41 min 30 sec W 4037.9 feet  
10 to the Northwest corner of said Noriega Tract and the Northeast  
11 corner of Lot 1, Block 1, Barreda Gardens Subdivision;

12 THENCE, along the centerline of said Iowa Gardens Road, along  
13 the North line of said Block 1, N 80 deg 44 min W 2811.1 feet to the  
14 Northwest corner of said Block 1 and the Northeast corner of Block  
15 2, Barreda Gardens Subdivision;

16 THENCE, along the centerline of said Iowa Gardens Road, along  
17 the North line of said Block 2, N 80 deg 44 min W 3731.3 feet  
18 (recorded map shows 3735.3 feet) to the Northwest corner of said  
19 Block 2 and the Northeast corner of Block 3, Barreda Gardens  
20 Subdivision;

21 THENCE, along the centerline of said Iowa Gardens Road, along  
22 the North line of said Block 3, N 80 deg 33 min W 5110.1 feet  
23 (recorded map call for 5113.2 feet) to the Northwest corner of Block  
24 3 and the Northeast corner of a 196.8 acre tract out of the Northern  
25 part of what is commonly called the Sams-Porter Tract in San Pedro  
26 de Carricitos Grant, Cameron County, Texas;

27 THENCE, along the centerline of said Iowa Gardens Road, along

1 the North line of the Sams-Porter Tract, N 80 deg 52 min W 2343.8  
2 feet to the Northwest corner of the said 196.8 acre tract, for the  
3 Northwest corner of this tract;

4       THENCE, along the West line of said Sams-Porter Tract, along  
5 the West line of said 196.8 acre Tract, S 9 deg 41 min W 2711.5 feet  
6 to an intersection with the centerline of 100 ft. State Highway No.  
7 4 for a corner;

8       THENCE, running 100 feet perpendicularly distance from and  
9 parallel to the centerline of the St. Louis, Brownsville and Mexico  
10 railroad with the centerline of 100 ft State Highway No. 4, S 45 deg  
11 30 min E 2045.8 feet to the beginning of a curve to the right having  
12 a radius of 5830.0 feet and a central angle of 10°-03 1/2' and whose  
13 chord is S 40° 28' 15" East 1022.1 ft.;

14       THENCE, with said curve 1023.5 feet to the intersection with  
15 west line of Barreda Gardens Subdivision, same being the division  
16 line between the San Pedro de Carricitos and the Espiritu Santos  
17 Grants;

18       THENCE, along the west line of the Barreda Gardens  
19 Subdivision, N 8 deg 10 min 30 sec E 73.3 feet to a point on the  
20 Northeast right of way of the 100 ft State Highway No. 4 for a  
21 corner;

22       THENCE, along the Northeast right of way line of 100 ft. State  
23 Highway No. 4, S 35 deg 00 min E 3692.2 feet to the northwest corner  
24 of the Barreda Townsite;

25       THENCE, along the northeast right of way line of 100 ft. State  
26 Highway No. 4, S 35 deg 00 min E 3833.2 feet to the beginning of a  
27 curve to the right with a central angle of 3 deg 05 min and a radius

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1 of 5879.5 feet and whose chord is S 33° 27' 30" East 316.3 feet;

2       THENCE, with said curve a distance of 316.4 feet to end of  
3 said curve;

4       THENCE, along the northeast right of way line of 100 ft State  
5 Highway No. 4, S 31 deg 55 min E 2123.8 feet to the Westernmost  
6 corner of Lot 35, Block 9, Barreda Gardens Subdivision;

7       THENCE, along the Northeast right of way line of 100 ft State  
8 Highway No. 4, along the Southwest line of Lots 35, 37, 38, 39, 40,  
9 and 41, Block 9, Barreda Gardens Subdivision, S 31 deg 55 min E  
10 669.0 feet to a point for a corner, said point being N 31 deg 55 min  
11 W 45.0 feet from the Southernmost corner of Lot 41;

12       THENCE, crossing State Highway No. 4 and said railroad, S 58  
13 deg 05 min W 200.0 ft. to a point on the southwest right of way line  
14 of said railroad, 50.0 feet perpendicularly from its centerline,  
15 said point being N 31 deg 55 min W 45.0 feet from the easternmost  
16 corner of Lot 52, Block 10, Barreda Gardens Subdivision;

17       THENCE, along the northeast line of Lots 52 and 51, Block 10,  
18 N 31 deg 55 min W 155.0 feet to the northernmost corner of Lot 51;

19       THENCE, along the line between Lots 51 and 50, S 58 deg 05 min  
20 W 217.8 feet;

21       THENCE, S 31 deg 55 min E 800.0 feet to a point on the line  
22 between Lots 58 and 59, Block 10;

23       THENCE, along the line between Lots 58 and 59, S 58 deg 05 min  
24 W 217.8 feet to the southernmost corner of Lot 58 and the  
25 westernmost corner of Lot 59;

26       THENCE, along the northeast line of Lot 1, Block 10, N 31 deg  
27 55 min W 66.3 feet to a point for a corner;

1           THENCE, 150 feet perpendicularly from the southeast and south  
2 lines of Lot 1, Block 10, S 58 deg 05 min W 673.2 feet and N 82 deg 30  
3 min W 342.7 feet to a point on the line between Lot 1 and Lot 38,  
4 Block 10;

5           THENCE, along the line between Lot 1 and Lot 38, S 31 deg 55  
6 min E 135.9 feet to a point for a corner;

7           THENCE, 45.0 feet perpendicularly north of and parallel to  
8 the south line of Lot 38, N 82 deg 30 min W 965.0 feet to a point for  
9 a corner;

10          THENCE, 45.0 feet perpendicularly east of and parallel to the  
11 west line of Lot 38, N 7 deg 30 min E 45.0 feet to a point for a  
12 corner;

13          THENCE, 90.0 feet perpendicularly north of and parallel to  
14 the south line of Lot 38, Block 10, Lots 16 and 15, Block 11, N 82  
15 deg 30 min W, at 45.0 feet the east line of Lot 16, a total distance  
16 of 1980.0 feet to a point for a corner;

17          THENCE, 45.0 feet perpendicularly east of and parallel to the  
18 west line of Lot 15, N 7 deg 30 min E 615.0 feet to a point for a  
19 corner;

20          THENCE, N 82 deg 30 min W 9.9 feet to a point on the line  
21 between Lots 15 and 7 to a point for a corner;

22          THENCE, along the line between Lots 15 and 7, N 45 deg 27 min E  
23 101.4 feet to a point for a corner;

24          THENCE, 125.0 feet perpendicularly north of and parallel to  
25 the south line of Lots 7, 8 and 9, Block 11, Barrera Gardens  
26 Subdivision, N 82 deg 30 min W, at 757.5 feet the west line of Lot 7,  
27 a total distance of 2077.5 feet to a point on the west line of Lot 9



1 and the east line of Lot 10;

2           THENCE, along the line between Lots 9 and 10, S 7 deg 30 min W  
3 80.0 feet to a point for a corner;

4           THENCE, 45.0 feet perpendicularly north of and parallel to  
5 the south line of Lots 10 and 71, N 82 deg 30 min W 1066.5 feet to a  
6 point on the west line of Lot 71, Block 11, for a corner;

7           THENCE, along the west line of Lot 71, S 24 deg 13 min W 47.0  
8 feet to the southwest corner of Lot 71 and the northwest corner of  
9 Lot 70;

10           THENCE, along the west lines of Lot 70, S 37 deg 16 min W 460.8  
11 feet and S 8 deg 10 min 30 sec W 260.0 feet to the southwest corner  
12 of Lot 70 and the northwest corner of Lot 69;

13           THENCE, along the West line of Barreda Gardens Subdivision, S  
14 8 deg 10 min 30 sec W, at 6600.4 the southwest corner of Block 11 and  
15 the northwest corner of Block 12 of said subdivision, at 14,520.8  
16 the southwest corner of Lot 42, Block 12 and the northwest corner of  
17 Lot 66, Block 12, a total distance of 16,368.5 feet to the southwest  
18 corner of Lot 66, Block 12;

19           THENCE, along the south lines of Lot 66, and Lot 65C Block 12,  
20 S 21 deg 02 min E 196.7 feet, S 51 deg 00 min 30 sec E 152.0 feet and  
21 S 63 deg 25 min 30 sec E 349.0 feet to a point that is 100.0 feet from  
22 the centerline of the Main Canal on the north bank of the Resaca del  
23 Rancho Viejo;

24           THENCE, crossing said resaca, 100.0 feet perpendicularly  
25 west of the centerline of the Main Canal flume, S 8 deg 03 min W  
26 132.9 feet to the northwest corner of Lot 8, Block 15, Barreda  
27 Gardens Subdivision;

1           THENCE, along the west line of Lot 8, Block 15, 100.0 feet  
2           perpendicularly west of the centerline of the Main Canal, S 7 deg 57  
3           min 30 sec W 1496.4 feet to the Southwest corner of Lot 8 and the  
4           northwest corner of Lot 9, Block 15;

5           THENCE, along the west line of Lots 9, 10, 23 and 24, Block  
6           15, S 8 deg 10 min 06 sec W, 2435.2 feet to the westernmost corner of  
7           said Lot 24;

8           THENCE, along the northeast right of way line of an abandoned  
9           railroad, along the southwest lines of Lot 24, Block 15, Lots 25, 3,  
10          4, 9, 8, 19, 20, 29, 28, and 35, Block 16 S 10 deg 44 min 31 sec E a  
11          distance of 6670.2 to a point for a corner;

12          THENCE, S 79 deg 15 min 29 sec W, at 100.0 feet the east line  
13          of Lot 36, Block 16, and continuing 200.0 feet perpendicularly  
14          south of and parallel to the north line of Lot 36, a total distance  
15          of 866.0 feet to a point on the west line of Lot 36;

16          THENCE, along the west line of Lot 36, S 10 deg 31 min 07 sec E  
17          209.2 feet to the southwest corner of Lot 36;

18          THENCE, along the south line of Lot 36, and the south line of  
19          Lot 35, S 82 deg 30 min E at 814.0 feet the southeast corner of Lot  
20          36, at 920.5 feet the southwest corner of Lot 35, a total distance  
21          of 1154.7 feet to a point for a corner;

22          THENCE, in Santander Townsite, 100.0 ft. perpendicularly  
23          West of the centerline of Main Canal S 15 deg 27 min E 71.2 feet to  
24          the beginning of a curve to the left with a central angle of 15 deg  
25          12 min and a radius of 1532.5 feet and whose chord is S 23° 03' East  
26          405.4 feet;

27          THENCE, along the arc of said curve, a distance of 406.5 feet

1 to the end of said curve;

2           THENCE, S 30 deg 39 min E, 100.0 feet perpendicularly from the  
3 centerline of Main Canal, a distance of 1216.8 feet to a point for a  
4 corner;

5           THENCE, 100.0 feet perpendicularly west of the Main Canal  
6 siphon, S 9 deg 01 min E, at 17.8 feet the south line of Santander  
7 Townsite and the North line of the Cameron County Floodway, a total  
8 distance of 622.4 feet to a point for a corner;

9           THENCE, S 30 deg 10 min E, at 17.6 feet the Northwest corner  
10 of Lot 5, Block 18, Barreda Gardens Subdivision, along the east line  
11 of Lots 5, 6, 9, 10, 13, 14, 15, 16 and 17, Block 18, a total  
12 distance of 5784.0 feet to the beginning of a curve to the right  
13 with a central angle of 90 deg and a radius of 711.3 feet and whose  
14 chord is S 14° 50' west 1005.9 feet;

15           THENCE, along the arc of said curve, along the east line of  
16 Lot 17 and the south line of Lot 18, a distance of 1117.3 feet to the  
17 end of said curve;

18           THENCE, along the south line of Lot 18, S 59 deg 50 min W at  
19 996.6 feet the southwest corner of Lot 18, and the east line of the  
20 Military Highway, a total distance of 1079.1 feet to the west line  
21 of the Military Highway;

22           THENCE, along the West line of the Military Highway, in a  
23 northerly direction along the arc of a curve to the right with a  
24 radius of 995.4 feet and whose chord is North 15° 18' 05" West 47.6  
25 feet, a distance of 47.6 feet to the northernmost corner of the  
26 Settling Basin tract as shown on the Barreda Gardens Subdivision;

27           THENCE, S 52 deg 37 min W 816.6 feet, S 54 deg 17 min W 1046.8

1 feet, S 31 deg 09 min E 1513.6 feet, S 39 deg 20 min 30 sec E 727.5  
2 feet and S 7 deg 36 min W 1228.5 feet to a point on the bank of the  
3 Rio Grande River;

4 THENCE, along the bank of the Rio Grande, N 70 deg 43 min E, at  
5 224.2 feet the southwest corner of a 1.36 acre tract, at 504.5 feet  
6 the south corner of Lot 28, Block 18, a total distance of 692.6 feet  
7 and N 65 deg 23 min E 605.4 feet to a point for a corner;

8 THENCE, N 7 deg 28 min E 741.5 feet, N 87 deg 54 min E 548.0  
9 feet and N 8 deg 10 min E 124.8 feet to a point in the south line of  
10 Lot 23, Block 18, for a corner;

11 THENCE, along the south line of Lots 23 and 24, Block 18, S 86  
12 deg 50 min 30 sec W 1495.8 feet to the southwest corner of Lot 24;

13 THENCE, along the southwest lines of Lots 25, 26, and 27, N 39  
14 deg 20 min 30 sec W 800.0 feet, N 31 deg 09 min W 760.9 feet to the  
15 beginning of a curve to the right with a central angle of 87 deg 09  
16 min and a radius of 600.1 feet and whose chord is North 12 deg 25 min  
17 30 sec East 827.2 feet;

18 THENCE, along the arc of said curve, along the west line of  
19 Lot 27, a distance of 912.8 feet to the end of said curve;

20 THENCE, along the north line of Lot 27, N 56 deg 00 min E  
21 1042.0 feet to the northernmost corner of Lot 27 on the west line of  
22 the Military Highway;

23 THENCE, along the west line of the Military Highway, in a  
24 northerly direction along an arc of a curve to the right with a  
25 radius of 995.4 feet and whose chord is north 28 deg 42 min 56 sec  
26 west 13.4 feet, a distance of 13.4 feet to a point for a corner;

27 THENCE, crossing the Military Highway, N 59 deg 50 min E, at

1 80.1 feet the east line of the Military Highway and the westernmost  
2 corner of Lot 19, Block 18, a total distance of 1106.3 feet to the  
3 northernmost corner of Lot 19;

4       THENCE, S 30 deg 10 min E 200.0 feet to a point that is the  
5 beginning of a curve to the left with a central angle of 90 deg and a  
6 radius of 1111.3 feet, and whose tangents are North 59 deg, 50 min  
7 East 1111.3 feet and North 30 deg 10 min W 1111.3 ft.;

8       THENCE, along the arc of said curve in a northeasterly and  
9 northerly direction, a distance of 1745.6 feet to the end of said  
10 curve;

11       THENCE, 400.0 feet perpendicularly east of the east lines of  
12 Lots 17 and 16, N 30 deg 10 min W 514.5 feet to a point for a corner;

13       THENCE, N 82 deg 25 min 30 sec W 126.5 feet to a point for a  
14 corner;

15       THENCE, 300.0 feet perpendicularly east of the east line of  
16 Lots 16, 15, 14, 13, 10, 9, 6 and 5, N 30 deg 10 min W, at approx 1200  
17 ft the south line of Lot 12, and then 100.0 feet perpendicularly  
18 east of the west line of Lots 12, 11, 8, 7, 4, Block 18, a total  
19 distance of 5171.0 feet to a point on the north line of Lot 4 and the  
20 south line of the Cameron County Floodway;

21       THENCE, along the north line of Lot 4 and the south line of  
22 the floodway, S 60 deg 29 min W 93.2 feet to a point for a corner;

23       THENCE, crossing said floodway, 100 feet perpendicularly  
24 east of the siphon on the Main Canal, N 9 deg 01 min W, at 544.7 feet  
25 the south line of the Santander Townsite and the north line of said  
26 floodway, a total distance of 604.5 feet;

27       THENCE, 100.0 feet perpendicularly east of the centerline of

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1 the Main Canal, in Santander, N 30 deg 39 min W a distance of 1255.0  
2 feet to the beginning of a curve to the right with a radius of 1332.5  
3 feet and a central angle of 14 deg 37 min and whose chord is North 23  
4 deg 20 min 30 sec west 339.0 feet;

5 THENCE, along the arc of said curve, a distance of 339.9 feet  
6 to a point on the south line of Lot 35, Block 16, for a corner;

7 THENCE along the south line of Lot 35, S 82 deg 30 min E 108.6  
8 feet to a point for a corner;

9 THENCE, 200.0 feet perpendicularly from the centerline of the  
10 main canal, N 15 deg 27 min W 403.3 feet to the beginning of a curve  
11 to the left with a central angle of 20 deg 03 min and a radius of  
12 518.4 feet and whose chord is north 25 deg 28 min 30 sec west 180.4  
13 feet;

14 THENCE, along the arc of said curve 200 feet from the  
15 centerline of the canal, a distance of 181.2 feet to the end of said  
16 curve;

17 THENCE, N 35 deg 30 min W 219.4 feet to the beginning of a  
18 curve to the right with a central angle of 24 deg 45 min and a radius  
19 of 755.4 feet and whose chord is North 23 deg 07 min 30 sec west  
20 323.8 feet;

21 THENCE, along the arc of said curve 200 feet from the  
22 centerline of the main canal, a distance of 326.4 feet to the end of  
23 said curve;

24 THENCE, 300.0 feet perpendicularly east of the west line of  
25 Lots 28, 29, 20, 19, 8, 9, 4, 3, and 25, Block 16 and Lot 24, Block  
26 15, N 10 deg 44 min 31 sec W, at 2462.6 feet the north line of Lot 19  
27 and the south line of Lot 8, at 5937.2 feet the north line of Lot 25,

1 Block 16 and the south line of Lot 24, Block 15, a total distance of  
2 6044.7 feet to the beginning of a curve to the right with a central  
3 angle of 18 deg 54 min 37 sec and a radius of 946 feet and whose  
4 chord is north 01 deg 17 min 13 sec west 310.8 feet;

5       THENCE, along the arc of said curve a distance of 312.2 feet  
6 to the end of said curve;

7       THENCE, 300.0 feet perpendicularly east of the west line of  
8 Lots 24, 23, 10 and 9, Block 15, N 08 deg 10 min 06 sec E a distance  
9 of 2231.0 feet to a point on the north line of Lot 9 and the south  
10 line of Lot 8;

11       THENCE, 300.0 feet perpendicularly east of the west line of  
12 Lot 8, Block 15, N 7 deg 57 min 30 sec E 1394.6 feet to a point on the  
13 north line of Lot 8;

14       THENCE, along the north line of Lot 8, N 79 deg 39 min W 89.7  
15 feet, and N 57 deg 02 min W 11.4 feet to a point that is 100.0 feet  
16 perpendicularly east of the centerline of the canal siphon;

17       THENCE, 100.0 feet perpendicularly east of the centerline of  
18 the canal siphon, crossing the Resaca del Rancho Viejo, N 8 deg 03  
19 min E 170.8 feet to a point in the south line of Lot 65, Block 12, on  
20 the north bank of said resaca;

21       THENCE, S 69 deg 11 min E 43.0 feet and S 77 deg 54 min 30 sec E  
22 8.0 feet to a point that is 150 feet from the centerline of the Main  
23 Canal;

24       THENCE, N 8 deg 03 min E 85.0 feet to the beginning of a curve  
25 to the left with a central angle of 69 deg 24 min and a radius of  
26 250.0 feet and whose chord is north 26 deg 39 min west 284.6 feet;

27       THENCE, with the arc of said curve, a distance of 302.8 feet

1 to the end of said curve;

2           THENCE, continuing 150 feet from the centerline of the canal,  
3 N 61 deg 21 min W 365.5 feet to an angle point;

4           THENCE, continuing 150 feet from the centerline of the canal,  
5 N 8 deg 09 min E, at 1818.5 feet the North line of Lot 66 and the  
6 south line of Lot 42, Block 12, a total distance of 11,592.2 feet to  
7 an angle point in Lot 63, Block 11;

8           THENCE, continuing 150 feet from the centerline of said  
9 canal, N 7 deg 24 min 30 sec E 2108.9 feet to the north line of Lot 64  
10 and the south line of Lot 66, Block 11;

11           THENCE, along the north line of Lot 64 and the south line of  
12 Lot 66, N 82 deg 30 min W 50.0 feet to a point that is 100 feet from  
13 the centerline of said canal;

14           THENCE, 100 feet from the centerline of said canal, N 7 deg 24  
15 min 30 sec E 2640.0 feet to a point in the north line of Lot 69 and  
16 the south line of Lot 70, Block 11, said point being S 82 deg 30 min  
17 E 184.3 feet from the northwest corner of Lot 69 and the southwest  
18 corner of Lot 70;

19           THENCE, along the north line of Lot 69 and the south line of  
20 Lot 70, S 82 deg 30 min E 115.7 feet, said point being 300.0 feet  
21 from the northwest corner of Lot 69 and the southwest corner of Lot  
22 70;

23           THENCE, 300.0 feet perpendicularly east of the west line of  
24 Lot 70, N 8 deg 10 min 30 sec E 178.6 feet and N 37 deg 16 min E 399.1  
25 feet to a point that is 135.0 feet perpendicularly south of the  
26 north line of Lot 70;

27           THENCE, 135.0 feet perpendicularly south of and parallel to



1 the north line of Lots 70 and 11, S 82 deg 30 min E 811.7 feet to a  
2 point on the east line of Lot 11 and the west line of Lot 12;

3       THENCE, on the line between Lot 11 and Lot 12, N 7 deg 30 min E  
4 90.0 feet to a point for a corner;

5       THENCE, 45.0 feet perpendicularly south of and parallel to  
6 the north line of Lots 12, 13 and 14, S 82 deg 30 min E 1935.0 feet to  
7 a point;

8       THENCE, 45.0 feet perpendicularly west of the east line of  
9 Lot 14, S 7 deg 30 min W 615.0 feet to a point on the south line of  
10 Lot 14 and the north line of Lot 19;

11       THENCE, along the south line of Lots 14, 15, and 16, S 82 deg  
12 30 min E 1980.0 feet to a point;

13       THENCE, 45.0 feet perpendicularly west of the east line of  
14 Lot 17, S 7 deg 30 min W 45.0 feet;

15       THENCE, S 82 deg 30 min E 45.0 feet to a point on the east line  
16 of Lot 17, Block 11 and the west line of Lot 2, Block 10;

17       THENCE, along the line between said Lot 17 and Lot 2, S 7 deg  
18 30 min W 105.0 feet;

19       THENCE, 150.0 feet perpendicularly south of and parallel to  
20 the north line of Lot 2 and the northwest line of Lot 3, S 82 deg 30  
21 min E 1373.7 feet and N 58 deg 05 min E 780.6 feet to a point in the  
22 northeast line of Lot 3;

23       THENCE, along the northeast line of Lot 3, S 31 deg 55 min E  
24 16.3 feet to a point;

25       THENCE, 50.0 feet perpendicularly southeast of and parallel  
26 to the northwest line of Lot 61, Block 10, N 58 deg 05 min E 435.6  
27 feet to a point on the northeast line of Lot 61, said point being on

1 the southwest right of way line of the St. Louis, Brownsville and  
2 Mexico Railroad (50.0 feet from its centerline);

3       THENCE, along the said southwest right of way line, along the  
4 northeast line of Lots 61 to 53, incl. N 31 deg 55 min W 805.0 feet  
5 to a point, said point being S 31 deg 55 min E 45.0 feet from the  
6 northernmost corner of Lot 53, Block 10;

7       THENCE, crossing the railroad right of way and State Highway  
8 No. 4 right of way, N 58 deg 05 min E 200.0 feet to a point on the  
9 southwest line of Lot 42, Block 9, said point being S 31 deg 55 min E  
10 45.0 feet from the westernmost corner of Lot 42;

11       THENCE, along the southwest line of Lots 42 to 80, incl. Block  
12 9 along the northeast right of way line of 100 ft State Highway No.  
13 4, S 31 deg 55 min E 4268.5 feet to the east line of the Barreda  
14 Gardens Subdivision, said point being on the west line of the Brooks  
15 Tract;

16       THENCE, along the northeast right of way line of 100 ft State  
17 Highway No. 4, S 31 deg 54 min E 1805.6 feet to the beginning of a  
18 curve to the left with a central angle of 10 deg 57 min and a radius  
19 of 5544.8 feet and whose tangents are S 31 deg 54 min east 531.5  
20 feet, and south 42 deg 51 min east 531.5 feet;

21       THENCE, along the arc of said curve a distance of 1059.5 feet;

22       THENCE, N 47 deg 57 min E 6170.4 feet to a point on the east  
23 line of Share one, Espiritu Santo Grant, and the east line of the  
24 previously mentioned Noriega Tract;

25       THENCE, along the East line of Share No. One and the east line  
26 of the Noriega Tract, N 7 deg 32 min E 12,739.8 feet to the place of  
27 beginning, containing 4880 acres, more or less.

1       ~~[If there is any error or omission in the description of the~~  
2 ~~boundaries of said District, as set forth in Section 1 of this Act,~~  
3 ~~the Commissioners Court of Cameron County, Texas, is hereby~~  
4 ~~authorized and directed to redefine said boundaries and correct the~~  
5 ~~error or supply the omission.]~~

6       SECTION 2.12. Section 1, Chapter 520, Acts of the 59th  
7 Legislature, Regular Session, 1965, is amended to read as follows:

8       Sec. 1. The ~~[Under and pursuant to the provisions of Section~~  
9 ~~59, Article XVI, Constitution of the State of Texas, a conservation~~  
10 ~~and reclamation district is hereby created and incorporated in~~  
11 ~~Galveston County, Texas, to be known as "San Leon Municipal Utility~~  
12 ~~District of Galveston County, Texas," hereinafter referred to as~~  
13 ~~the "District," and the]~~ boundaries of the San Leon Municipal  
14 Utility District of Galveston County, Texas, ~~[said District]~~ shall  
15 be as follows:

16       Said District shall be composed of two separate tracts of  
17 land situated entirely within Galveston County, Texas, and  
18 described by metes and bounds as follows:

19       Tract No. 1

20       BEGINNING at the point of intersection of the southerly shore  
21 line of Galveston Bay with the northeasterly projection of the  
22 southeasterly line of the J. Rogers Survey, Abstract No. 168,  
23 Galveston County, Texas;

24       THENCE in a southwesterly direction following said  
25 southeasterly line of said Rogers Survey, being also the  
26 northwestern line of the Amos Edwards League, Abstract No. 10, and  
27 being also the northwestern line of San Leon Farm Home Tracts as

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1 shown by the map thereof recorded in Volume 238, page 25, Deed  
2 Records of Galveston County, to a point for corner, being the  
3 intersection of said survey line with the easterly line of Lot 2,  
4 Block No. 25-A of San Leon Farm Home Tracts;

5       THENCE in a southerly direction following the easterly line  
6 of Lot No. 2 and Lot No. 7 in said Block No. 25-A, and continuing in  
7 the same direction across Ave. H and along the easterly line of Lot  
8 No. 2 and Lot No. 7 in Block No. 26 and continuing in the same  
9 direction across San Leon Road and along the easterly line of Lot  
10 No. 2 in Block No. 41 to a point for corner, said point being the  
11 northwesterly corner of Lot No. 4 in said Block No. 41;

12       THENCE in an easterly direction with the northerly line of  
13 said Lot. No. 4 to a point for corner, being the northeasterly  
14 corner of said Lot No. 4;

15       THENCE in a southerly direction with the easterly line of  
16 Block No. 41 and continuing in the same direction across Ave. L and  
17 along the easterly line of Block No. 44 to a point for corner, being  
18 the southeasterly corner of Lot No. 3 in said Block No. 44;

19       THENCE in an easterly direction across 29th St. (F. M. No.  
20 517) and continuing in the same direction along the northerly line  
21 of Lot No. 1 in Block No. 45 to a point for corner, being the  
22 northeasterly corner of said Lot No. 1;

23       THENCE in a northerly direction with the westerly line of Lot  
24 No. 3 in Block No. 45 to a point for corner, being the northwesterly  
25 corner of said Lot No. 3;

26       THENCE in an easterly direction with the northerly line of  
27 said Lot. No. 3 to the northeasterly corner of said Lot No. 3;

1           THENCE in a southerly direction with the easterly line of  
2 said Lot No. 3 to a point for corner, being the southeasterly corner  
3 of said Lot No. 3;

4           THENCE in an easterly direction with the northerly line of  
5 Lot No. 5 in said Block No. 45 and continuing in the same direction  
6 across 28th St. and along the northerly line of Lots Nos. 8, 7, 6 and  
7 5 in Block No. 46 to a point for corner on the easterly line of said  
8 Block No. 46;

9           THENCE in a southerly direction with the easterly line of  
10 said Block No. 46 and continuing in the same direction across Ave. N  
11 to a point for corner, being the northeasterly corner of Block No.  
12 56;

13           THENCE in an easterly direction across 27th St. and along the  
14 northerly line of Block No. 55 and continuing in the same direction  
15 across 26th St. along the northerly line of Block No. 54 to a point  
16 for corner, being the northeasterly corner of Lot No. 1 in said  
17 Block No. 54;

18           THENCE in a southerly direction with the easterly line of Lot  
19 No. 1 in Block No. 54 to a point for corner, being the southeasterly  
20 corner of said Lot No. 1;

21           THENCE in an easterly direction with the northerly line of  
22 Lot No. 7 and Lot No. 6 in said Block No. 54 to a point for corner,  
23 being the southwesterly corner of Lot No. 4 in said Block No. 54;

24           THENCE in a northerly direction with the westerly line of  
25 said Lot No. 4, in Block No. 54 to a point for corner in the  
26 northerly line of said Block No. 54;

27           THENCE in an easterly direction with the northerly line of

1 said Block No. 54 to a point for corner, being the northeasterly  
2 corner of said Block No. 54;

3       THENCE in a southerly direction with the easterly line of  
4 Block No. 54 and continuing in the same direction across Ave. P and  
5 along the easterly line of Block No. 68 and continuing in the same  
6 direction across Ave. Q to a point for corner, being the  
7 northeasterly corner of Block No. 71;

8       THENCE in an easterly direction across 25th St. and following  
9 the northerly line of Block No. 70 and the easterly projection  
10 thereof to a point on the shore line of Dickinson Bay;

11       THENCE in a generally easterly direction along the shore line  
12 of Dickinson Bay to its intersection with the western shore line of  
13 Galveston Bay at April Fool Point;

14       THENCE in a generally northerly direction along the western  
15 shore line of Galveston Bay to Eagle Point;

16       THENCE in a generally westerly direction along the southern  
17 shore line of Galveston Bay to its intersection with the  
18 northeasterly projection of the southeasterly line of the J. Rogers  
19 Survey, Abstract No. 168, the place of beginning, and containing  
20 3,200 acres of land, more or less.

21       BEGINNING at a point on the westerly shore line of Dickinson  
22 Bay in Galveston County, Texas, said point being designated as  
23 Point "A" in the description of the present boundary line of the  
24 City of Texas City, Texas, said point also being in the easterly  
25 line of a parkway opposite Block No. 70 of San Leon Farm Home Tracts  
26 as shown by the map thereof recorded in Volume 238, page 25, Deed  
27 Records of Galveston County, and being also the most southerly

1 corner of a 1.054 acre tract of land described in deed dated October  
2 10, 1960, from E. W. Barnett, Trustee, to Houston Lighting & Power  
3 Company;

4       THENCE from said Point "A" in a northwesterly direction to a  
5 point located in Lot No. 3 in Block No. 67 of said San Leon Farm Home  
6 Tracts, said point being located 75 feet east and 65.5 feet south  
7 from the northwesterly corner of said Lot No. 3;

8       THENCE in a northerly direction parallel with the westerly  
9 line of said Lot No. 3 and across Ave. P to a point in the southerly  
10 line of Lot No. 6 in Block No. 55 of said San Leon Farm Home Tracts;

11       THENCE westerly with the southerly line of said Block No. 55  
12 and continuing in the same direction across 27th St. and along the  
13 southerly line of Block No. 56 to a point for corner, said point  
14 being the southwesterly corner of Lot No. 5 in said Block No. 56;

15       THENCE in a northerly direction with the westerly line of  
16 said Lot No. 5 in Block No. 56 to the northwesterly corner of said  
17 Lot No. 5;

18       THENCE in a westerly direction with the southerly line of  
19 Lots Nos. 3, 2 and 1 in said Block No. 56 and continuing in the same  
20 direction across 28th St. and along the southerly line of Lots Nos.  
21 4 and 3 of Block No. 57 to a point for corner, being the  
22 southwesterly corner of said Lot No. 3 in Block No. 57;

23       THENCE in a northerly direction with the westerly line of  
24 said Lot No. 3 in Block No. 57 and a northerly projection thereof to  
25 a point for corner, being the southwesterly corner of Lot No. 6 in  
26 Block No. 45;

27       THENCE in a westerly direction with the southerly line of

1 Block No. 45 and continuing in the same direction across 29th St.  
2 (F.M. 517) and along the southerly line of Block No. 44 and the  
3 westerly projection thereof to a point for corner, being the  
4 southeasterly corner of Block No. 43;

5 THENCE in a southerly direction with the easterly line of  
6 Block No. 59 to a point for corner, being the southeasterly corner  
7 of said Block No. 59;

8 THENCE in a westerly direction with the south line of said  
9 Block No. 59 and the westerly projection thereof to a point for  
10 corner, being the southeasterly corner of Block No. 60;

11 THENCE in a southerly direction with the easterly line of  
12 Block No. 62 and its southerly projection, and continuing in the  
13 same direction along the easterly line of Block No. 77 and its  
14 southerly projection, and continuing in the same direction along  
15 the easterly line of Block No. 79 to a point for corner, said point  
16 being at the intersection of the easterly line of said Block No. 79  
17 and the northeasterly line of State Highway No. 146;

18 THENCE in a northwesterly direction with the northeasterly  
19 line of said State Highway No. 146 to its intersection with the  
20 western line of Block No. 60A on the western line of said San Leon  
21 Farm Home Tracts, being also the western line of the Amos Edwards  
22 League, Abstract No. 10, Galveston County, Texas;

23 THENCE in a southerly direction along said western line of  
24 said Amos Edwards League, being also the western line of said San  
25 Leon Farm Home Tracts, to the southwest corner of said Amos Edwards  
26 League on the northerly water's edge of Dickinson Bayou;

27 THENCE downstream following along said northerly water's



1 edge of Dickinson Bayou in a generally southerly, northeasterly and  
2 easterly direction to the western shore line of Dickinson Bay;

3       THENCE in a generally northerly direction along said western  
4 shore line of Dickinson Bay to Point "A" in the description of the  
5 present boundary line of the City of Texas City, Texas, said point  
6 also being in the easterly line of a parkway opposite Block No. 70  
7 of San Leon Farm Home Tracts as shown by the map thereof recorded in  
8 Volume 238, page 25, Deed Records of Galveston County, Texas, and  
9 being also the most southerly corner of a 1.054 acre tract of land  
10 described in deed dated October 10, 1960, from E. W. Barnett,  
11 Trustee, to Houston Lighting and Power Company, the place of  
12 beginning, and containing 1,850 acres of land, more or less, the  
13 total area of said District being 5,050 acres, more or less.

14       SECTION 2.13. Section 1, Chapter 532, Acts of the 59th  
15 Legislature, Regular Session, 1965, is amended to read as follows:

16       Sec. 1. The Treasure Island Municipal Utility District of  
17 Brazoria County, Texas, [~~Under and pursuant to the provisions of~~  
18 ~~Section 59 of Article XVI, Constitution of Texas, a conservation~~  
19 ~~and reclamation district is hereby created and incorporated in~~  
20 ~~Brazoria County, Texas, to be known as "Treasure Island Municipal~~  
21 ~~Utility District of Brazoria County, Texas," hereinafter referred~~  
22 ~~to as the "District," and said District]~~ shall consist of:

23       A tract containing 294.18 acres of land, more or less, being  
24 that tract of land commonly known as San Luis Island out of the S. F.  
25 Austin Peninsular League, Abstract 29, Brazoria County, Texas,  
26 being all of the land in such league lying north of the following  
27 described line:

1 BEGINNING at a concrete monument on the waters edge of what  
2 was formerly called "Little Pass" when it separated the island from  
3 the mainland, but whose easterly end is now filled by sand. Said  
4 beginning point occupies a position of X = 3,235,945.21 feet and Y =  
5 470,168.66 feet, Texas Plane Coordinate System, South Central Zone;  
6 THENCE, S. 88° 36' 07" E. (grid bearing), at 353.71 feet pass  
7 an iron rod in the northwest right of way line of a 120 foot road, at  
8 482.25 feet pass an iron rod in the southeast right of way line of  
9 said 120 foot road, at 2112.25 feet pass a concrete monument a total  
10 distance of 2381.91 feet in all to the waters edge of the Gulf of  
11 Mexico at mean high tide.

12 SECTION 2.14. Section 2, Chapter 436, Acts of the 66th  
13 Legislature, Regular Session, 1979, is amended to read as follows:

14 Sec. 2. BOUNDARIES. The [~~authority's~~] boundaries of the  
15 South Texas Water Authority will encompass all of that portion of  
16 Kleberg County that is located within Kingsville Independent School  
17 District, as of January 1, 1979, and all of that portion of Nueces  
18 County that is located south and west of a line that is described as  
19 beginning at a point on the Kleberg-Nueces County line that is  
20 located approximately one mile south of the intersection of FM Road  
21 70 and FM Road 892; thence northward to the said intersection;  
22 thence northward along FM Road 892 to its intersection with FM Road  
23 2826; thence westward along FM Road 2826 to its intersection with  
24 County Road 77; thence northward along County Road 77 to its  
25 intersection with County Road 44; thence westward along County Road  
26 44 to its intersection with the line; which as of January 1, 1979,  
27 formed the division between Commissioners Precincts Nos. 1 and 2;

1 thence along the meanderings of the said line to its intersection  
2 with the Nueces-Jim Wells County line excepting therefrom all land  
3 comprising the area as of January 1, 1979, of Nueces County Water  
4 Control and Improvement District No. 5 and of that portion of Lower  
5 Nueces River Water Supply District which is located within the  
6 boundaries described above~~[, and these boundaries form a closure,~~  
7 ~~and no mistake shall affect the organization, existence, and~~  
8 ~~validity of the authority, or the right to issue any type of bonds~~  
9 ~~or refunding bonds, for the purposes for which the authority is~~  
10 ~~created, or to pay principal of and interest on the bonds, or the~~  
11 ~~right to assess, levy, and collect taxes, or in any other manner~~  
12 ~~affect the legality or operation of the authority, its bonds, or its~~  
13 ~~governing body].~~

14 SECTION 2.15. Section 1, Chapter 337, Acts of the 65th  
15 Legislature, Regular Session, 1977, is amended to read as follows:

16 Sec. 1. The ~~[Under and pursuant to the provisions of Article~~  
17 ~~XVI, Section 59, of the Texas Constitution, a conservation and~~  
18 ~~reclamation district may be created and established in Jefferson~~  
19 ~~County, Texas, in the manner provided in Section 1A of this Act, to~~  
20 ~~be known as "West Jefferson County Municipal Water District" (the~~  
21 ~~"district"), and the]~~ boundaries of the West Jefferson County  
22 Municipal Water District ~~[said district]~~ shall be as follows:

23 Beginning at the Northeast corner of the Shelby Corzine  
24 Survey, Abstract 14, the same being the southeast corner of the  
25 Samuel Stivers League;

26 Thence West along the south line of the Samuel Stivers League  
27 to the southwest corner of said Samuel Stivers League;

1           Thence North along the west line of the Samuel Stivers League  
2 to its intersection with the centerline, or the projection thereof  
3 of Brooks Road;

4           Thence West along the centerline of Brooks Road and the  
5 projection thereof to its intersection with the east bank of Green  
6 Pond Gully;

7           Thence in a southerly direction following the meanders of the  
8 east bank of Green Pond Gully to its intersection with the north  
9 bank of the North Fork of Taylor's Bayou;

10          Thence easterly following the meanders of the north bank of  
11 the North Fork of Taylor's Bayou to its intersection with the North  
12 or West right of way of Interstate Highway 10;

13          Thence in a southwesterly direction along the North or West  
14 right of way of Interstate Highway 10 to its intersection with the  
15 north bank of the South Fork of Taylor's Bayou;

16          Thence southeasterly along the meanders of the north bank of  
17 the South Fork of Taylor's Bayou to its intersection with the  
18 southeast bank of May Haw Bayou;

19          Thence southwesterly along the meanders of the southeast bank  
20 of May Haw Bayou to its intersection with the North right of way of  
21 State Highway 73;

22          Thence easterly along the North right of way of State Highway  
23 73 to the intersection of a line 300 feet east of, and measured at  
24 right angles to, the west line of the A. D. Knowlton Survey,  
25 Abstract 668, and the J. W. Denny Survey, Abstract 747;

26          Thence northerly on a line 300 feet east of and parallel to  
27 the west line of the A. D. Knowlton Survey, Abstract 668, and the J.

1 W. Denny Survey, Abstract 747, to the north bank of Taylor's Bayou;

2 Thence easterly following the meanders of the north bank of  
3 Taylor's Bayou to its intersection with the east bank of  
4 Hillebrandt Bayou;

5 Thence northwesterly following the meanders of the east bank  
6 of Hillebrandt Bayou to its intersection with the west bank of  
7 John's Gully;

8 Thence northerly following the meanders of the west bank of  
9 John's Gully to its intersection with the west line of the Wm. N.  
10 Sigler Survey, Abstract 48;

11 Thence northerly along the west line of the Wm. N. Sigler  
12 Survey, Abstract 48, and the projection thereof past the northwest  
13 corner of the said Wm. N. Sigler Survey, Abstract 48, to the  
14 interior southwest corner of the David Cunningham Survey, Abstract  
15 15;

16 Thence westerly along the south line of the west part of the  
17 David Cunningham Survey, Abstract 15, to its northernmost southwest  
18 corner;

19 Thence northerly along the west line of the David Cunningham  
20 Survey, Abstract 15, to its northwest corner;

21 Thence westerly along the projection to the west of the north  
22 line of the David Cunningham Survey, Abstract 15, to the west line  
23 of the Marcelo Grange Survey, Abstract 26, said line also being the  
24 east line of the C. Hillebrandt Survey, Abstract 28;

25 Thence northerly along the west line of the Marcelo Grange  
26 Survey, Abstract 26, and the east line of the C. Hillebrandt Survey,  
27 Abstract 28, to the projection east of the north line of the Shelby

1 Corzine Survey, Abstract 14, which is the same line as the south  
2 line of the Samuel Stivers League;

3 Thence westerly along the projection east of the north line  
4 of the Shelby Corzine Survey, Abstract 14, and the south line of the  
5 Samuel Stivers League, to the point of beginning.

6 LESS AND EXCEPT all land lying within the boundaries of  
7 Jefferson County Water Control and Improvement District No. 14,  
8 which is more fully described as follows:

9 Lying in Jefferson County, Texas, and containing 160 acres,  
10 more or less, out of the H. T. & B. R. R. Survey, No. 19, A-259 and H.  
11 T. & B. R. R. Survey No. 18, A-570 and beginning for reference at the  
12 Southeast corner of the H. T. & B. R. R. Survey, No. 19, A-259;

13 THENCE, due North 80.00 feet to a point lying on the North  
14 right-of-way line of Lawhon Road to an iron pin as a Point of  
15 Beginning;

16 THENCE, N 89° 50' W 2,560.00 feet, more or less, along the  
17 North right-of-way line of said Lawhon Road to an iron pin being the  
18 most Southwesterly corner of Martel Heights Subdivision, Section 1  
19 as recorded in the Map Records of Jefferson County, Texas;

20 THENCE, N 26° 45' 30" W 785.40 feet to an iron pin;

21 THENCE, N 66° 07' E 278.10 feet to an iron pin;

22 THENCE, N 61° 57' 18" E 4,358.00 feet to an iron pin;

23 THENCE, S 03° 02' W 2,016.45 feet to an iron pin;

24 THENCE, S 01° 24' E 855.8 feet to an iron pin;

25 THENCE, N 89° 50' W 1,101.40 feet along the north right of way  
26 line of Lawhon Road to an iron pin being the point of Beginning and  
27 containing 160 acres of land, more or less.

ARTICLE 3. REPEALER

SECTION 3.01. The following statutes are repealed:

(1) Chapter 187, Acts of the 61st Legislature, Regular Session, 1969;

(2) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15, Chapter 11, Acts of the 61st Legislature, Regular Session, 1969;

(3) Section 3, Chapter 280, Acts of the 62nd Legislature, Regular Session, 1971;

(4) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Chapter 145, Acts of the 41st Legislature, Regular Session, 1929;

(5) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, and 11, Chapter 45, Acts of the 41st Legislature, Regular Session, 1929;

(6) Chapter 4, Acts of the 41st Legislature, Special Laws, 4th Called Session, 1930;

(7) Sections 2, 3, 4, 5, 6, and 7, Chapter 533, Acts of the 57th Legislature, Regular Session, 1961;

(8) Sections 2, 2a, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Chapter 20, Acts of the 57th Legislature, 3rd Called Session, 1962;

(9) Section 2, Chapter 520, Acts of the 71st Legislature, Regular Session, 1989;

(10) Sections 2, 3, 4, 5, 6, 7, and 8, Chapter 38, Acts of the 57th Legislature, 3rd Called Session, 1962;

(11) Sections 2, 2A, 3, 4, 5, 6, 7, 8, and 9, Chapter 4, Acts of the 58th Legislature, Regular Session, 1963;

(12) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12, Chapter 780, Acts of the 78th Legislature, Regular Session, 2003;

1           (13) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11,  
2 Chapter 218, Acts of the 72nd Legislature, Regular Session, 1991;

3           (14) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 679,  
4 Acts of the 62nd Legislature, Regular Session, 1971;

5           (15) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 412,  
6 Acts of the 62nd Legislature, Regular Session, 1971;

7           (16) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 409,  
8 Acts of the 62nd Legislature, Regular Session, 1971;

9           (17) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 699,  
10 Acts of the 62nd Legislature, Regular Session, 1971;

11           (18) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 456,  
12 Acts of the 62nd Legislature, Regular Session, 1971;

13           (19) Sections 1, 3, 4, 5, 6, 7, 8, and 9, Chapter 693,  
14 Acts of the 65th Legislature, Regular Session, 1977;

15           (20) Sections 2, 3, 4, and 5, Chapter 492, Acts of the  
16 83rd Legislature, Regular Session, 2013;

17           (21) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11,  
18 Chapter 35, Acts of the 76th Legislature, Regular Session, 1999;

19           (22) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 352,  
20 Acts of the 62nd Legislature, Regular Session, 1971;

21           (23) Sections 1, 3, 4, 5, 6, 7, 8, and 9, Chapter 742,  
22 Acts of the 64th Legislature, Regular Session, 1975;

23           (24) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12,  
24 Chapter 1212, Acts of the 71st Legislature, Regular Session, 1989;

25           (25) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12,  
26 Chapter 1214, Acts of the 71st Legislature, Regular Session, 1989;

27           (26) Sections 2 and 3, Chapter 1188, Acts of the 82nd



1 Legislature, Regular Session, 2011;

2           (27) Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
3 14, and 15, Chapter 761, Acts of the 78th Legislature, Regular  
4 Session, 2003;

5           (28) Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
6 14, and 15, Chapter 760, Acts of the 78th Legislature, Regular  
7 Session, 2003;

8           (29) Sections 1, 2, 4, 5, 6, 7, 8, 9, and 10, Chapter  
9 650, Acts of the 70th Legislature, Regular Session, 1987;

10           (30) Chapter 126, General Laws, Acts of the 44th  
11 Legislature, Regular Session, 1935;

12           (31) Section 5, Chapter 119, Acts of the 50th  
13 Legislature, Regular Session, 1947;

14           (32) Section 8, Article IV, Chapter 484, Acts of the  
15 68th Legislature, Regular Session, 1983;

16           (33) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 11a, 12,  
17 13, 14, and 15, Chapter 29, Acts of the 55th Legislature, 1st Called  
18 Session, 1957;

19           (34) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
20 14, and 15, Chapter 398, Acts of the 51st Legislature, Regular  
21 Session, 1949;

22           (35) Section 5, Chapter 452, Acts of the 58th  
23 Legislature, Regular Session, 1963;

24           (36) Sections 3 and 4, Chapter 908, Acts of the 75th  
25 Legislature, Regular Session, 1997;

26           (37) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, and 11,  
27 Chapter 33, Acts of the 56th Legislature, Regular Session, 1959;

1           (38) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
2 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 633, Acts of the  
3 61st Legislature, Regular Session, 1969;

4           (39) Sections 1, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter  
5 246, Acts of the 58th Legislature, Regular Session, 1963;

6           (40) Sections 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12,  
7 Chapter 611, Acts of the 60th Legislature, Regular Session, 1967;

8           (41) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
9 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 605, Acts of  
10 the 59th Legislature, Regular Session, 1965;

11           (42) Sections 2 and 3, Chapter 101, Acts of the 60th  
12 Legislature, Regular Session, 1967;

13           (43) Sections 2 and 3, Chapter 579, Acts of the 61st  
14 Legislature, Regular Session, 1969;

15           (44) Chapter 317, Acts of the 72nd Legislature,  
16 Regular Session, 1991;

17           (45) Sections 1, 2, 4, 5, 6, 7, 8, 8A, 9, 10, 11, and  
18 12, Chapter 245, Acts of the 54th Legislature, Regular Session,  
19 1955;

20           (46) Chapter 371, Acts of the 74th Legislature,  
21 Regular Session, 1995;

22           (47) Section 2, Chapter 1449, Acts of the 75th  
23 Legislature, Regular Session, 1997;

24           (48) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11,  
25 Chapter 613, Acts of the 59th Legislature, Regular Session, 1965;

26           (49) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
27 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 584, Acts of

1 the 59th Legislature, Regular Session, 1965;

2 (50) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
3 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 268, Acts of the  
4 53rd Legislature, Regular Session, 1953;

5 (51) Sections 4 and 8, Chapter 76, Acts of the 59th  
6 Legislature, Regular Session, 1965;

7 (52) Sections 1, 2(a), 2(c), 3, 4, 5, 6, 7, 8, 9, 10,  
8 11, 12, 13, 14, 15, and 16, Chapter 638, Acts of the 60th  
9 Legislature, Regular Session, 1967;

10 (53) Chapter 475, Acts of the 67th Legislature,  
11 Regular Session, 1981;

12 (54) Sections 2, 3, 4, 5, 6, and 7, Chapter 198, Acts  
13 of the 53rd Legislature, 1953;

14 (55) Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter  
15 324, Acts of the 57th Legislature, Regular Session, 1961;

16 (56) Sections 2, 3, 4, 5, 6, 7, and 8, Chapter 520,  
17 Acts of the 59th Legislature, Regular Session, 1965;

18 (57) Chapter 77, Acts of the 76th Legislature, Regular  
19 Session, 1999;

20 (58) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
21 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 846, Acts of the  
22 61st Legislature, Regular Session, 1969;

23 (59) Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter  
24 532, Acts of the 59th Legislature, Regular Session, 1965;

25 (60) Chapter 508, Acts of the 54th Legislature,  
26 Regular Session, 1955;

27 (61) Chapter 619, Acts of the 63rd Legislature,

1 Regular Session, 1973;

2 (62) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
3 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, Chapter 436,  
4 Acts of the 66th Legislature, Regular Session, 1979; and

5 (63) Sections 1A, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,  
6 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 337, Acts  
7 of the 65th Legislature, Regular Session, 1977.

8 ARTICLE 4. GENERAL MATTERS

9 SECTION 4.01. LEGISLATIVE INTENT OF NO SUBSTANTIVE CHANGE.

10 This Act is enacted under Section 43, Article III, Texas  
11 Constitution. This Act is intended as a codification only, and no  
12 substantive change in the law is intended by this Act. This Act  
13 does not increase or decrease the territory of any special district  
14 of the state as those boundaries exist on the effective date of this  
15 Act.

16 SECTION 4.02. PRESERVATION OF VALIDATION MADE BY PREVIOUS  
17 LAW. (a) The repeal of a law, including a validating law, by this  
18 Act does not remove, void, or otherwise affect in any manner a  
19 validation under the repealed law. The validation is preserved and  
20 continues to have the same effect that it would have if the law were  
21 not repealed.

22 (b) Subsection (a) of this section does not diminish the  
23 saving provisions prescribed by Section 311.031, Government Code.

24 SECTION 4.03. EFFECTIVE DATE. This Act takes effect April  
25 1, 2017.