

Bryan W. Shaw, Ph.D., P.E., *Chairman*  
Toby Baker, *Commissioner*  
Jon Niermann, *Commissioner*  
Richard A. Hyde, P.E., *Executive Director*



## TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

*Protecting Texas by Reducing and Preventing Pollution*

March 21, 2017

The Honorable Dan Patrick  
Lieutenant Governor of Texas  
Capitol Station  
PO Box 12068  
Austin, Texas 78711

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

Senate Bill (SB) 904, as Filed by Senator Brian Birdwell - Relating to the creation of the Cresson Municipal Utility District No. 1 of Hood County; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Dear Governor Patrick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Cari-Michel LaCaille".

Cari-Michel LaCaille, Director  
Water Supply Division

cc: Honorable Eddie Lucio, Jr., Chairman, Senate Intergovernmental Relations Committee  
Senator Brian Birdwell, Texas Senate

Enclosure

**SB 904, as Filed by Senator Brian Birdwell**  
**Texas Commission on Environmental Quality's Comments**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

This bill creates Cresson Municipal Utility District No. 1 of Hood County (District) with the powers and duties of a standard municipal utility district under Water Code Chapters 49 and 54.

**Comments on Powers/Duties Different from Similar Types of Districts:** The bill requires the TCEQ to appoint the five initial temporary directors upon receipt of a petition from the owners of a majority of the assessed value of the real property in the district; grants the District authority for road projects; grants the District the authority to establish, operate, and maintain or contract for firefighting services in the District and may issue bonds and impose taxes to pay for the department and the activities; allows the District to adopt and enforce all necessary charges, mandatory fees, or rentals, in addition to taxes, for providing or making available any District facility or service, including firefighting activities; specifies that at the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of real property in the District; and if the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

**Overlapping Services:** TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

**TCEQ's Supervision:** As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

LETTER OF TRANSMITTAL  
TEXAS SENATE  
STATE OF TEXAS

SB 904

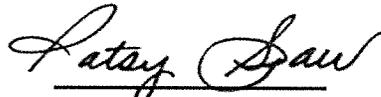
Bill Number

TO: The Honorable Governor of Texas  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

2/15/2017

Date transmitted to  
Governor's Office



Secretary of the Senate

TO: Texas Commission on Environmental Quality  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

February 22, 2017

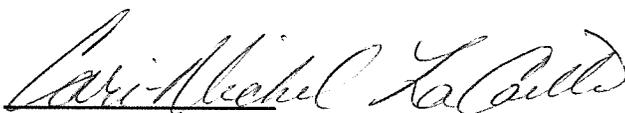
Date transmitted to  
Texas Commission on Environmental Quality



Governor

TO: The Honorable President of the Senate  
The Honorable Speaker of the House of Representatives  
The Honorable Governor of Texas  
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.



Texas Commission on Environmental Quality

By: Birdwell

S.B. No. 904

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the creation of the Cresson Municipal Utility District  
3 No. 1 of Hood County; granting a limited power of eminent domain;  
4 providing authority to issue bonds; providing authority to impose  
5 assessments, fees, and taxes.

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

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
8 Code, is amended by adding Chapter 7975 to read as follows:

9 CHAPTER 7975. CRESSON MUNICIPAL UTILITY DISTRICT NO. 1 OF HOOD

10 COUNTY

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 7975.001. DEFINITIONS. In this chapter:

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

14 (2) "Commission" means the Texas Commission on  
15 Environmental Quality.

16 (3) "Director" means a board member.

17 (4) "District" means the Cresson Municipal Utility  
18 District No. 1 of Hood County.

19 Sec. 7975.002. NATURE OF DISTRICT. The district is a  
20 municipal utility district created under Section 59, Article XVI,  
21 Texas Constitution.

22 Sec. 7975.003. CONFIRMATION AND DIRECTORS' ELECTION  
23 REQUIRED. The temporary directors shall hold an election to  
24 confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 7975.004. CONSENT OF MUNICIPALITY REQUIRED. The  
3 temporary directors may not hold an election under Section 7975.003  
4 until each municipality in whose corporate limits or  
5 extraterritorial jurisdiction the district is located has  
6 consented by ordinance or resolution to the creation of the  
7 district and to the inclusion of land in the district.

8 Sec. 7975.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)  
9 The district is created to serve a public purpose and benefit.

10 (b) The district is created to accomplish the purposes of:

11 (1) a municipal utility district as provided by  
12 general law and Section 59, Article XVI, Texas Constitution; and

13 (2) Section 52, Article III, Texas Constitution, that  
14 relate to the construction, acquisition, improvement, operation,  
15 or maintenance of macadamized, graveled, or paved roads, or  
16 improvements, including storm drainage, in aid of those roads.

17 Sec. 7975.006. INITIAL DISTRICT TERRITORY. (a) The  
18 district is initially composed of the territory described by  
19 Section 2 of the Act enacting this chapter.

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

24 (1) organization, existence, or validity;

25 (2) right to issue any type of bond for the purposes  
26 for which the district is created or to pay the principal of and  
27 interest on a bond;

1           (3) right to impose a tax; or

2           (4) legality or operation.

3                           SUBCHAPTER B. BOARD OF DIRECTORS

4           Sec. 7975.051. GOVERNING BODY; TERMS. (a) The district is  
5 governed by a board of five elected directors.

6           (b) Except as provided by Section 7975.052, directors serve  
7 staggered four-year terms.

8           Sec. 7975.052. TEMPORARY DIRECTORS. (a) On or after  
9 September 1, 2017, the owner or owners of a majority of the assessed  
10 value of the real property in the district may submit a petition to  
11 the commission requesting that the commission appoint as temporary  
12 directors the five persons named in the petition. The commission  
13 shall appoint as temporary directors the five persons named in the  
14 petition.

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

16                   (1) the date permanent directors are elected under  
17 Section 7975.003; or

18                   (2) September 1, 2021.

19           (c) If permanent directors have not been elected under  
20 Section 7975.003 and the terms of the temporary directors have  
21 expired, successor temporary directors shall be appointed or  
22 reappointed as provided by Subsection (d) to serve terms that  
23 expire on the earlier of:

24                   (1) the date permanent directors are elected under  
25 Section 7975.003; or

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

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

8                   SUBCHAPTER C. POWERS AND DUTIES

9       Sec. 7975.101. GENERAL POWERS AND DUTIES. The district has  
10 the powers and duties necessary to accomplish the purposes for  
11 which the district is created.

12       Sec. 7975.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
13 DUTIES. The district has the powers and duties provided by the  
14 general law of this state, including Chapters 49 and 54, Water Code,  
15 applicable to municipal utility districts created under Section 59,  
16 Article XVI, Texas Constitution.

17       Sec. 7975.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
18 52, Article III, Texas Constitution, the district may design,  
19 acquire, construct, finance, issue bonds for, improve, operate,  
20 maintain, and convey to this state, a county, or a municipality for  
21 operation and maintenance macadamized, graveled, or paved roads, or  
22 improvements, including storm drainage, in aid of those roads.

23       Sec. 7975.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
24 project must meet all applicable construction standards, zoning and  
25 subdivision requirements, and regulations of each municipality in  
26 whose corporate limits or extraterritorial jurisdiction the road  
27 project is located.

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

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

9       Sec. 7975.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
10 OR RESOLUTION. The district shall comply with all applicable  
11 requirements of any ordinance or resolution that is adopted under  
12 Section 54.016 or 54.0165, Water Code, and that consents to the  
13 creation of the district or to the inclusion of land in the  
14 district.

15       Sec. 7975.106. FIREFIGHTING SERVICES. Notwithstanding  
16 Section 49.351(a), Water Code, the district may, as authorized by  
17 Section 59(f), Article XVI, Texas Constitution, and Section 49.351,  
18 Water Code:

19               (1) establish, operate, and maintain a fire  
20 department;

21               (2) contract with another political subdivision for  
22 the joint operation of a fire department; or

23               (3) contract with any other person to perform  
24 firefighting services in the district and may issue bonds and  
25 impose taxes to pay for the department and the activities.

26       Sec. 7975.107. FEES AND CHARGES. (a) The district may  
27 adopt and enforce all necessary charges, mandatory fees, or

1 rentals, in addition to taxes, for providing or making available  
2 any district facility or service, including firefighting  
3 activities provided under Section 7975.106.

4 (b) To enforce payment of an unpaid fee or charge due to the  
5 district, on the request of the district, a retail public utility,  
6 as defined by Section 13.002, Water Code, providing water or sewer  
7 service to a customer in the district shall terminate the service.

8 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

9 Sec. 7975.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
10 district may issue, without an election, bonds and other  
11 obligations secured by:

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

13 (2) contract payments described by Section 7975.153.

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

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

22 Sec. 7975.152. OPERATION AND MAINTENANCE TAX. (a) If  
23 authorized at an election held under Section 7975.151, the district  
24 may impose an operation and maintenance tax on taxable property in  
25 the district in accordance with Section 49.107, Water Code.

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

1       Sec. 7975.153. CONTRACT TAXES. (a) In accordance with  
2 Section 49.108, Water Code, the district may impose a tax other than  
3 an operation and maintenance tax and use the revenue derived from  
4 the tax to make payments under a contract after the provisions of  
5 the contract have been approved by a majority of the district voters  
6 voting at an election held for that purpose.

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

10                   SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

11       Sec. 7975.201. AUTHORITY TO ISSUE BONDS AND OTHER  
12 OBLIGATIONS. The district may issue bonds or other obligations  
13 payable wholly or partly from ad valorem taxes, impact fees,  
14 revenue, contract payments, grants, or other district money, or any  
15 combination of those sources, to pay for any authorized district  
16 purpose.

17       Sec. 7975.202. TAXES FOR BONDS. At the time the district  
18 issues bonds payable wholly or partly from ad valorem taxes, the  
19 board shall provide for the annual imposition of a continuing  
20 direct ad valorem tax, without limit as to rate or amount, while all  
21 or part of the bonds are outstanding as required and in the manner  
22 provided by Sections 54.601 and 54.602, Water Code.

23       Sec. 7975.203. BONDS FOR ROAD PROJECTS. At the time of  
24 issuance, the total principal amount of bonds or other obligations  
25 issued or incurred to finance road projects and payable from ad  
26 valorem taxes may not exceed one-fourth of the assessed value of the  
27 real property in the district.

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1 SECTION 2. The Cresson Municipal Utility District No. 1 of  
2 Hood County initially includes all the territory contained in the  
3 following area:

4 TRACT ONE

5 OF A 227.753 ACRES MUNICIPAL UTILITY DISTRICT OUT OF THE J.M.  
6 HAYES SURVEY, ABSTRACT NO. 262, AND THE J.W. RANDLE SURVEY,  
7 ABSTRACT NO. 483, HOOD COUNTY, TEXAS; BEING LOTS 1-16, ROADWAY "A" &  
8 ROADWAY "B", AS SHOWN ON THE PLAT OF CRESSON ONE NORTH, AN ADDITION  
9 TO THE CITY OF CRESSON, AS RECORDED IN SLIDE P-399, PLAT RECORDS,  
10 HOOD COUNTY, TEXAS; AND BEING FURTHER DESCRIBED BY METES AND BOUNDS  
11 AS FOLLOWS:

12 BEGINNING AT A POINT AT THE NORTHWEST CORNER OF SAID CRESSON  
13 ONE NORTH, BEING THE INTERSECTION OF THE CENTERLINE OF A CREEK AND  
14 THE SOUTH LINE OF HOOD COUNTY ROAD NO. 413 (OLD GRANBURY ROAD), FOR  
15 THE NORTHWEST AND BEGINNING CORNER OF THIS TRACT.

16 THENCE NORTHEASTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF  
17 SAID HOOD COUNTY ROAD NO. 413 AS FOLLOWS:

18 N 75° 41' 58" E FOR A DISTANCE OF 182.69 FEET TO A TREE, FOR A  
19 CORNER OF THIS TRACT.

20 N 32° 15' 42" E FOR A DISTANCE OF 156.73 FEET TO A 3" POST, FOR  
21 A CORNER OF THIS TRACT.

22 N 16° 42' 16" E FOR A DISTANCE OF 492.23 FEET TO A FOUND 5/8"  
23 IRON ROD, FOR A CORNER OF THIS TRACT.

24 THENCE S 73° 46' 39" E FOR A DISTANCE OF 1077.54 FEET LEAVING  
25 SAID SOUTH RIGHT OF WAY LINE OF SAID HOOD COUNTY ROAD NO. 413 TO A  
26 FOUND 5/8" IRON ROD, FOR A CORNER OF THIS TRACT.

27 THENCE N 18° 12' 48" E FOR A DISTANCE OF 2103.25 FEET TO A

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1 FOUND SPINDLE, FOR A CORNER OF THIS TRACT.  
2           THENCE N 59° 18' 25" W FOR A DISTANCE OF 1168.46 FEET TO A  
3 FOUND 5/8" IRON ROD IN THE SAID SOUTH RIGHT OF WAY LINE OF SAID HOOD  
4 COUNTY ROAD NO. 413, FOR A CORNER OF THIS TRACT.  
5           THENCE CONTINUING NORTHEASTERLY ALONG THE SOUTH RIGHT OF WAY  
6 LINE OF SAID HOOD COUNTY ROAD NO. 413 AS FOLLOWS:  
7           N 55° 42' 25" E FOR A DISTANCE OF 181.62 FEET TO A 6" POST, FOR  
8 A CORNER OF THIS TRACT.  
9           N 63° 53' 22" E FOR A DISTANCE OF 2234.22 FEET TO A 3" POST, FOR  
10 A CORNER OF THIS TRACT.  
11           N 65° 29' 01" E FOR A DISTANCE OF 12.25 FEET TO A 6" POST, FOR A  
12 CORNER OF THIS TRACT.  
13           N 66° 44' 21" E FOR A DISTANCE OF 126.35 FEET TO A 6" POST, FOR  
14 A CORNER OF THIS TRACT.  
15           N 74° 20' 27" E FOR A DISTANCE OF 159.94 FEET TO A 6" POST, FOR  
16 A CORNER OF THIS TRACT.  
17           N 88° 57' 10" E FOR A DISTANCE OF 334.39 FEET TO A 12" POST, FOR  
18 A CORNER OF THIS TRACT.  
19           N 89° 55' 33" E FOR A DISTANCE OF 1522.72 FEET TO A FOUND  
20 CONCRETE MONUMENT, FOR A THE MOST NORTHERN NORTHEAST CORNER OF THIS  
21 TRACT.  
22           THENCE S 28° 56' 40" E FOR A DISTANCE OF 94.47 FEET TO A 6" POST  
23 IN THE NORTH RIGHT OF WAY LINE OF U.S. HIGHWAY NO. 377, FOR A CORNER  
24 OF THIS TRACT.  
25           THENCE SOUTHWESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF  
26 SAID HIGHWAY NO. 377 THE FOLLOWING:  
27           S 32° 16' 40" W FOR A DISTANCE OF 310.56 FEET TO A FOUND

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1 CONCRETE MONUMENT, FOR A CORNER OF THIS TRACT.  
2 S 42° 48' 40" W FOR A DISTANCE OF 304.87 FEET TO A FOUND 1/2"  
3 IRON ROD, FOR A CORNER OF THIS TRACT.  
4 S 20° 19' 22" W FOR A DISTANCE OF 307.00 FEET TO A FOUND 1/2"  
5 IRON ROD, FOR A CORNER OF THIS TRACT.  
6 S 32° 27' 18" W FOR A DISTANCE OF 300.24 FEET TO A FOUND 1/2"  
7 IRON ROD, FOR A CORNER OF THIS TRACT.  
8 S 41° 52' 20" W FOR A DISTANCE OF 304.24 FEET TO A FOUND 1/2"  
9 IRON ROD, FOR A CORNER OF THIS TRACT.  
10 S 32° 24' 53" W FOR A DISTANCE OF 299.82 FEET TO A FOUND 1/2"  
11 IRON ROD, FOR A CORNER OF THIS TRACT.  
12 S 23° 00' 21" W FOR A DISTANCE OF 304.46 FEET TO A FOUND 1/2"  
13 IRON ROD, FOR A CORNER OF THIS TRACT.  
14 S 32° 27' 05" W FOR A DISTANCE OF 639.42 FEET TO A FOUND 1/2"  
15 IRON ROD, FOR A CORNER OF THIS TRACT.  
16 S 37° 58' 53" W FOR A DISTANCE OF 532.79 FEET TO A FOUND 1/2"  
17 IRON ROD, FOR A CORNER OF THIS TRACT.  
18 S 52° 59' 53" W FOR A DISTANCE OF 535.83 FEET TO A FOUND  
19 CONCRETE MONUMENT, FOR A CORNER OF THIS TRACT.  
20 S 54° 51' 37" W FOR A DISTANCE OF 439.73 FEET TO A FOUND 1/2"  
21 IRON ROD, FOR A CORNER OF THIS TRACT.  
22 S 54° 03' 13" W FOR A DISTANCE OF 700.49 FEET TO A FOUND 1/2"  
23 IRON ROD, FOR A CORNER OF THIS TRACT.  
24 S 51° 22' 36" W FOR A DISTANCE OF 400.55 FEET TO A 6" POST, FOR  
25 A CORNER OF THIS TRACT.  
26 S 54° 48' 11" W FOR A DISTANCE OF 699.61 FEET TO FOUND 1/2"  
27 IRON ROD, FOR A CORNER OF THIS TRACT.

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1 S 62° 01' 53" W FOR A DISTANCE OF 201.59 FEET TO FOUND 1/2"  
2 IRON ROD, FOR A CORNER OF THIS TRACT.

3 THENCE S 54° 57' 58" W FOR A DISTANCE 166.87 FEET TO A POINT AT  
4 THE INTERSECTION OF THE NORTH RIGHT OF WAY LINE OF SAID HIGHWAY NO.  
5 377 AND THE CENTERLINE OF A CREEK, FOR THE MOST SOUTHERLY SOUTHWEST  
6 CORNER OF THIS TRACT.

7 THENCE NORTHWESTERLY ALONG THE CENTERLINE OF SAID CREEK THE  
8 FOLLOWING:

9 N 48° 49' 19" W FOR A DISTANCE OF 111.00 FEET TO A POINT;  
10 N 71° 19' 49" W FOR A DISTANCE OF 119.11 FEET TO A POINT:  
11 N 32° 48' 10" W FOR A DISTANCE OF 139.13 FEET TO A POINT:  
12 N 78° 36' 00" W FOR A DISTANCE OF 363.79 FEET TO A POINT:  
13 N 31° 39' 32" W FOR A DISTANCE OF 123.17 FEET TO A POINT:  
14 N 76° 01' 11" W FOR A DISTANCE OF 145.14 FEET TO A POINT:  
15 S 64° 02' 12" W FOR A DISTANCE OF 208.15 FEET TO A POINT:  
16 N 48° 58' 10" W FOR A DISTANCE OF 40.02 FEET TO A POINT:  
17 N 11° 16' 01" W FOR A DISTANCE OF 153.56 FEET TO THE POINT OF  
18 BEGINNING.

19 TRACT TWO

20 OF A 127.210 ACRES MUNICIPAL UTILITY DISTRICT OUT OF THE JOHN  
21 HOWARD SURVEY, ABSTRACT NO. 716 AND THE J.W. RANDLE SURVEY,  
22 ABSTRACT NO. 483, HOOD COUNTY, TEXAS; BEING LOT 1, LOT 2, LOTS 5-17,  
23 LOTS 19-24, RESERVE "A", RESERVE "B", RIDGELINE ROAD, RIDGELINE  
24 COURT, CRESSON VIEW ROAD & SPRING VALLEY ROAD, AS SHOWN ON THE PLAT  
25 OF CRESSON ONE SOUTH, AN ADDITION TO THE CITY OF CRESSON, AS  
26 RECORDED IN SLIDE P-398, PLAT RECORDS, HOOD COUNTY, TEXAS; AND  
27 BEING FURTHER DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

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1 BEGINNING AT A FOUND 1/2" IRON ROD IN THE SOUTH RIGHT OF WAY  
2 LINE OF HOOD COUNTY ROAD NO. 413 (PAVED SURFACE) AT THE MOST  
3 WESTERLY CORNER OF SAID CRESSON ONE SOUTH, SAME BEING IN THE WEST  
4 BOUNDARY LINE OF SAID JOHN HOWARD SURVEY, ABSTRACT NO. 716, AND IN  
5 THE EAST BOUNDARY LINE OF THE N.H. HOOE SURVEY, ABSTRACT NO. 281,  
6 HOOD COUNTY, TEXAS, FOR THE NORTHWEST AND BEGINNING CORNER OF THIS  
7 TRACT.

8 THENCE NORTHEASTERLY ALONG THE SOUTH RIGHT OF WAY LINE OF  
9 SAID HOOD COUNTY ROAD NO. 413 AS FOLLOWS:

10 NORTH 32°55'38" EAST 125.85 FEET TO A SET SPIKE, FOR A CORNER  
11 OF THIS TRACT.

12 NORTH 26°02'32" EAST 170.33 FEET TO A SET SPIKE, FOR A CORNER  
13 OF THIS TRACT.

14 NORTH 15°39'22" EAST 254.86 FEET TO A SET SPIKE, FOR A CORNER  
15 OF THIS TRACT.

16 NORTH 11°52'03" EAST 334.65 FEET TO A SET SPIKE, FOR A CORNER  
17 OF THIS TRACT.

18 NORTH 26°59'37" EAST 110.01 FEET TO A SET SPIKE, FOR A CORNER  
19 OF THIS TRACT.

20 NORTH 48°54'48" EAST 106.43 FEET TO A SET SPIKE, FOR A CORNER  
21 OF THIS TRACT.

22 NORTH 63°55'17" EAST 1383.60 FEET TO A SET SPIKE, FOR A CORNER  
23 OF THIS TRACT.

24 THENCE SOUTH 04°25'25" WEST 498.78 FEET TO A SET 1/2" IRON ROD  
25 FOR A CORNER OF THIS TRACT.

26 THENCE SOUTH 60°54'30" WEST 456.68 FEET TO A SET 1/2" IRON ROD  
27 FOR A CORNER OF THIS TRACT.

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1           THENCE SOUTH 42°23'43" WEST 389.34 FEET TO A SET 1/2" IRON ROD  
2 FOR A CORNER OF THIS TRACT.  
3           THENCE SOUTH 26°04'43" EAST 140.00 FEET TO A SET 1/2" IRON ROD  
4 FOR A CORNER OF THIS TRACT.  
5           THENCE SOUTH 45°28'04" EAST 605.64 FEET TO A SET 1/2" IRON ROD  
6 FOR A CORNER OF THIS TRACT.  
7           THENCE NORTH 44°31'56" EAST 836.05 FEET TO A SET 1/2" IRON ROD  
8 FOR A CORNER OF THIS TRACT.  
9           THENCE NORTH 45°28'04" WEST 289.49 FEET TO A SET 1/2" IRON ROD  
10 FOR A CORNER OF THIS TRACT.  
11           THENCE NORTH 41°04'55" EAST 73.24 FEET TO A SET 1/2" IRON ROD  
12 FOR A CORNER OF THIS TRACT.  
13           THENCE NORTH 32°49'57" EAST 348.82 FEET TO A SET 1/2" IRON ROD  
14 FOR A CORNER OF THIS TRACT.  
15           THENCE NORTH 29°59'47" EAST 83.89 FEET TO A SET 1/2" IRON ROD  
16 FOR A CORNER OF THIS TRACT.  
17           THENCE NORTH 58°10'30" EAST 565.94 FEET TO A SET 1/2" IRON ROD  
18 FOR A CORNER OF THIS TRACT.  
19           THENCE SOUTH 44°34'42" EAST 482.42 FEET TO A SET 1/2" IRON ROD  
20 FOR A CORNER OF THIS TRACT.  
21           THENCE NORTHEASTERLY AROUND THE ARC OF A CURVE TO THE RIGHT,  
22 WITH A RADIUS OF 3530.54 FEET, A CHORD OF NORTH 49°04'11" EAST 492.47  
23 FEET, AND AN ARC LENGTH OF 492.87 FEET TO A SET 1/2" IRON ROD, FOR A  
24 CORNER OF THIS TRACT.  
25           THENCE NORTH 53°04'09" EAST 20.32 FEET TO A SET 1/2" IRON ROD  
26 FOR A CORNER OF THIS TRACT.  
27           THENCE NORTH 36°55'51" WEST 319.11 TO A SET 1/2" IRON ROD AT

S.B. No. 904

1 THE P.C. OF A CURVE FOR A CORNER OF THIS TRACT.

2           THENCE NORTHWESTERLY AROUND THE ARC OF A CURVE TO THE RIGHT,  
3 WITH A RADIUS OF 531.19 FEET, A CHORD OF NORTH 17°47'21" WEST 348.36  
4 FEET, AND AN ARC LENGTH OF 354.93 FEET TO A SET 1/2" IRON ROD IN THE  
5 SOUTH RIGHT OF WAY OF SAID HOOD COUNTY ROAD NO. 413 FOR A CORNER OF  
6 THIS TRACT.

7           THENCE NORTHEASTERLY ALONG THE SOUTH RIGHT OF WAY OF SAID  
8 HOOD COUNTY ROAD NO. 413 AS FOLLOWS:

9           NORTH 82°21'44" EAST 400.00 FEET TO A SET 1/2" IRON ROD FOR A  
10 CORNER OF THIS TRACT.

11           NORTH 76°03'03" EAST 108.55 FEET TO A SET 1/2" IRON ROD FOR THE  
12 NORTHEAST CORNER OF THIS TRACT.

13           THENCE SOUTHEASTERLY ALONG THE APPROXIMATE CENTERLINE OF A  
14 CREEK AS FOLLOWS:

15           SOUTH 11°16'01" EAST 153.56 FEET TO A POINT FOR A CORNER OF  
16 THIS TRACT.

17           SOUTH 48°58'10" EAST 16.38 FEET TO A POINT, AT THE NORTHEAST  
18 CORNER OF LOT 18, CRESSON ONE SOUTH, FOR A CORNER OF THIS TRACT.

19           THENCE SOUTH 53°04'09" WEST 439.93 FEET TO A SET 1/2" IRON ROD  
20 WITH PLASTIC CAP STAMPED "CARTER" IN THE EAST LINE OF SAID RESERVE  
21 "B", AT THE NORTHWEST CORNER OF SAID LOT 18, FOR A CORNER OF THIS  
22 TRACT.

23           THENCE ALONG THE WEST LINE OF SAID LOT 18 AS FOLLOWS:

24           SOUTH 36°55'52" EAST 464.90 FEET TO A SET 1/2" IRON ROD WITH  
25 PLASTIC CAP STAMPED "CARTER", FOR A CORNER OF THIS TRACT.

26           SOUTHEASTERLY ALONG THE ARC OF THE CUL-DE-SAC OF SAID SPRING  
27 VALLEY ROAD TO THE RIGHT, SAID CUL-DE-SAC HAVING A RADIUS OF 60.00

S.B. No. 904

1 FEET, AN ARC LENGTH OF 125.66 FEET, AND WHOSE CHORD BEARS SOUTH  
2 36°55'52" EAST 103.92 FEET, A SET 1/2" IRON ROD WITH PLASTIC CAP  
3 STAMPED "CARTER", FOR A CORNER OF THIS TRACT.

4 SOUTH 36°55'52" EAST 93.76 FEET A SET 1/2" IRON ROD WITH  
5 PLASTIC CAP STAMPED "CARTER", FOR A CORNER OF THIS TRACT.

6 SOUTHEASTERLY ALONG THE ARC OF CURVE TO THE RIGHT, SAID CURVE  
7 HAVING A RADIUS OF 230.00 FEET, AN ARC LENGTH OF 17.33 FEET, AND  
8 WHOSE CHORD BEARS SOUTH 34°46'23" EAST 17.32 FEET A SET 1/2" IRON ROD  
9 WITH PLASTIC CAP STAMPED "CARTER", FOR A CORNER OF THIS TRACT.

10 SOUTH 32°36'54" EAST 185.50 FEET A SET 1/2" IRON ROD WITH  
11 PLASTIC CAP STAMPED "CARTER", FOR A CORNER OF THIS TRACT.

12 SOUTHEASTERLY ALONG THE ARC OF A CURVE TO THE LEFT, SAID CURVE  
13 HAVING A RADIUS OF 170.00 FEET, AN ARC LENGTH OF 12.81 FEET, AND  
14 WHOSE CHORD BEARS SOUTH 34°46'23" EAST 12.80 FEET A SET 1/2" IRON ROD  
15 WITH PLASTIC CAP STAMPED "CARTER", FOR A CORNER OF THIS TRACT.

16 SOUTH 36°55'52" EAST 38.92 FEET TO A SET 1/2" IRON ROD WITH  
17 PLASTIC CAP STAMPED "CARTER", AT THE INTERSECTION OF THE EAST LINE  
18 OF SAID SPRING VALLEY ROAD WITH THE NORTH RIGHT OF WAY LINE OF  
19 HIGHWAY NO. 377 (VARIABLE WIDTH RIGHT OF WAY), FOR THE SOUTHEAST  
20 CORNER OF THIS TRACT.

21 THENCE SOUTHWESTERLY ALONG THE NORTH RIGHT OF WAY LINE OF  
22 SAID HIGHWAY NO. 377 AS FOLLOWS:

23 SOUTH 53°04'09" WEST 44.90 FEET TO A 6" STEEL FENCE CORNER  
24 POST;

25 SOUTH 48°48'08" WEST 542.15 FEET TO A 6" STEEL FENCE CORNER  
26 POST;

27 SOUTH 45°59'59" WEST 413.26 FEET TO A 6" STEEL FENCE CORNER

S.B. No. 904

1 POST;  
2 SOUTH 53°26'47" WEST 301.86 FEET TO A 6" STEEL FENCE CORNER  
3 POST;  
4 SOUTH 42°08'10" WEST 199.45 FEET TO A FOUND CONCRETE MONUMENT;  
5 SOUTH 33°27'28" WEST 320.96 FEET TO A 6" STEEL FENCE CORNER POST;  
6 SOUTH 34°45'16" WEST 184.92 FEET TO A SET 1/2" IRON ROD FOR A CORNER  
7 OF THIS TRACT.  
8 SOUTH 42°11'21" WEST 499.46 FEET TO A SET 1/2" IRON ROD FOR A  
9 CORNER OF THIS TRACT.  
10 SOUTH 51°45'10" WEST 203.21 FEET TO A FOUND CONCRETE MONUMENT;  
11 SOUTH 41°58'37" WEST 269.46 FEET TO A FOUND CONCRETE MONUMENT;  
12 SOUTH 25°37'04" WEST 130.55 FEET TO A FOUND CONCRETE MONUMENT;  
13 SOUTH 47°39'24" WEST 286.27 FEET TO A FOUND CONCRETE MONUMENT;  
14 SOUTH 54°36'41" WEST 275.27 FEET A SET 1/2" IRON ROD WITH  
15 PLASTIC CAP STAMPED "CARTER", AT THE SOUTHEAST CORNER OF LOT 3,  
16 CRESSON ONE SOUTH, FOR THE SOUTHWEST CORNER OF THIS TRACT.  
17 THENCE NORTH 04°22'51" WEST 386.81 FEET A SET 1/2" IRON ROD  
18 WITH PLASTIC CAP STAMPED "CARTER" AT THE NORTHEAST CORNER OF SAID  
19 LOT 3, FOR A CORNER OF THIS TRACT.  
20 THENCE ALONG THE ARC OF THE CUL-DE-SAC OF SAID RIDGELINE  
21 COURT TO THE RIGHT, HAVING A RADIUS OF 60.00 FEET, AN ARC LENGTH OF  
22 314.16 FEET, AND WHOSE CHORD BEARS NORTH 08°29'51" WEST 60.00 FEET A  
23 SET 1/2" IRON ROD WITH PLASTIC CAP STAMPED "CARTER", AT THE  
24 SOUTHEAST CORNER OF LOT 4, CRESSON ONE SOUTH, FOR A CORNER OF THIS  
25 TRACT.  
26 THENCE ALONG THE EAST & NORTH LINES OF SAID LOT 4 AS FOLLOWS:  
27 NORTH 09°06'22" WEST 303.24 FEET TO A POINT;

1 NORTH 38°16'02" WEST 27.52 FEET TO A POINT;  
2 NORTH 71°12'24" WEST 54.54 FEET TO A POINT;  
3 SOUTH 80°49'06" WEST 94.24 FEET TO A POINT;  
4 SOUTH 53°38'42" WEST 47.58 FEET TO A POINT;  
5 SOUTH 24°58'13" WEST 93.12 FEET TO A POINT;  
6 SOUTH 02°42'43" WEST 163.32 FEET TO A POINT;  
7 SOUTH 59°23'04" WEST 201.82 FEET A SET 1/2" IRON ROD WITH  
8 PLASTIC CAP STAMPED "CARTER" AT THE NORTHWEST CORNER OF SAID LOT 4,  
9 FOR THE SOUTHWEST CORNER OF THIS TRACT.

10 THENCE NORTH 30°36'56" WEST 1319.90 FEET TO THE POINT OF  
11 BEGINNING. [10.16 ACRES WITHIN ROADWAY & RESERVES]

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

19 (b) The governor, one of the required recipients, has  
20 submitted the notice and Act to the Texas Commission on  
21 Environmental Quality.

22 (c) The Texas Commission on Environmental Quality has filed  
23 its recommendations relating to this Act with the governor, the  
24 lieutenant governor, and the speaker of the house of  
25 representatives within the required time.

26 (d) All requirements of the constitution and laws of this  
27 state and the rules and procedures of the legislature with respect

1 to the notice, introduction, and passage of this Act are fulfilled  
2 and accomplished.

3 SECTION 4. (a) If this Act does not receive a two-thirds  
4 vote of all the members elected to each house, Subchapter C, Chapter  
5 7975, Special District Local Laws Code, as added by Section 1 of  
6 this Act, is amended by adding Section 7975.108 to read as follows:

7 Sec. 7975.108. NO EMINENT DOMAIN POWER. The district may  
8 not exercise the power of eminent domain.

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

12 SECTION 5. This Act takes effect September 1, 2017.

<p>8510 <b>General</b></p> <p><b>APEX</b> Home Energy Services, LLC</p> <p>HVAC TECHNICIAN Looking for HVAC Technician for immediate hire. 3 years plus experience in residential work. Full Time work with paid holidays, paid vacation and bonus structure. \$15-\$30/hour DOE.</p>	<p>8520 <b>Construction</b></p> <p>EXPERIENCED Experienced framers (817) 800-2</p> <p>CONSTRUCTION - RESIDENTIAL COMMERCIAL EXPERIENCED CONCRETE TRUCK OPERATOR NEEDED FOR MODEL PUMP TRUCKS AND SUBROUNDS (817) 219-3364 (cbem)</p>	<p>Optimize Your Job Search</p> <p><b>JOB</b></p> <p>Hood County News</p> <p>817-573-7066 www.hcnews.com</p> <p>8560 <b>Professional</b></p>	<p><b>PUBLIC SALES</b></p> <p>9570 <b>Auctions</b></p> <p>BECKWORTH AUCTION SERVICE www.beckworthauction.com</p> <p>Granbury 76048 <b>Garage Sales 76048</b></p> <p>Let us sell your better</p>
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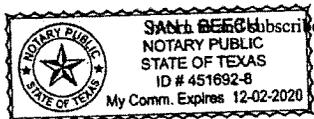
**PUBLISHER'S AFFIDAVIT**

STATE OF TEXAS  
COUNTY OF HOOD

Before me, the undersigned authority, on this day personally appeared, Jerry Tidwell, known to me, who on his oath deposes and says that he is publisher of the Hood County News, a newspaper published in said county of Hood; that a copy of the within and foregoing notice was published in the English language, on the dates specified below:

1st Time 12/24/16 3rd Time \_\_\_\_\_  
2nd Time \_\_\_\_\_ 4th Time \_\_\_\_\_

and a newspaper copy of which is hereto attached.



Subscribed before me this the 27th day of December A.D. 2016

Jerry Tidwell  
Jon Z Beech  
Notary Public In and for Hood County, Texas

<p><b>Hilton Garden Inn</b> Granbury <b>NOW HIRING</b></p> <ul style="list-style-type: none"> <li>• Housekeeping</li> <li>• Restaurant Servers/Hostess</li> <li>• Front Desk</li> <li>• Sales Admin.</li> </ul> <p>Great Work Environment &amp; Competitive Pay</p> <p>PLEASE APPLY IN PERSON</p> <p>635 East Pearl Street Granbury, TX 76048 (817) 579-3800</p>	<p>817-573-3434 www.watersviewinfo</p> <p>Taco D is now accepting applications. We offer competitive wages, holidays, and 1 wk vacation. 206 S Morgan St. between 2nd and 3rd.</p> <p><b>There's more inside than just headlines</b></p> <p>hcnews.com/sub</p> <p>8510 <b>General</b></p>	<p>8031 <b>Public Notices</b></p> <p><b>NOTICE OF INTENT TO INTRODUCE A BILL</b></p> <p>Pursuant to the Constitution and laws of the State of Texas, notice is hereby given of the intention to apply to the 85th Legislature of the State of Texas at its regular session in Austin, Texas for the introduction of a bill, the substance of the contemplated law being as follows:</p> <p>An act relating to the creation of the Cresson Municipal Utility District No. 1, providing authority to impose a tax and issue bonds.</p> <p>The Act proposes to create a conservation and reclamation district to be known as Cresson Municipal Utility District No. 1, being two tracts of land totaling approximately 354,963 acres in Hood County, Texas, more particularly described as follows:</p> <p>Southeast of and adjacent to the Scenic Ridge subdivision, bounded on the north and northwest by Old Granbury road and bounded on the south and southeast by East Highway 377.</p> <p>The District's creation is subject to approval in a confirmation election.</p> <p>All interested persons will, therefore, take notice of the matters and facts set out in the foregoing statement of the substance of the contemplated laws.</p>	<p><b>NEWS.COM</b></p>
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**General**

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**Public Notices**

**NOTICE OF MEETING**  
Permanent of the Commission and last of the State of Texas, notice is hereby given of the meeting to be held on the 15th day of December, 2010, at 10:00 a.m. in the City of Granbury, Texas, for the purpose of the consideration and adoption of the Ordinance of the City of Granbury, Texas, to amend Ordinance No. 10,000, as amended, to increase the rate of the City of Granbury, Texas, from 1.00% to 1.25% per annum.

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**PUBLIC NOTICE**  
Hood County, Texas will begin an online auction for the sale of Computers, Monitors, Printers, Projectors, Desktops and Chairs, Copiers, Laptops, Cameras, Tablets, Misc. Office Supplies. Bids have been declared surplus property of Hood County, Texas and will be auctioned on with Real Estate Auctioneers Inc. and begin January 14, 2011 until January 16, 2011. Interested bidders can access the auction at [www.realestate.com](http://www.realestate.com). Questions concerning this online auction should be directed to Hood County Purchasing Department at 4143 South County, Granbury, Texas, 76048.

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**Public Notices**

**NOTICE OF MEETING**  
The 11th regular meeting of the Board of the Hood County, Texas, will be held on the 15th day of December, 2010, at 10:00 a.m. in the City of Granbury, Texas, for the purpose of the consideration and adoption of the Ordinance of the City of Granbury, Texas, to amend Ordinance No. 10,000, as amended, to increase the rate of the City of Granbury, Texas, from 1.00% to 1.25% per annum.

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