

By: Bailes

H.B. No. 4318

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the River Ranch Municipal Utility
3 District of Liberty County; granting a limited power of eminent
4 domain; providing authority to issue bonds; providing authority to
5 impose assessments, fees, or 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 7991 to read as follows:

9 CHAPTER 7991. RIVER RANCH MUNICIPAL UTILITY DISTRICT OF LIBERTY

10 COUNTY

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 7991.001. 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 River Ranch Municipal Utility
18 District of Liberty County.

19 Sec. 7991.002. NATURE OF DISTRICT. The district is a
20 municipal utility district created under Section 59, Article XVI,
21 Texas Constitution.

22 Sec. 7991.003. 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. 7991.004. CONSENT OF MUNICIPALITY REQUIRED. The
3 temporary directors may not hold an election under Section 7991.003
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. 7991.005. 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, or improvement of
15 macadamized, graveled, or paved roads or improvements, including
16 storm drainage, in aid of those roads.

17 Sec. 7991.006. 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. 7991.051. GOVERNING BODY; TERMS. (a) The district is
5 governed by a board of five elected directors.

6 (b) Except as provided by Section 7991.052, directors serve
7 staggered four-year terms.

8 Sec. 7991.052. TEMPORARY DIRECTORS. (a) The temporary
9 board consists of:

10 (1) _____;

11 (2) _____;

12 (3) _____;

13 (4) _____; and

14 (5) _____.

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

16 (1) the date permanent directors are elected under
17 Section 7991.003; or

18 (2) September 1, 2021.

19 (c) If permanent directors have not been elected under
20 Section 7991.003 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 7991.003; 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. 7991.101. 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. 7991.102. 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. 7991.103. AUTHORITY FOR ROAD PROJECTS. Under Section
18 52, Article III, Texas Constitution, the district may design,
19 acquire, construct, finance, issue bonds for, improve, and convey
20 to this state, a county, or a municipality for operation and
21 maintenance macadamized, graveled, or paved roads or improvements,
22 including storm drainage, in aid of those roads.

23 Sec. 7991.104. 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. 7991.105. 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. 7991.106. DIVISION OF DISTRICT. (a) The district may
16 be divided into two or more new districts only if:

- 17 (1) the district has no outstanding bonded debt;
18 (2) the district is not imposing ad valorem taxes; and
19 (3) the requirements of Subsection (k) have been met.

20 (b) This chapter applies to any new district created by the
21 division of the district, and a new district has all the powers and
22 duties of the district.

23 (c) Any new district created by the division of the district
24 may not, at the time the new district is created, contain any land
25 outside the area described by Section 2 of the Act creating this
26 chapter.

27 (d) The board, on its own motion or on receipt of a petition

1 signed by the owner or owners of a majority of the assessed value of
2 the real property in the district, may adopt an order dividing the
3 district.

4 (e) The board may adopt an order dividing the district
5 before or after the date the board holds an election under Section
6 7991.003 to confirm the creation of the district.

7 (f) An order dividing the district shall:

8 (1) name each new district;

9 (2) include the metes and bounds description of the
10 territory of each new district;

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

12 and

13 (4) provide for the division of assets and liabilities
14 between or among the new districts.

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

19 (h) Any new district created by the division of the district
20 shall hold a confirmation and directors' election as required by
21 Section 7991.003.

22 (i) If the creation of the new district is confirmed, the
23 new district shall provide the election date and results to the
24 commission.

25 (j) Any new district created by the division of the district
26 must hold an election as required by this chapter to obtain voter
27 approval before the district may impose a maintenance tax or issue

1 bonds payable wholly or partly from ad valorem taxes.

2 (k) If the district is located wholly or partly in the
3 corporate limits or the extraterritorial jurisdiction of a
4 municipality, the district may not divide under this section unless
5 the municipality by resolution or ordinance consents to the
6 division of the district. If the district is not located wholly or
7 partly in the corporate limits or extraterritorial jurisdiction of
8 a municipality, the district may not divide under this section
9 unless the commissioners court of each county in which the district
10 is wholly or partly located adopts a resolution or order consenting
11 to the division of the district.

12 Sec. 7991.107. LIMITATION ON USE OF EMINENT DOMAIN. The
13 district may not exercise the power of eminent domain outside the
14 district to acquire a site or easement for:

- 15 (1) a road project authorized by Section 7991.103; or
16 (2) a recreational facility as defined by Section
17 49.462, Water Code.

18 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

19 Sec. 7991.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
20 district may issue, without an election, bonds and other
21 obligations secured by revenue other than ad valorem taxes.

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

26 (c) The district may not issue bonds payable from ad valorem
27 taxes to finance a road project unless the issuance is approved by a

1 vote of a two-thirds majority of the district voters voting at an
2 election held for that purpose.

3 Sec. 7991.152. OPERATION AND MAINTENANCE TAX. (a) If
4 authorized at an election held under Section 7991.151, the district
5 may impose an operation and maintenance tax on taxable property in
6 the district in accordance with Section 49.107, Water Code.

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

9 Sec. 7991.153. CONTRACT TAXES. (a) In accordance with
10 Section 49.108, Water Code, the district may impose a tax other than
11 an operation and maintenance tax and use the revenue derived from
12 the tax to make payments under a contract after the provisions of
13 the contract have been approved by a majority of the district voters
14 voting at an election held for that purpose.

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

18 Sec. 7991.154. WATER AND SEWER RATES. Notwithstanding any
19 other law, the district shall establish the same rates for
20 residential and commercial classes of customers for the provision
21 of water and sewer services. For purposes of this section, the
22 commercial class may not include apartment complexes or other
23 multifamily dwellings.

24 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

25 Sec. 7991.201. AUTHORITY TO ISSUE BONDS AND OTHER
26 OBLIGATIONS. The district may issue bonds or other obligations
27 payable wholly or partly from ad valorem taxes, impact fees,

1 revenue, contract payments, grants, or other district money, or any
2 combination of those sources, to pay for any authorized district
3 purpose.

4 Sec. 7991.202. TAXES FOR BONDS. At the time the district
5 issues bonds payable wholly or partly from ad valorem taxes, the
6 board shall provide for the annual imposition of a continuing
7 direct ad valorem tax, without limit as to rate or amount, while all
8 or part of the bonds are outstanding as required and in the manner
9 provided by Sections 54.601 and 54.602, Water Code.

10 Sec. 7991.203. BONDS FOR ROAD PROJECTS. At the time of
11 issuance, the total principal amount of bonds or other obligations
12 issued or incurred to finance road projects and payable from ad
13 valorem taxes may not exceed one-fourth of the assessed value of the
14 real property in the district.

15 SECTION 2. The River Ranch Municipal Utility District of
16 Liberty County initially includes all the territory contained in
17 the following area:

18 Tract 1:

19 Being 6980.694 acres of land situated in the William
20 Bloodgood Survey, Abstract 3, the William D. Smith Survey, Abstract
21 106, the H. E. & W. RR. Number 1131 Survey, Abstract 515, the
22 William E. Kierstead Survey, Abstract 693, the George Pace Survey,
23 Abstract 805, the Louis Davis Survey, Abstract 18, the A. P.
24 Blackwell Survey, Abstract 782, the Robert Wiseman Survey, Abstract
25 392, and the T. & N. O. RR. Survey, Abstract 383, in Liberty County,
26 Texas, and being the residue of that called 7449.781 acres of land
27 as recorded in Liberty County Clerk's File Number 2009008952 and

1 being more particularly described by metes and bounds as follows;

2 BEGINNING, at a found five eighths inch iron rod, marking the
3 most northwesterly corner of said called 7450.588 acre tract, the
4 southwesterly corner of a called 17.56 acre tract as recorded in
5 Liberty County Clerk's File Number 2006012623 and in the east line
6 of State Highway 146 (width varies). Said BEGINNING point having a
7 Texas State Plane Coordinate System, Central Zone (4204) Value of
8 Y= 9,997,553.25 and X= 4,013,812.92 (GRID);

9 1. THENCE, North 58 degrees 04 minutes 55 seconds East,
10 along the most northerly line of said called 7450.588 acre tract and
11 the south line of said called 17.56 acre tract, for a distance of
12 2,611.49 feet (called 2,601.00 feet), to a found one half inch iron
13 rod (disturbed) for an angle point;

14 2. THENCE, North 87 degrees 23 minutes 42 seconds East,
15 continuing along the northerly line of said called 7450.588 acre
16 tract and the south line of said called 17.56 acre tract, for a
17 distance of 74.68 feet (called 74.54 feet) to a found one half inch
18 iron rod (disturbed) for an interior corner;

19 3. THENCE, North 02 degrees 41 minutes 57 seconds West,
20 along an interior corner of said called 7450.588 acre tract, for a
21 distance of 139.09 feet (called 138.89 feet), to a found one half
22 inch iron rod, marking an exterior corner of said called 7450.58
23 acre tract;

24 4. THENCE, North 87 degrees 27 minutes 21 seconds East,
25 along an exterior line of said called 7450.588 acre tract, a
26 distance of 1038.04 feet to a found two inch iron pipe (disturbed);

27 5. THENCE, North 87 degrees 20 minutes 53 seconds East

1 continuing along an exterior line of said called 7450.588 acre
2 tract a distance of 6578.98 feet to a found two inch iron pipe;

3 6. THENCE, South 02 degrees 39 minutes 21 seconds East
4 continuing along an exterior line of said called 7450.588 acre
5 tract a distance of 139.61 feet to a found two inch iron pipe;

6 7. THENCE, North 87 degrees 16 minutes 21 seconds East
7 continuing along an exterior line of said called 7450.588 acre
8 tract a distance of 7238.81 feet to a found two inch iron pipe in the
9 westerly right-of-way line of Liberty County Road Number 455;

10 8. THENCE, South 15 degrees 26 minutes 45 seconds East along
11 said westerly right-of-way line of Liberty County Road Number 455,
12 a distance of 1458.52 feet to a found two inch iron pipe;

13 9. THENCE, North 86 degrees 22 minutes 33 seconds East a
14 distance of 61.66 feet to a found one half inch iron rod with
15 cap 'BHA' marking the north west corner of a called 2.67 acres as
16 recorded in Liberty County Clerks (LCCFN) 2012007988;

17 10. THENCE, South 15 degrees 08 minutes 32 seconds East
18 along the west line of said called 2.67 acres, a distance of 770.50
19 feet to an angle point;

20 11. THENCE, South 00 degrees 46 minutes 36 seconds West a
21 distance of 349.09 feet to a found one and one half inch iron pipe
22 marking the northeast corner of a called 4.113 acres LCCFN
23 20108323;

24 12. THENCE, North 89 degrees 38 minutes 50 seconds West
25 along the northerly line of said a called 4.113 acres, a distance of
26 631.10 feet to a found one half inch iron rod with cap '5068';

27 13. THENCE, South 03 degrees 14 minutes 43 seconds East

1 along the westerly line of said a called 4.113 acres, a distance of
2 238.21 feet to a found one and one half inch iron pipe;

3 14. THENCE, South 77 degrees 57 minutes 13 seconds East
4 along the southerly line of said a called 4.113 acres a distance of
5 100.90 feet to the northerly line of called Possible Conflict Area
6 in LCCFN 20078486;

7 15. THENCE, South 87 degrees 10 minutes 33 seconds West
8 along the northerly line of called Possible Conflict Area, a
9 distance of 1866.59 feet to a found one and one half inch iron pipe
10 (destroyed);

11 16. THENCE, South 03 degrees 22 minutes 15 seconds East
12 along the westerly line of called Possible Conflict Area, a
13 distance of 103.25 feet to a 'Boat Spike in Concrete' marking the
14 fenced northerly of Hilton tract as recorded at LCCFN 20078486;

15 17. THENCE, South 02 degrees 53 minutes 32 seconds East
16 along the said Hilton tract, a distance of 3361.75 feet to a found
17 one and one half inch rod being in the north line of 1454.19 acre
18 tract described in Volume 1307, Page 88 of the Deed Records of
19 Liberty County (DRLC);

20 18. THENCE, South 87 degrees 17 minutes 29 seconds West
21 along the north line of said 1454.19 acre tract a distance of 463.43
22 feet to a found one and one half inch rod;

23 19. THENCE, South 03 degrees 53 minutes 48 seconds East
24 along the west line of said 1454.19 acre tract, and the west line of
25 that certain called 473.221 acre tract described in Volume 1933,
26 Page 384 DRLC, a distance of 11,157.52 feet to found two inch iron
27 pipe marking the southwest corner of said 473.221 acre tract;

1 20. THENCE, North 85 degrees 18 minutes 55 seconds East
2 along the south line of said 473.221 acre tract, a distance of
3 1570.06 feet to found two and one half inch iron pipe;

4 21. THENCE, North 85 degrees 03 minutes 56 seconds East
5 continuing along said south line of said 473.221 acre tract, a
6 distance of 1730.86 feet to a found five eighths inch iron rod in
7 northwesterly right-of-way line of the Coastal Industrial Water
8 Authority Canal;

9 THENCE along and with said Coastal Industrial Water Authority
10 Canal right-of-way, the following six (6) courses:

11 1) THENCE, along a curve to the right 232.37 feet along,
12 said curve having a radius of 727.99 feet said curve having a chord
13 direction of South 33 degrees 18 minutes 41 seconds West and a chord
14 length of 231.39 feet;

15 2) THENCE, South 43 degrees 29 minutes 55 seconds West a
16 distance of 879.49 feet to an angle point;

17 3) THENCE, South 43 degrees 21 minutes 34 seconds West a
18 distance of 717.39 feet to an angle point;

19 4) THENCE, South 42 degrees 47 minutes 05 seconds West a
20 distance of 6748.74 feet to a found five eighths inch iron rod;

21 5) THENCE, South 68 degrees 32 minutes 55 seconds West a
22 distance of 388.20 feet to a found five eighths inch iron rod;

23 6) THENCE, South 01 degrees 29 minutes 02 seconds East a
24 distance of 117.76 feet to the centerline of Old River;

25 THENCE along and with said centerline of Old River, same
26 being said Wiseman Survey westerly line and said Welch Survey
27 easterly line, the following sixty-five (65) courses:

- 1 1) THENCE, South 58 degrees 09 minutes 08 seconds West a
2 distance of 15.75 feet to an angle point;
- 3 2) THENCE, North 64 degrees 44 minutes 18 seconds West a
4 distance of 91.26 feet to an angle point;
- 5 3) THENCE, North 32 degrees 00 minutes 26 seconds West a
6 distance of 136.24 feet to an angle point;
- 7 4) THENCE, South 66 degrees 19 minutes 52 seconds West a
8 distance of 64.65 feet to an angle point;
- 9 5) THENCE, North 43 degrees 26 minutes 23 seconds West a
10 distance of 46.30 feet to an angle point;
- 11 6) THENCE, North 29 degrees 49 minutes 53 seconds West a
12 distance of 59.08 feet to an angle point;
- 13 7) THENCE, North 06 degrees 18 minutes 15 seconds East a
14 distance of 37.01 feet to an angle point;
- 15 8) THENCE, North 23 degrees 39 minutes 11 seconds East a
16 distance of 52.62 feet to an angle point;
- 17 9) THENCE, North 31 degrees 33 minutes 27 seconds East a
18 distance of 77.59 feet to an angle point;
- 19 10) THENCE, North 13 degrees 09 minutes 50 seconds East a
20 distance of 87.73 feet to an angle point;
- 21 11) THENCE, North 20 degrees 07 minutes 22 seconds West a
22 distance of 11.17 feet to an angle point;
- 23 12) THENCE, North 59 degrees 01 minutes 35 seconds West a
24 distance of 62.45 feet to an angle point;
- 25 13) THENCE, North 46 degrees 03 minutes 11 seconds West a
26 distance of 30.31 feet to an angle point;
- 27 14) THENCE, North 14 degrees 26 minutes 18 seconds East a

1 distance of 104.09 feet to an angle point;
2 15) THENCE, North 27 degrees 55 minutes 38 seconds West a
3 distance of 38.19 feet to an angle point;
4 16) THENCE, North 36 degrees 17 minutes 37 seconds West a
5 distance of 60.70 feet to an angle point;
6 17) THENCE, North 35 degrees 26 minutes 18 seconds East a
7 distance of 23.80 feet to an angle point;
8 18) THENCE, North 69 degrees 01 minutes 02 seconds East a
9 distance of 165.04 feet to an angle point;
10 19) THENCE, North 43 degrees 19 minutes 31 seconds East a
11 distance of 21.99 feet to an angle point;
12 20) THENCE, North 16 degrees 10 minutes 24 seconds East a
13 distance of 46.70 feet to an angle point;
14 21) THENCE, North 17 degrees 01 minutes 36 seconds West a
15 distance of 86.60 feet to an angle point;
16 22) THENCE, North 08 degrees 32 minutes 02 seconds West a
17 distance of 87.59 feet to an angle point;
18 23) THENCE, North 10 degrees 49 minutes 06 seconds East a
19 distance of 19.61 feet to an angle point;
20 24) THENCE, North 69 degrees 03 minutes 33 seconds East a
21 distance of 16.49 feet to an angle point;
22 25) THENCE, South 63 degrees 21 minutes 41 seconds East a
23 distance of 123.98 feet to an angle point;
24 26) THENCE, North 84 degrees 00 minutes 08 seconds East a
25 distance of 46.55 feet to an angle point;
26 27) THENCE, North 25 degrees 09 minutes 01 seconds East a
27 distance of 20.14 feet to an angle point;

- 1 28) THENCE, North 15 degrees 23 minutes 39 seconds East a
2 distance of 22.11 feet to an angle point;
- 3 29) THENCE, North 66 degrees 13 minutes 45 seconds East a
4 distance of 41.01 feet to an angle point;
- 5 30) THENCE, North 84 degrees 10 minutes 10 seconds East a
6 distance of 43.69 feet to an angle point;
- 7 31) THENCE, South 68 degrees 10 minutes 57 seconds East a
8 distance of 121.53 feet to an angle point;
- 9 32) THENCE, North 84 degrees 58 minutes 51 seconds East a
10 distance of 22.29 feet to an angle point;
- 11 33) THENCE, North 63 degrees 25 minutes 30 seconds East a
12 distance of 23.15 feet to an angle point;
- 13 34) THENCE, North 07 degrees 58 minutes 23 seconds East a
14 distance of 38.31 feet to an angle point;
- 15 35) THENCE, North 02 degrees 03 minutes 41 seconds East a
16 distance of 53.18 feet to an angle point;
- 17 36) THENCE, North 32 degrees 30 minutes 05 seconds East a
18 distance of 130.71 feet to an angle point;
- 19 37) THENCE, North 47 degrees 36 minutes 35 seconds East a
20 distance of 110.53 feet to an angle point;
- 21 38) THENCE, North 04 degrees 43 minutes 59 seconds West a
22 distance of 30.78 feet to an angle point;
- 23 39) THENCE, North 33 degrees 31 minutes 55 seconds West a
24 distance of 26.08 feet to an angle point;
- 25 40) THENCE, North 39 degrees 08 minutes 01 seconds West a
26 distance of 66.79 feet to an angle point;
- 27 41) THENCE, North 22 degrees 19 minutes 44 seconds East a

1 distance of 38.56 feet to an angle point;
2 42) THENCE, North 54 degrees 43 minutes 58 seconds East a
3 distance of 38.32 feet to an angle point;
4 43) THENCE, South 65 degrees 09 minutes 17 seconds East a
5 distance of 103.31 feet to an angle point;
6 44) THENCE, North 28 degrees 04 minutes 20 seconds East a
7 distance of 37.48 feet to an angle point;
8 45) THENCE, North 08 degrees 48 minutes 54 seconds East a
9 distance of 114.60 feet to an angle point;
10 46) THENCE, North 21 degrees 43 minutes 04 seconds East a
11 distance of 107.20 feet to an angle point;
12 47) THENCE, North 55 degrees 52 minutes 47 seconds West a
13 distance of 19.09 feet to an angle point;
14 48) THENCE, North 80 degrees 47 minutes 51 seconds West a
15 distance of 84.42 feet to an angle point;
16 49) THENCE, South 70 degrees 45 minutes 49 seconds West a
17 distance of 98.65 feet to an angle point;
18 50) THENCE, North 08 degrees 27 minutes 34 seconds West a
19 distance of 74.91 feet to an angle point;
20 51) THENCE, North 42 degrees 34 minutes 37 seconds West a
21 distance of 55.08 feet to an angle point;
22 52) THENCE, North 03 degrees 20 minutes 32 seconds West a
23 distance of 134.32 feet to an angle point;
24 53) THENCE, North 10 degrees 41 minutes 17 seconds West a
25 distance of 227.57 feet to an angle point;
26 54) THENCE, North 60 degrees 20 minutes 56 seconds East a
27 distance of 77.08 feet to an angle point;

1 55) THENCE, North 44 degrees 11 minutes 48 seconds East a
2 distance of 40.40 feet to an angle point;
3 56) THENCE, North 26 degrees 03 minutes 04 seconds West a
4 distance of 73.67 feet to an angle point;
5 57) THENCE, North 24 degrees 08 minutes 47 seconds East a
6 distance of 73.80 feet to an angle point;
7 58) THENCE, North 36 degrees 57 minutes 07 seconds East a
8 distance of 178.12 feet to an angle point;
9 59) THENCE, North 16 degrees 05 minutes 57 seconds West a
10 distance of 84.97 feet to an angle point;
11 60) THENCE, North 01 degrees 11 minutes 32 seconds East a
12 distance of 125.69 feet to an angle point;
13 61) THENCE, North 83 degrees 06 minutes 00 seconds East a
14 distance of 28.45 feet to an angle point;
15 62) THENCE, North 04 degrees 15 minutes 12 seconds West a
16 distance of 338.20 feet to an angle point;
17 63) THENCE, North 16 degrees 11 minutes 51 seconds West a
18 distance of 34.92 feet to an angle point;
19 64) THENCE, North 73 degrees 51 minutes 47 seconds West a
20 distance of 50.61 feet to an angle point;
21 65) THENCE, South 87 degrees 32 minutes 41 seconds West a
22 distance of 68.54 feet to the most southerly corner of that certain
23 called 22.50 acre tract described in Volume 1619, page 569 of the
24 DRLC;
25 22. THENCE, North 57 degrees 02 minutes 30 seconds East
26 along and with the southeast line of said 22.50 acre tract, same
27 being the northwest line of said 77.50 acre tract, a distance of

1 2451.67 feet to east corner of said 22.50 acre tract;

2 23. THENCE, North 32 degrees 57 minutes 30 seconds West
3 along and with said 22.50 acre tract, a distance of 419.64 feet to a
4 found five eighths inch iron rod marking the north corner of said
5 22.50 tract;

6 24. THENCE, South 57 degrees 02 minutes 30 seconds West a
7 distance of 5846.47 feet to the southeast corner of a called
8 68.1917 acre tract recorded at LCCFN 2012016189;

9 25. THENCE, North 07 degrees 59 minutes 54 seconds West
10 along the east line of said called 68.1917 acre tract, a distance of
11 2939.15 feet to the most northerly corner of said called 68.1917
12 acre tract;

13 26. THENCE, South 19 degrees 28 minutes 46 seconds West
14 along the westerly line of said called 68.1917 acre tract, a
15 distance of 4375.10 feet to original southerly line of said called
16 7449.781 acre tract;

17 27. THENCE, South 57 degrees 02 minutes 30 seconds West
18 along said original southerly line of said called 7449.781 acre
19 tract a distance of 761.40 feet to the southeast corner of a called
20 326.1099 acre tract recorded at LCCFN 2012016189;

21 28. THENCE, North 19 degrees 32 minutes 39 seconds East
22 along the easterly line of said called 326.1099 acre tract, a
23 distance of 5781.38 feet to the most northeasterly corner of said
24 called 326.1099 acre tract;

25 29. THENCE, South 56 degrees 18 minutes 06 seconds West
26 along the northerly line of said called 326.1099 acre tract, a
27 distance of 620.57 feet to an angle point;

1 30. THENCE, South 57 degrees 47 minutes 53 seconds West
2 continuing along the northerly line of said called 326.1099 acre
3 tract, a distance of 877.05 feet to an angle point;

4 31. THENCE, South 58 degrees 40 minutes 55 seconds West
5 continuing along the northerly line of said called 326.1099 acre
6 tract, a distance of 161.92 feet to an angle point;

7 32. THENCE, South 68 degrees 29 minutes 27 seconds West
8 continuing along the northerly line of said called 326.1099 acre
9 tract, a distance of 151.09 feet to an angle point;

10 33. THENCE, South 59 degrees 21 minutes 25 seconds West
11 continuing along the northerly line of said called 326.1099 acre
12 tract, a distance of 156.26 feet to an angle point;

13 34. THENCE, South 56 degrees 32 minutes 08 seconds West
14 continuing along the northerly line of said called 326.1099 acre
15 tract, a distance of 661.70 feet to an angle point;

16 35. THENCE, South 57 degrees 20 minutes 35 seconds West
17 continuing along the northerly line of said called 326.1099 acre
18 tract, a distance of 811.26 feet to an angle point;

19 36. THENCE, South 57 degrees 06 minutes 11 seconds West
20 continuing along the northerly line of said called 326.1099 acre
21 tract, a distance of 1865.19 feet to the most westerly northwest
22 corner of said called 326.1099 acre tract to an angle point;

23 37. THENCE, South 56 degrees 57 minutes 10 seconds West a
24 distance of 1138.04 feet most westerly northwest corner of said
25 called 326.1099 acre tract;

26 38. THENCE, South 33 degrees 26 minutes 01 seconds East a
27 distance of 448.40 feet to an angle point;

1 39. THENCE, South 56 degrees 52 minutes 59 seconds West a
2 distance of 1149.47 feet to east right-of-way line of State Highway
3 Number 146;

4 THENCE, along and with said east right-of-way line of State
5 Highway Number 146, the following nine (9) courses:

6 1) THENCE, North 11 degrees 10 minutes 42 seconds West, a
7 distance of 10,070.99 feet to the point of curvature of a curve to
8 the right;

9 2) THENCE, an arc distance of 1299.69 feet along a curve to
10 the right, said curve having a radius of 22803.32 feet and a chord
11 direction and distance of North 09 degrees 32 minutes 43 seconds
12 West 1299.51 feet;

13 3) THENCE, North 07 degrees 54 minutes 46 seconds West a
14 distance of 2290.52 feet to the point of curvature of a curve to the
15 left;

16 4) THENCE, an arc distance of along a curve to the left
17 572.98 feet along a curve to the left, said curve having a radius of
18 10845.02 feet said and a chord direction and distance of North 09
19 degrees 25 minutes 34 seconds West 572.91 feet;

20 5) THENCE, North 08 degrees 17 minutes 04 seconds West a
21 distance of 284.82 feet to an angle point;

22 6) THENCE, North 10 degrees 03 minutes 11 seconds West a
23 distance of 460.87 feet to an angle point;

24 7) THENCE, South 81 degrees 41 minutes 08 seconds West a
25 distance of 19.97 feet to an angle point;

26 8) THENCE, North 07 degrees 54 minutes 45 seconds West, a
27 distance of 5,737.42 feet to a set five eighths inch iron rod with

1 cap stamped "CCI", being the beginning of a curve to the right;

2 9) THENCE, an arc distance of 361.93 feet along said curve
3 to the right, said curve having a radius of 7630.00 feet and a chord
4 direction and distance of North 06 degrees 33 minutes 13 seconds
5 West 361.90 feet, to the POINT OF BEGINNING;

6 Tract 2:

7 Being 482.649 acres of land out of a called 1454.19 acres,
8 more or less, in and out of that certain "called" 1517 acres, in the
9 John A. Williams League, Abstract Number 119, Liberty County,
10 Texas, being more particularly, described as follows:

11 BEGINNING at a found one inch pinch topped pipe located in the
12 south line of said called 1454.19 acre tract and the north line of
13 West Lake Subdivision as recorded in volume 6, page 59 of Liberty
14 County Map Records (LCDR) also being in the easterly right of way of
15 FM 1409 (Parcel A, volume 666. page.005 Liberty County Deed Record)

16 1. THENCE, North 00 degrees 14 minutes 16 seconds East a
17 distance of 39.39 feet along easterly right of way of FM 1409 to a
18 set five eights inch iron with yellow plastic cap stamped 'CCI';

19 2. THENCE, North 40 degrees 17 minutes 58 seconds East a
20 distance of 75.55 feet continuing along easterly right of way of FM
21 1409 to a found three quarters inch iron rod;

22 3. THENCE, North 39 degrees 56 minutes 18 seconds East a
23 distance of 122.65 feet to a to a found five eighths inch iron rod;

24 4. THENCE, North 65 degrees 30 minutes 01 seconds East a
25 distance of 156.58 feet to a to a found five eighths inch iron rod;

26 5. THENCE, along a curve to the right an arc distance of
27 400.94 feet, said curve having a radius of 724.00 feet and a chord

1 bearing and distance of North 81 degrees 24 minutes 58 seconds East,
2 395.83 feet to a found five eighths inch iron rod for a point of
3 reverse curve;

4 6. THENCE, along a curve to the left an arc distance of
5 1190.99 feet said curve having a radius of 1076.00 feet and a chord
6 bearing and distance of North 65 degrees 34 minutes 17 seconds East,
7 1131.11 feet to a found five eighths inch iron rod for a point of
8 reverse curve;

9 7. THENCE, along a curve to the right an arc distance of
10 398.88 feet along said curve having a radius of 724.00 feet and a
11 chord bearing and distance of North 50 degrees 04 minutes 49 seconds
12 East, 393.86 feet to a found five eighths inch iron rod;

13 8. THENCE, North 65 degrees 47 minutes 48 seconds East a
14 distance of 1993.97 feet to a found three quarter inch iron rod;

15 9. THENCE, North 65 degrees 33 minutes 44 seconds East a
16 distance of 3609.67 feet to a a found one half inch iron rod;

17 10. THENCE, South 83 degrees 28 minutes 16 seconds East a
18 distance of 256.60 feet to a set five eighths inch iron with yellow
19 plastic cap stamped 'CCI';

20 11. THENCE, North 30 degrees 28 minutes 01 seconds East a
21 distance of 302.84 feet to a set five eighths inch iron with yellow
22 plastic cap stamped 'CCI';

23 12. THENCE, North 65 degrees 34 minutes 06 seconds East a
24 distance of 1496.19 feet to a set five eighths inch iron with yellow
25 plastic cap stamped 'CCI';

26 13. THENCE, North 85 degrees 54 minutes 44 seconds East a
27 distance of 1848.04 feet to the Trinity river (as established from

1 FEMA LIDAR 2008);

2 Thence with the next 31 calls along the said Trinity River:

3 1) THENCE, South 49 degrees 13 minutes 20 seconds East a
4 distance of 81.95 feet to an angle point;

5 2) THENCE, South 30 degrees 29 minutes 20 seconds East a
6 distance of 118.05 feet to an angle point;

7 3) THENCE, South 25 degrees 40 minutes 37 seconds East a
8 distance of 54.85 feet to an angle point;

9 4) THENCE, South 34 degrees 34 minutes 38 seconds East a
10 distance of 408.75 feet to an angle point;

11 5) THENCE, South 24 degrees 58 minutes 08 seconds East a
12 distance of 137.38 feet to an angle point;

13 6) THENCE, South 47 degrees 58 minutes 53 seconds East a
14 distance of 129.25 feet to an angle point;

15 7) THENCE, South 29 degrees 24 minutes 08 seconds East a
16 distance of 532.54 feet to an angle point;

17 8) THENCE, South 24 degrees 11 minutes 36 seconds East a
18 distance of 215.75 feet to an angle point;

19 9) THENCE, South 12 degrees 27 minutes 16 seconds East a
20 distance of 317.40 feet to an angle point;

21 10) THENCE, South 01 degrees 28 minutes 30 seconds East a
22 distance of 221.59 feet to an angle point;

23 11) THENCE, South 06 degrees 50 minutes 57 seconds West a
24 distance of 342.80 feet to an angle point;

25 12) THENCE, South 23 degrees 42 minutes 49 seconds West a
26 distance of 222.21 feet to an angle point;

27 13) THENCE, South 49 degrees 05 minutes 08 seconds West a

1 distance of 264.20 feet to an angle point;
2 14) THENCE, South 81 degrees 00 minutes 10 seconds West a
3 distance of 231.01 feet to an angle point;
4 15) THENCE, North 75 degrees 34 minutes 45 seconds West a
5 distance of 206.14 feet to an angle point;
6 16) THENCE, North 34 degrees 06 minutes 23 seconds West a
7 distance of 362.83 feet to an angle point;
8 17) THENCE, North 22 degrees 44 minutes 47 seconds West a
9 distance of 727.81 feet to an angle point;
10 18) THENCE, North 04 degrees 42 minutes 21 seconds West a
11 distance of 156.44 feet to an angle point;
12 19) THENCE, North 18 degrees 42 minutes 42 seconds West a
13 distance of 155.58 feet to an angle point;
14 20) THENCE, North 50 degrees 23 minutes 34 seconds West a
15 distance of 105.51 feet to an angle point;
16 21) THENCE, North 85 degrees 14 minutes 11 seconds West a
17 distance of 160.27 feet to an angle point;
18 22) THENCE, North 64 degrees 39 minutes 14 seconds West a
19 distance of 119.93 feet to an angle point;
20 23) THENCE, North 84 degrees 55 minutes 13 seconds West a
21 distance of 171.80 feet to an angle point;
22 24) THENCE, South 70 degrees 55 minutes 51 seconds West a
23 distance of 162.96 feet to an angle point;
24 25) THENCE, South 44 degrees 12 minutes 15 seconds West a
25 distance of 193.63 feet to an angle point;
26 26) THENCE, South 26 degrees 05 minutes 20 seconds West a
27 distance of 306.98 feet to an angle point;

1 27) THENCE, South 05 degrees 16 minutes 39 seconds West a
2 distance of 475.47 feet to a Point;

3 28) THENCE, South 03 degrees 45 minutes 10 seconds West a
4 distance of 944.18 feet to an angle point;

5 29) THENCE, South 12 degrees 02 minutes 33 seconds East a
6 distance of 218.72 feet to an angle point;

7 30) THENCE, South 11 degrees 01 minutes 24 seconds West a
8 distance of 74.58 feet to an angle point;

9 31) THENCE, South 05 degrees 24 minutes 53 seconds East a
10 distance of 189.89 feet to a point in the south line said called
11 1454.19 acre tract and the north line of East Spring Creek
12 Subdivision as recorded in volume 2, page 334 LCMR and replat volume
13 8, page 86 LCMR;

14 14. THENCE, South 85 degrees 26 minutes 56 seconds West
15 along the said south line said called 1454.19 acre tract and the
16 north line of said East Spring Creek Subdivision as recorded in
17 volume 2, page 334 LCMR, said re-plat East Spring Creek Subdivision
18 volume 8, page 86 LCMR and West Lake Subdivision, a distance of
19 9391.82 feet to the POINT OF BEGINNING;

20 Tract 3:

21 N 1/2 Lot 1, Sec C, West Lake Addition, A-119

22 The North One-half (N-1/2) of Lot One (1), Section "C" of the
23 West Lake Addision in the John A. Williams Survey, Abstract, 119,
24 as recorded in Volume 6, Pages 58-59 and Volume 8, Pages 22-23 of
25 the Map Records of Liberty County, Texas, SAVE AND EXCEPT A 0.11
26 acre tract as described in that certain Warranty Deed from C. T.
27 Staples, et ux to Coastal Industrial Water Authority in Volume 637,

1 Page 262 of the Deed Records of Liberty County, Texas. As Follows:

2 BEGINNING at a 1-1/4" iron pipe at the Northwest corner of Lot
3 No. 1 referred to above, said pipe also being in the East
4 right-of-way line of F. M. Road No. 1409 and in the South line of
5 The Mary Gay Trust 1,517 acre tract;

6 THENCE, North 86° 27' East, with the north line of Lot No. 1
7 and the south line of the 1,517 acre tract, a distance of 25.0 feet
8 to a 5/8" iron rod;

9 THENCE, South 00° 22' West, a distance of 266.0 feet to a 5/8"
10 iron rod in the West line of Lot No. 2, same being in the East
11 right-of-way line of F. M. Road No. 1409 and at the beginning of a
12 curve to the right whose radius is 1,105.9 feet;

13 THENCE, in a northerly direction along said right-of-way
14 curve and with the West line of Lot No. 2, at 56.5 feet past a 3/4"
15 iron pipe for a common corner of Lots No. 1 and No. 2 and continuing
16 along the West line of Lot No. 1, a total distance of 266.1 feet to
17 the PLACE OF BEGINNING.

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

25 (b) The governor, one of the required recipients, has
26 submitted the notice and Act to the Texas Commission on
27 Environmental Quality.

1 (c) The Texas Commission on Environmental Quality has filed
2 its recommendations relating to this Act with the governor, the
3 lieutenant governor, and the speaker of the house of
4 representatives within the required time.

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

9 SECTION 4. (a) Section 7991.107, Special District Local
10 Laws Code, as added by Section 1 of this Act, takes effect only if
11 this Act receives a two-thirds vote of all the members elected to
12 each house.

13 (b) If this Act does not receive a two-thirds vote of all the
14 members elected to each house, Subchapter C, Chapter 7991, Special
15 District Local Laws Code, as added by Section 1 of this Act, is
16 amended by adding Section 7991.107 to read as follows:

17 Sec. 7991.107. NO EMINENT DOMAIN POWER. The district may
18 not exercise the power of eminent domain.

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

22 SECTION 5. This Act takes effect June 1, 2017, if it
23 receives a vote of two-thirds of all the members elected to each
24 house, as provided by Section 39, Article III, Texas Constitution.
25 If this Act does not receive the vote necessary for effect on that
26 date, this Act takes effect September 1, 2017.