

By: Dukes

H.B. No. 4348

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Vision East Municipal Utility District No. 1; providing authority to impose a tax and issue bonds.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8016 to read as follows:

CHAPTER 8016. VISION EAST MUNICIPAL UTILITY

DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8016.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Austin, Texas.

(3) "Commission" means the Texas Commission on Environmental Quality.

(4) "County" means Travis County.

(5) "Director" means a board member.

(6) "District" means the Vision East Municipal Utility District No. 1.

Sec. 8016.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8016.003. CONFIRMATION ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district.

1       Sec. 8016.004. CONSENT OF CITY REQUIRED; ENFORCEABILITY OF  
2 CONSENT AGREEMENT. (a) The temporary directors may not hold an  
3 election under Section 8016.003 until the city has consented by  
4 ordinance or resolution to the creation of the district and to the  
5 inclusion of land in the district.

6       (b) If the city does not consent to the creation of the  
7 district under this section before September 1, 2019:

8           (1) the district is dissolved September 1, 2019,  
9 except that:

10                   (A) any debts incurred shall be paid;

11                   (B) any assets that remain after the payment of  
12 debts shall be transferred to the city or another local  
13 governmental entity to be used for a public purpose; and

14                   (C) the organization of the district shall be  
15 maintained until all debts are paid and remaining assets are  
16 transferred; and

17           (2) this chapter expires September 1, 2019.

18       Sec. 8016.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)  
19 The district is created to serve a public purpose and benefit.

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

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

23           (2) Section 52, Article III, Texas Constitution, that  
24 relate to the construction, acquisition, improvement, operation,  
25 or maintenance of macadamized, graveled, or paved roads, or  
26 improvements, including storm drainage, in aid of those roads; and

27           (3) Section 52-a, Article III, Texas Constitution.

1        (c) By creating the district and in authorizing the city,  
2 the county, and other political subdivisions to contract with the  
3 district, the legislature has established a program to accomplish  
4 the public purposes set out in Section 52-a, Article III, Texas  
5 Constitution.

6        Sec. 8016.006. INITIAL DISTRICT TERRITORY. (a) The  
7 district is initially composed of the territory described by  
8 Section 2 of the Act enacting this chapter.

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

13                (1) organization, existence, or validity;

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

17                (3) right to impose a tax; or

18                (4) legality or operation.

19        Sec. 8016.007. ELIGIBILITY FOR INCLUSION IN TAX ABATEMENT  
20 REINVESTMENT ZONE. All or any part of the area of the district is  
21 eligible to be included in a tax abatement reinvestment zone under  
22 Chapter 312, Tax Code.

23                        SUBCHAPTER B. BOARD OF DIRECTORS

24        Sec. 8016.051. GOVERNING BODY; TERMS. (a) The district is  
25 governed by a board of five directors who serve staggered terms of  
26 four years, with two or three directors' terms expiring June 1 of  
27 each odd-numbered year.

1        (b) A director may not serve more than two full terms of four  
2 years.

3        Sec. 8016.052. APPOINTMENT OF DIRECTORS. (a) Except as  
4 provided by Subsection (c), the members of the governing body of the  
5 city shall appoint the directors. Four of the five directors must  
6 be appointed from persons recommended by the board.

7        (b) A person is appointed if a majority of the members of the  
8 governing body vote to appoint the person.

9        (c) Beginning on January 1, 2047, the members of the  
10 governing body of the city may appoint all of the directors without  
11 the recommendation of the board. This subsection applies only to a  
12 director whose term expires on or after January 1, 2047.

13        Sec. 8016.053. QUALIFICATIONS. A person recommended by the  
14 board must:

15                (1) reside in the district; or

16                (2) own real property in the district.

17        Sec. 8016.054. TEMPORARY DIRECTORS. (a) The temporary  
18 board consists of:

19                (1) \_\_\_\_\_;

20                (2) \_\_\_\_\_;

21                (3) \_\_\_\_\_;

22                (4) \_\_\_\_\_; and

23                (5) \_\_\_\_\_.

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

25                (1) the date permanent directors are appointed under  
26 Section 8016.052; or

27                (2) September 1, 2021.

1        (c) Section 8016.053 does not apply to this section.

2                    SUBCHAPTER C. POWERS AND DUTIES

3        Sec. 8016.101. GENERAL POWERS AND DUTIES. The district has  
4 the powers and duties necessary to accomplish the purposes for  
5 which the district is created.

6        Sec. 8016.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
7 DUTIES. The district has the powers and duties provided by the  
8 general law of this state, including Chapters 49 and 54, Water Code,  
9 applicable to municipal utility districts created under Section 59,  
10 Article XVI, Texas Constitution.

11        Sec. 8016.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
12 52, Article III, Texas Constitution, the district may design,  
13 acquire, construct, finance, issue bonds for, improve, operate,  
14 maintain, and convey to this state, a county, or a municipality for  
15 operation and maintenance macadamized, graveled, or paved roads, or  
16 improvements, including storm drainage, in aid of those roads.

17        Sec. 8016.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
18 project must meet all applicable construction standards, zoning and  
19 subdivision requirements, and regulations of each municipality in  
20 whose corporate limits or extraterritorial jurisdiction the road  
21 project is located.

22        (b) If a road project is not located in the corporate limits  
23 or extraterritorial jurisdiction of a municipality, the road  
24 project must meet all applicable construction standards,  
25 subdivision requirements, and regulations of each county in which  
26 the road project is located.

27        (c) If the state will maintain and operate the road, the

1 Texas Transportation Commission must approve the plans and  
2 specifications of the road project.

3 Sec. 8016.105. COMPLIANCE WITH MUNICIPAL CONSENT  
4 AGREEMENT, ORDINANCE, OR RESOLUTION. (a) The district shall  
5 comply with all applicable requirements of any ordinance or  
6 resolution that is adopted under Section 54.016 or 54.0165, Water  
7 Code, and that consents to the creation of the district or to the  
8 inclusion of land in the district.

9 (b) Any agreement between the district and the city related  
10 to the city's consent to the creation of the district is valid and  
11 enforceable.

12 (c) On the issuance of bonds, the district is considered to  
13 have acknowledged and consented to the exercise of the city's  
14 authority as to actions taken by the city under Section 54.016(g),  
15 Water Code.

16 Sec. 8016.106. CONTRACT TO FURTHER REGIONAL COOPERATION.  
17 The district and city may contract on terms that the board and  
18 governing body of the city agree will further regional cooperation  
19 between the district and city.

20 Sec. 8016.107. ECONOMIC DEVELOPMENT. (a) Before  
21 exercising a power under this section, the district must obtain the  
22 city's consent.

23 (b) The district may engage in activities that accomplish  
24 the economic development purposes of the district.

25 (c) The district may establish and provide for the  
26 administration of one or more programs to promote state or local  
27 economic development and to stimulate business and commercial

activity in the district, including programs to:

(1) make loans and grants of public money; and

(2) provide district personnel and services.

(d) The district may create economic development programs and exercise the economic development powers that Chapter 380, Local Government Code, provides to a municipality.

Sec. 8016.108. MASS GRADING AND IMPROVEMENTS TO LAND IN THE DISTRICT. The district may construct, acquire, improve, maintain, finance, or operate a facility or improvement related to reclaiming or grading land in the district.

Sec. 8016.109. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

Sec. 8016.151. DIVISION OF DISTRICT; PREREQUISITES. The district may be divided into two or more new districts only if the district:

(1) has no outstanding bonded debt; and

(2) is not imposing ad valorem taxes.

Sec. 8016.152. LAW APPLICABLE TO NEW DISTRICT. This chapter applies to any new district created by division of the district, and a new district has all the powers and duties of the district.

Sec. 8016.153. LIMITATION ON AREA OF NEW DISTRICT. A new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 2 of the Act enacting this chapter.

Sec. 8016.154. CONSENT OF MUNICIPALITY OR COUNTY. (a) If

1 the district is located wholly or partly in the corporate limits or  
2 the extraterritorial jurisdiction of a municipality, the district  
3 may not divide under this subchapter unless the municipality by  
4 resolution or ordinance first consents to the division of the  
5 district.

6 (b) If the district is not located wholly or partly in the  
7 corporate limits or the extraterritorial jurisdiction of a  
8 municipality, the district may not divide under this subchapter  
9 unless the commissioners court of each county in which the district  
10 is wholly or partly located first adopts a resolution or order in  
11 support of the division of the district.

12 Sec. 8016.155. DIVISION PROCEDURES. (a) The board, on its  
13 own motion or on receipt of a petition signed by the owner or owners  
14 of a majority of the assessed value of the real property in the  
15 district, may adopt an order dividing the district.

16 (b) The board may adopt an order dividing the district  
17 before or after the date the board holds an election under Section  
18 8016.003 to confirm the district's creation.

19 (c) An order dividing the district must:

20 (1) name each new district;  
21 (2) include the metes and bounds description of the  
22 territory of each new district;

23 (3) appoint temporary directors for each new district;  
24 and

25 (4) provide for the division of assets and liabilities  
26 between the new districts.

27 (d) On or before the 30th day after the date of adoption of



1 an order dividing the district, the district shall file the order  
2 with the commission and record the order in the real property  
3 records of each county in which the district is located.

4 Sec. 8016.156. TAX OR BOND ELECTION. Before a new district  
5 created by the division of the district may impose a sales and use  
6 tax or an operation and maintenance tax or issue bonds payable  
7 wholly or partly from ad valorem taxes, the new district must hold  
8 an election as required by this chapter.

9 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

10 Sec. 8016.201. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
11 district may issue, without an election, bonds and other  
12 obligations secured by:

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

14 (2) contract payments described by Section 8016.203.

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

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

23 Sec. 8016.202. OPERATION AND MAINTENANCE TAX. (a) If  
24 authorized at an election held under Section 8016.201, the district  
25 may impose an operation and maintenance tax on taxable property in  
26 the district in accordance with Section 49.107, Water Code.

27 (b) The board shall determine the tax rate. The rate may not

1 exceed the rate approved at the election.

2 (c) If required by an agreement between the district and  
3 city under Section 8016.106, the total ad valorem tax rate of the  
4 district may not be less than the total ad valorem tax rate of the  
5 city.

6 Sec. 8016.203. CONTRACT TAXES. (a) In accordance with  
7 Section 49.108, Water Code, the district may impose a tax other than  
8 an operation and maintenance tax and use the revenue derived from  
9 the tax to make payments under a contract after the provisions of  
10 the contract have been approved by a majority of the district voters  
11 voting at an election held for that purpose.

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

15 Sec. 8016.204. APPROVAL BY CITY OF CAPITAL IMPROVEMENTS  
16 BUDGET. If the district obtains approval from the city's governing  
17 body of a capital improvements budget for a period not to exceed 10  
18 years, the district may finance the capital improvements and issue  
19 bonds specified in the budget without further approval from the  
20 city.

21 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

22 Sec. 8016.251. AUTHORITY TO ISSUE BONDS AND OTHER  
23 OBLIGATIONS. The district may issue bonds or other obligations  
24 payable wholly or partly from ad valorem taxes, impact fees,  
25 revenue, sales and use taxes, hotel occupancy taxes, contract  
26 payments, grants, or other district money, or any combination of  
27 those sources, to pay for any authorized district purpose, except

for bonds or other obligations payable wholly or partly from hotel occupancy taxes, which may only be used to pay for an authorized use of hotel occupancy tax revenue under Chapter 351, Tax Code.

Sec. 8016.252. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 8016.253. BONDS FOR ROAD PROJECTS. 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 the real property in the district.

Sec. 8016.254. BONDS FOR RECREATIONAL FACILITIES. The limitation on the outstanding principal amount of bonds, notes, and other obligations provided by Section 49.4645, Water Code, does not apply to the district.

#### SUBCHAPTER G. SALES AND USE TAX

Sec. 8016.301. APPLICABILITY OF CERTAIN TAX CODE PROVISIONS. (a) Chapter 321, Tax Code, governs the imposition, computation, administration, enforcement, and collection of the sales and use tax authorized by this subchapter except to the extent Chapter 321, Tax Code, is inconsistent with this chapter.

(b) A reference in Chapter 321, Tax Code, to a municipality or the governing body of a municipality is a reference to the district or the board, respectively.

1       Sec. 8016.302. ELECTION; ADOPTION OF TAX. (a) The district  
2 may adopt a sales and use tax if:

3               (1) the city consents to the adoption of the tax; and  
4               (2) the tax is authorized by a majority of the voters  
5 of the district voting at an election held for that purpose.

6       (b) Subject to city consent under Subsection (a), the board  
7 by order may call an election to authorize the adoption of the sales  
8 and use tax. The election may be held on any uniform election date  
9 and in conjunction with any other district election.

10       (c) The district shall provide notice of the election and  
11 shall hold the election in the manner prescribed by Section  
12 8016.201.

13       (d) The ballot shall be printed to provide for voting for or  
14 against the proposition: "Authorization of a sales and use tax in  
15 the (insert name of district or name of new district created under  
16 Subchapter D) at a rate not to exceed \_\_\_\_ percent" (insert rate of  
17 one or more increments of one-eighth of one percent).

18       Sec. 8016.303. SALES AND USE TAX RATE. (a) Not later than  
19 the 10th day after the date the results are declared of an election  
20 held under Section 8016.302, at which the voters approved  
21 imposition of the tax authorized by this subchapter, the board  
22 shall determine the initial rate of the tax, which must be in one or  
23 more increments of one-eighth of one percent.

24       (b) After the election held under Section 8016.302, the  
25 board may decrease the rate of the tax by one or more increments of  
26 one-eighth of one percent. The board may not decrease the rate of  
27 the tax if the decrease would impair the repayment of any

1 outstanding debt or obligation payable from the tax.

2 (c) The rate of the tax may not exceed the lesser of:

3 (1) the maximum rate authorized by the district voters  
4 at the election held under Section 8016.302; or

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

10 (d) The board shall notify the comptroller of any changes  
11 made to the tax rate in the same manner the municipal secretary  
12 provides notice to the comptroller under Section 321.405(b), Tax  
13 Code.

14 Sec. 8016.304. USE OF REVENUE. Revenue from the sales and  
15 use tax imposed under this subchapter is for the use and benefit of  
16 the district and may be used for any district purpose. The district  
17 may pledge all or part of the revenue to the payment of bonds,  
18 notes, or other obligations, and that pledge of revenue may be in  
19 combination with other revenue, including tax revenue, available to  
20 the district.

21 Sec. 8016.305. ABOLITION OF TAX. (a) The board may abolish  
22 the tax imposed under this subchapter without an election.

23 (b) If the board abolishes the tax, the board shall notify  
24 the comptroller of that action in the same manner the municipal  
25 secretary provides notice to the comptroller under Section  
26 321.405(b), Tax Code.

27 (c) If the board abolishes the tax or decreases the tax rate

to zero, a new election to authorize a sales and use tax must be held under Section 8016.302 before the district may subsequently impose the tax.

SUBCHAPTER H. HOTEL OCCUPANCY TAX

Sec. 8016.351. DEFINITION. In this subchapter, "hotel" has the meaning assigned by Section 156.001, Tax Code.

Sec. 8016.352. APPLICABILITY OF CERTAIN TAX CODE PROVISIONS. (a) In this subchapter:

(1) a reference in Subchapter A, Chapter 352, Tax Code, to a county is a reference to the district; and

(2) a reference in Subchapter A, Chapter 352, Tax Code, to the commissioners court is a reference to the board.

(b) Except as inconsistent with this subchapter, Subchapter A, Chapter 352, Tax Code, governs a hotel occupancy tax authorized by this subchapter, including the collection of the tax, subject to the limitations prescribed by Sections 352.002(b) and (c), Tax Code.

Sec. 8016.353. TAX AUTHORIZED; USE OF REVENUE. (a) The district may not impose a hotel occupancy tax unless the city consents to the imposition.

(b) The district may impose the hotel occupancy tax for:

(1) any purpose authorized under Chapter 351, Tax Code; or

(2) the construction, operation, or maintenance of a sports-related facility of the district if the city is authorized to impose the tax under Section 351.002, Tax Code, for that purpose that:

1                   (A) has a notable impact on tourism and hotel  
2 activity; and

3                   (B) is available to the public.

4           Sec. 8016.354. TAX RATE. The amount of the hotel occupancy  
5 tax may not exceed seven percent of the price paid for a room in a  
6 hotel.

7           Sec. 8016.355. INFORMATION. The district may examine and  
8 receive information related to the imposition of hotel occupancy  
9 taxes to the same extent as if the district were a county.

10                   SUBCHAPTER I. MUNICIPAL ANNEXATION AND DISSOLUTION

11           Sec. 8016.401. APPLICABILITY OF LAW ON ANNEXATION OF  
12 DISTRICT. (a) The district is a "water or sewer district" for the  
13 purposes of Section 43.071, Local Government Code.

14           (b) Sections 43.0561 and 43.0562, Local Government Code, do  
15 not apply to the annexation of the district.

16           Sec. 8016.402. APPLICABILITY OF LAW ON WATER-RELATED  
17 SPECIAL DISTRICT THAT BECOMES PART OF NOT MORE THAN ONE  
18 MUNICIPALITY. Section 43.075, Local Government Code, applies to  
19 the district.

20           Sec. 8016.403. STRATEGIC PARTNERSHIP; CONTINUATION OF  
21 DISTRICT AFTER ANNEXATION BY MUNICIPALITY. (a) The district may  
22 continue to exist as a limited district after full-purpose  
23 annexation by a municipality if the district and the annexing  
24 municipality state the terms of the limited district's existence in  
25 a strategic partnership agreement under Section 43.0751, Local  
26 Government Code.

27           (b) The strategic partnership agreement may provide for an

original or renewed term of any number of years. The limitation in Section 43.0751(g)(2), Local Government Code, on the length of the term does not apply to a limited district created under this section.

Sec. 8016.404. NOTICE OF FUTURE CITY ANNEXATION REQUIRED.

(a) Not later than the 30th day after the date the city consents to the creation of the district and to the inclusion of land in the district under Section 8016.004(a), the city shall file, in the real property records of the county, a notice to a purchaser of real property in the district that describes:

(1) the city's authority and intention to annex the district; and

(2) the anticipated date of the annexation.

(b) After the notice is filed, a person who proposes to sell or otherwise convey real property in the district must provide a copy of the notice to a purchaser of the property before selling or conveying the property to the purchaser.

SECTION 2. The Vision East Municipal Utility District No. 1 initially includes all the territory contained in the following area:

Being a 23.92 acre tract or parcel of land, situated in the Oliver Buckman Survey, Number 40, Abstract 60, Travis County, Texas, and being the remainders of "Tract 1", a called 20.00 acre tract of land, "Tract 2", a called 5.00 acre tract of land and "Tract 3", a called 20.05 acre tract of land, all as conveyed to Hayes Modular Group, Inc., recorded in Document No. 2009120857, Official Public Records of Travis County, Texas, save and except that portion



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1 conveyed to the State of Texas in Document No. 2005052171, Official  
2 Public Records of Travis County, Texas, also being the remainder of  
3 that certain called 5.15 acre tract of land conveyed to Hayes  
4 Trucking Service, Inc., recorded in Document No. 2003226321,  
5 Official Public Records of Travis County, Texas, save and except  
6 that portion described in a Possession and Use Agreement for  
7 Transportation Purposes, recorded in Document No. 2006027200,  
8 Official Public Records of Travis County, Texas, and being more  
9 particularly described as follows:

10 BEGINNING at a 1/2" iron rod found on the east line of that certain  
11 tract of land called 402.07 acres, as described in a deed to the  
12 City of Austin, recorded in Volume 3428, Page 565, Deed Records of  
13 Travis County, Texas, marking the northwest corner of the said  
14 Tract 3, also marking the southeast corner of that certain tract of  
15 land called 269.22 acres, as described in a deed to Ann Bloor  
16 Schryver, recorded in Volume 8251, Page 216, Deed Records of Travis  
17 County, Texas, for the northwest corner hereof;

18 THENCE, with the north line of the said Tract 3, the south line of  
19 the said Schryver tract, S 62° 16' 13" E, passing the northwest  
20 corner of the said Tract 2, for a distance of 619.37 feet to a 1/2"  
21 iron rod found on the north line of the said Tract 3 and the north  
22 line of the said Tract 2, being on the west right-of-way of State  
23 Highway 130, as described in a deed to the State of Texas, recorded  
24 in Document No. 2005052171, Official Public Records of Travis  
25 County, Texas, marking the northeast corner of the said remainder  
26 of Tract 2 and Tract 3, for the northeast corner hereof;

27 THENCE, with the west right-of-way of State Highway 130, the east

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1 line of the remainders of Tract 2 and Tract 3, S 31° 20' 06" W, 646.66  
2 feet to a 1/2" iron rod found, marking the southeast corner of the  
3 remainder of Tract 3 and the northeast corner of the remainder of  
4 Tract 1, for an angle point hereof;

5 THENCE, with the west right-of-way of State Highway 130 and the east  
6 line of the said remainder of Tract 1, S 24° 47' 53" W, 710.79 feet to  
7 an iron rod found with an aluminum cap marked "TXDOT" on the  
8 northeast line of the remainder of the said Hayes Trucking tract, on  
9 the southwest right-of-way of State Highway 130, marking the  
10 southeast corner of the said Remainder of Tract 1, for an angle  
11 point hereof;

12 THENCE, with the southwest right-of-way of State Highway 130 and  
13 the northeast line of the remainder of the said Hayes Trucking  
14 tract, S 15° 27' 52" E, 50.67 feet to a calculated point on the  
15 southwest line of the said State Highway 130 tract recorded in  
16 Document No. 2005052171, marking the most northerly corner of that  
17 certain tract of land called 0.474 of an acre as described in a  
18 Possession and Use Agreement for Transportation Purposes, recorded  
19 in Document No. 2006027200, Official Public Records of Travis  
20 County, Texas, also marking the most easterly southeast corner of  
21 the remainder of the said Hayes Trucking tract, for an angle point  
22 hereof;

23 THENCE, with the west right-of-way of State Highway 130 and the east  
24 line of the remainder of the said Hayes Trucking tract, the  
25 following three (3) calls:

26 S 48° 58' 27" W, 147.87 feet to a calculated point for an angle  
27 point hereof;

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1           N 89° 08' 20" W, 42.86 feet to an iron rod found with an  
2 aluminum cap marked "TXDOT" for an angle point hereof;

3           S 40° 50' 32" W, 90.78 feet to an iron rod found with an  
4 aluminum cap marked "TXDOT" on the north right-of-way of Farm to  
5 Market Highway 973, marking the southwest corner of the said  
6 Possession and Use Agreement tract, also marking the most southerly  
7 southeast corner of the remainder of the said Hayes Trucking tract,  
8 for the southeast corner hereof;

9 THENCE, with the north right-of-way of Farm to Market Highway 973  
10 and the south line of the remainder of the said Hayes Trucking  
11 tract, N 88° 59' 51" W, 607.68 feet to a 1/2" iron rod found, marking  
12 the southwest corner of the remainder of the said Hayes Trucking  
13 tract, also marking the southeast corner of that certain tract of  
14 land called 77.52 acres, as described in a deed to the City of  
15 Austin, recorded in Volume 3555, Page 1196, Deed Records of Travis  
16 County, Texas, for the southwest corner hereof;

17 THENCE, with the west line of the remainders of the said Hayes  
18 Trucking tract, Tract 1 and Tract 3, the following four (4) calls:

19           With the east line of the said City of Austin 77.52 acre  
20 tract, N 29° 02' 43" E, 345.28 feet to a 1/2" iron rod found marking  
21 the northwest corner of the remainder of the said Hayes Trucking  
22 tract and the southwest corner of the remainder of the said Tract 1;

23           N 29° 04' 04" E, passing the northeast corner of the said City  
24 of Austin 77.52 acre tract and the southeast corner of the said City  
25 of Austin 402.07 acre tract, 439.37 feet to a round head bolt found  
26 on the west line of the said Tract 1 remainder, for an angle point  
27 hereof;

1 With the east line of the said City of Austin 402.07 acre  
2 tract, N 27° 07' 24" E, 478.47 feet to a 1/2" iron rod found marking  
3 the northwest corner of the said Tract 1 remainder and the southwest  
4 corner of the said Tract 3 remainder, for an angle point hereof;

5 With the east line of the said City of Austin 402.07 acre  
6 tract, N 27° 03' 16" E, 648.87 feet to the PLACE OF BEGINNING, and  
7 containing 23.92 acres of land in all, more or less, based on a map  
8 or plat prepared by Holt Carson, Inc. on October 4, 2011.

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

16 (b) The governor, one of the required recipients, has  
17 submitted the notice and Act to the Texas Commission on  
18 Environmental Quality.

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

23 (d) All requirements of the constitution and laws of this  
24 state and the rules and procedures of the legislature with respect  
25 to the notice, introduction, and passage of this Act have been  
26 fulfilled and accomplished.

27 SECTION 4. This Act takes effect immediately if it receives

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1 a vote of two-thirds of all the members elected to each house, as  
2 provided by Section 39, Article III, Texas Constitution. If this  
3 Act does not receive the vote necessary for immediate effect, this  
4 Act takes effect September 1, 2017.