

By: Birdwell
(Burns)

S.B. No. 905

A BILL TO BE ENTITLED

AN ACT

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

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7968 to read as follows:

CHAPTER 7968. CRESSON CROSSROADS MUNICIPAL UTILITY DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7968.001. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Cresson Crossroads Municipal Utility District No. 2.

Sec. 7968.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7968.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1 Sec. 7968.004. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section 7968.003
3 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 7968.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

8 (a) The district is created to serve a public purpose and benefit.

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

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

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

16 Sec. 7968.006. INITIAL DISTRICT TERRITORY. (a) The
17 district is initially composed of the territory described by
18 Section 2 of the Act enacting this chapter.

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

23 (1) organization, existence, or validity;

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

27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 7968.051. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 7968.052, directors serve
6 staggered four-year terms.

7 Sec. 7968.052. TEMPORARY DIRECTORS. (a) The temporary
8 board consists of:

9 (1) Randy Price;

10 (2) Cliff May;

11 (3) Derek Tanner;

12 (4) Michael Hooser; and

13 (5) Aaron Grant.

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

15 (1) the date permanent directors are elected under
16 Section 7968.003; or

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

19 (c) If permanent directors have not been elected under
20 Section 7968.003 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 7968.003; 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. 7968.101. 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. 7968.102. 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. 7968.103. 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. 7968.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
24 road project must meet all applicable construction standards,
25 zoning and subdivision requirements, and regulations of each
26 municipality in whose corporate limits or extraterritorial
27 jurisdiction the road 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. 7968.105. COMPLIANCE WITH MUNICIPAL REGULATIONS. Any
10 water, sanitary sewer, road, drainage, or other infrastructure or
11 public facilities constructed, acquired, improved, maintained, or
12 operated by the district shall comply with any subdivision or other
13 applicable regulations of any municipality in whose corporate
14 limits or extraterritorial jurisdiction the infrastructure or
15 public facilities are located unless other regulations are
16 specified in a development agreement between the district and the
17 municipality.

18 Sec. 7968.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
19 OR RESOLUTION. The district shall comply with all applicable
20 requirements of any ordinance or resolution that is adopted under
21 Section 54.016 or 54.0165, Water Code, and that consents to the
22 creation of the district or to the inclusion of land in the
23 district.

24 Sec. 7968.107. DIVISION OF DISTRICT. (a) The district may
25 be divided into two or more new districts only if:

- 26 (1) the district has no outstanding bonded debt; and
27 (2) the district is not imposing ad valorem taxes.

1 (b) This chapter applies to any new district created by the
2 division of the district, and a new district has all the powers and
3 duties of the district.

4 (c) Any new district created by the division of the district
5 may not, at the time the new district is created, contain any land
6 outside the area described by Section 2 of the Act creating this
7 chapter.

8 (d) The board, on its own motion or on receipt of a petition
9 signed by the owner or owners of a majority of the assessed value of
10 the real property in the district, may adopt an order dividing the
11 district.

12 (e) The board may adopt an order dividing the district
13 before or after the date the board holds an election under Section
14 7968.003 to confirm the creation of the district.

15 (f) An order dividing the district shall:

16 (1) name each new district;

17 (2) include the metes and bounds description of the
18 territory of each new district;

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

20 and

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

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

27 (h) Any new district created by the division of the district

1 shall hold a confirmation and directors' election as required by
2 Section 7968.003.

3 (i) If the creation of the new district is confirmed, the
4 new district shall provide the election date and results to the
5 commission.

6 (j) Any new district created by the division of the district
7 must hold an election as required by this chapter to obtain voter
8 approval before the district may impose a maintenance tax or issue
9 bonds payable wholly or partly from ad valorem taxes.

10 (k) Municipal consent to the creation of the district and to
11 the inclusion of land in the district granted under Section
12 7968.004 acts as municipal consent to the creation of any new
13 district created by the division of the district and to the
14 inclusion of land in the new district.

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16 Sec. 7968.151. ELECTIONS REGARDING TAXES OR BONDS.

17 (a) The district may issue, without an election, bonds and other
18 obligations secured by:

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

20 (2) contract payments described by Section 7968.153.

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

25 (c) The district may not issue bonds payable from ad valorem
26 taxes to finance a road project unless the issuance is approved by a
27 vote of a two-thirds majority of the district voters voting at an

1 election held for that purpose.

2 Sec. 7968.152. OPERATION AND MAINTENANCE TAX. (a) If
3 authorized at an election held under Section 7968.151, the district
4 may impose an operation and maintenance tax on taxable property in
5 the district in accordance with Section 49.107, Water Code.

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

8 (c) Section 49.107(f), Water Code, does not apply to
9 reimbursements for projects constructed or acquired under Section
10 7968.103.

11 Sec. 7968.153. CONTRACT TAXES. (a) In accordance with
12 Section 49.108, Water Code, the district may impose a tax other than
13 an operation and maintenance tax and use the revenue derived from
14 the tax to make payments under a contract after the provisions of
15 the contract have been approved by a majority of the district voters
16 voting at an election held for that purpose.

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

20 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

21 Sec. 7968.201. AUTHORITY TO ISSUE BONDS AND OTHER
22 OBLIGATIONS. The district may issue bonds or other obligations
23 payable wholly or partly from ad valorem taxes, impact fees,
24 revenue, contract payments, grants, or other district money, or any
25 combination of those sources, to pay for any authorized district
26 purpose.

27 Sec. 7968.202. TAXES FOR BONDS. At the time the district

1 issues bonds payable wholly or partly from ad valorem taxes, the
2 board shall provide for the annual imposition of a continuing
3 direct ad valorem tax, without limit as to rate or amount, while all
4 or part of the bonds are outstanding as required and in the manner
5 provided by Sections 54.601 and 54.602, Water Code.

6 Sec. 7968.203. BONDS FOR ROAD PROJECTS. At the time of
7 issuance, the total principal amount of bonds or other obligations
8 issued or incurred to finance road projects and payable from ad
9 valorem taxes may not exceed one-fourth of the assessed value of the
10 real property in the district.

11 SECTION 2. The Cresson Crossroads Municipal Utility
12 District No. 2 initially includes all the territory contained in
13 the following area:

14 Field notes for:(TRACT 1)

15 Part of the NANCY SMITH SURVEY, Abstract No. 512 situated in Hood
16 County, Texas; embracing a portion of the 744-672/1000 acres tract
17 described in the deed to Cresson Crossroads LLC, recorded in volume
18 2225, page 263 of the Real Records of Hood County, Texas and all of
19 Lots 6, 7, 8, 9, 12, 13, 16, 18,19 and Reserve No. 1 of CRESSON
20 CROSSROADS PHASE ONE, an Addition to the City of Cresson, Hood
21 County, Texas according to the plat thereof recorded in Slide C-126
22 of the Plat Records of Hood County, Texas and a portion of Lot 4-R of
23 CRESSON CROSSROADS PHASE ONE, an Addition to the City of Cresson,
24 Hood County, Texas according to the RePlat thereof recorded in
25 Slide C-276 of the Plat Records, and all of Lot 10R-2 of CRESSON
26 CROSSROADS PHASE ONE, an Addition to the City of Cresson, Hood
27 County, Texas according to the plat thereof recorded in Slide C-323

1 of the Plat Records and described by metes and bounds as follows:
2 The bearings and coordinate positions are per the Texas Coordinate
3 System North Central Zone Nad 83 (1993).
4 Beginning at a 1/2" iron for the southwest corner of the said
5 744-672/1000 acres tract, and in the north line of Old Granbury
6 Road.
7 Thence northeasterly along the most southerly west line of the said
8 744-672/1000 acres tract the following:
9 north 00 degrees-51 minutes-58 seconds east 1884-49/100
10 feet;
11 north 00 degrees-06 minutes-08 seconds east 1700-36/100 feet
12 to a 6" steel fence corner for a reentrant corner of the said
13 744-672/1000 acres tract.
14 Thence southwesterly along the most westerly south line of the said
15 744-672/1000 acres tract the following:
16 south 73 degrees-35 minutes-07 seconds west 3997-93/100 feet
17 to a 5/8" iron,
18 south 67 degrees-31 minutes-39 seconds west 94-23/100 feet to
19 a 6" steel fence corner for the most westerly southwest
20 corner of the said 744-672/1000 acres tract.
21 Thence north 00 degrees-21 minutes-27 seconds east, along the west
22 line of said 744-672/1000 acres tract, to and along the west line of
23 said CRESSON CROSSROADS PHASE ONE,
24 5527-54/100 feet.
25 Thence 62 degrees-28 minutes-48 seconds east 885-75/100 feet to the
26 easterly line of said Lot 4-R, and the westerly line of Hughie Long
27 Road.

1 Thence southwesterly and southeasterly, along the easterly line of
2 said Lot 4-R and the westerly line of said Hughie Long Road, to and
3 along the easterly line of said 6, 7, 8, and 9, the following:

4 south 27 degrees-53 minutes-51 seconds west 190-82/100 feet
5 to the beginning of a curve to the left having a radius of
6 1030 feet;

7 along said curve to the left an arc length of 495-08/100 feet
8 to its end. The long chord of said 495-08/100 feet arc is
9 south 14 degrees-07 minutes-39 seconds west 490-33/100 feet;

10 south 00 degrees-21 minutes-27 seconds west 644-28/100 feet
11 to the beginning of a curve to the left having a radius of 530
12 feet;

13 along said curve to the left an arc length of 479-16/100 feet
14 to the northeasterly corner of said Lot 9. The long chord of
15 said 479-16/100 feet arc is south 25 degrees-32 minutes-35
16 seconds east 463-01 /100 feet.

17 Thence south 19 degrees-25 minutes-35 seconds west, along the
18 easterly line of said Lot 9, a distance of 440-69/100 feet to the
19 northwest corner of said Lot 10R-2.

20 Thence south 81 degrees-24 minutes-47 seconds east, along the
21 northerly line of said Lot 10R-2, a distance of 317-64/100 feet to
22 the northeasterly corner of said Lot 10R-2, in the west
23 right-of-way of Cantrell Court.

24 Thence south 08 degrees-35 minutes-11 seconds west, along the
25 easterly line of said Lot 10R-2, and the westerly right-of-way of
26 said Cantrell Court, 269-80/100 feet to the southeast corner of
27 said Lot 10R-2, and the southwest end of said Cantrell Court, in the

1 south line of said CRESSON CROSSROADS PHASE ONE.
2 Thence north 82 degrees-58 minutes-22 seconds east, along the south
3 line of said said Lot 10R-2, and the southwest end of said Cantrell
4 Court, in the south line of said CRESSON CROSSROADS PHASE ONE,
5 517-53/100 feet to the southwest corner of said Lot 12 and the
6 southeast corner of Lot 11 of said CRESSON CROSSROADS PHASE ONE.
7 Thence north 07 degrees-01 minute-38 seconds west, along the common
8 line of said Lots 11 and 12, a distance of 580-80/100 feet to the
9 northwest corner of said Lot 12, in the south right-of-way of said
10 Hughie Long Road.
11 Thence north 82 degrees-58 minutes-22 seconds east, along the north
12 line of said Lot 12, and the south right-of-way of said Hughie Long
13 Road, to and along the north line of said Lot 13, and said Reserve
14 No. 1, a distance of 1146-33/100 feet to the northeast corner of
15 said Reserve No. 1.
16 Thence south 07 degrees-01 minute-38 seconds east, along the east
17 line of said Reserve No. 1, a distance of 580-80/100 feet to the
18 southeast corner of said Reserve No. 1, in the south line of said
19 CRESSON CROSSROADS PHASE ONE.
20 Thence north 82 degrees-58 minutes-22 seconds east, along the south
21 line of said CRESSON CROSSROADS PHASE ONE, 1009-41/100 feet to the
22 southeast corner of Lot 15R-2R2 of CRESSON CROSSROADS PHASE ONE,
23 according to the plat thereof recorded in Slide P-462 of the said
24 Plat Records, in the west right-of-way of Glascock Drive.
25 Thence south 23 degrees-54 minutes-25 seconds east, along a
26 southwesterly line of said CRESSON CROSSROADS PHASE ONE, 83-16/100
27 feet to the west line of said Lot 16, and the east right-of-way of

1 said Glascock Drive.
2 Thence north 22 degrees-16 minutes-14 seconds east, along the west
3 line of said Lot 16, and the easterly line of said Glascock Drive,
4 122-73/100 feet to the northwest corner of said Lot 16, at the
5 intersection of the easterly line of said Glascock Drive, and the
6 southerly right-of-way of said Hughie Long Road, in a curve to the
7 left having a radius of 1030 feet.
8 Thence southeasterly, along the north line of said Lot 16, and the
9 south right-of-way of said Hughie Long Road, along said curve to the
10 left an arc length of 231-22/100 feet to the northeast corner of
11 said Lot 16, and the northwest corner of Lot 17 of said CRESSON
12 CROSSROADS PHASE ONE. The long chord of said 231-22/100 feet arc is
13 south 75 degrees-49 minutes-46 seconds east 230-73/100 feet.
14 Thence south 00 degrees-13 minutes-12 seconds west, along the
15 common line of said Lots 16 and 17, a distance of 335-09/100 feet to
16 the southeast corner of said Lot 16, and the southwest corner of
17 said Lot 17, in the south line of said CRESSON CROSSROADS PHASE ONE.
18 Thence southeasterly, along the south line of said Lot 17, and the
19 south line of said CRESSON CROSSROADS PHASE ONE, the following:
20 south 89 degrees-46 minutes-48 seconds east 39-87/100 feet;
21 north 82 degrees-58 minutes-22 seconds east 279-18/100 feet
22 to the southeast corner of said Lot 17, and the southwest
23 corner of said Lot 18.
24 Thence north 07 degrees-01 minute-38 seconds west, along the common
25 line of said Lots 17 and 18, a distance of 303-42/100 feet to the
26 northwest corner of said Lot 18, in the southerly right-of-way of
27 said Hughie Long Road.

1 Thence northeasterly and southeasterly, along the north line of
2 said Lot 18, and the southerly right-of-way of said Hughie Long
3 Road, to and along the north line of said Lot 19, the following:

4 north 82 degrees-58 minutes-22 seconds east 550-88/100 feet
5 to the beginning of a curve to the right having a radius of
6 270 feet;

7 along said curve to the right an arc length of 164-58/100 feet
8 to its end. The long chord of said 164-58/100 feet arc is
9 south 79 degrees-33 minutes-53 seconds east 162-04/100 feet.
10 south 62 degrees-06 minutes-09 seconds east 5-06/100 feet to
11 the northeast corner of said Lot 19, at the intersection of
12 the southerly right-of-way of said Hughie Long Road, and the
13 westerly right-of-way of Slocum Ranch Road.

14 Thence southwesterly, along the easterly line of said Lot 19, and
15 the westerly right-of-way of said Slocum Ranch Road, the following:

16 south 27 degrees-42 minutes-02 seconds west 30-82/100 feet to
17 the beginning of a curve to the left having a radius of 2100
18 feet;

19 along said curve to the left an arc length of 264-83/100 feet
20 to the southeast corner of said Lot 19 and the southwest
21 corner of said Slocum Ranch Road. The long chord of said
22 264-83/100 feet arc is south 24 degrees-05 minutes-17 seconds
23 west 264-65 /100 feet.

24 Thence south 69 degrees-31 minutes-29 seconds east, along the south
25 line of said Slocum Ranch Road, 100-00/100 feet to the east line of
26 Slocum Ranch Road, and the beginning of a curve to the right having
27 a radius of 2000-00/100 feet.

1 Thence northeasterly along the said east line of Slocum Ranch Road,
2 and said curve to the right an arc length of 252-21/100 feet; the
3 long chord of the said 252-21/100 feet arc is north 24 degrees-05
4 minutes-17 seconds east 252-04/100 feet.

5 Thence north 27 degrees-42 minutes-02 seconds east, along the said
6 east line of Slocum Ranch Road, 630-29/100 feet to the north line of
7 the said 744-672/1000 acres tract, and the south line of State
8 Highway No. 171.

9 Thence south 62 degrees-07 minutes-00 seconds east, along the said
10 north line of the 744-672/1000 acres tract, and the said south line
11 of State Highway No. 171, 2140-45/100 feet to the most northerly
12 northeast corner of the said 744-672/1000 acres tract.

13 Thence southerly, then northwesterly, then southerly along the
14 easterly line of the said 744-672/1000 acres tract the following:

15 south 30 degrees-48 minutes-16 seconds west 131-94/100 feet;
16 south 50 degrees-55 minutes-01 second east 175-29/100 feet;
17 south 35 degrees-08 minutes-10 seconds west 508-28/100 feet;
18 north 55 degrees-45 minutes-14 seconds west 59-45/100 feet;
19 south 35 degrees-31 minutes-08 seconds west 207-72/100 feet;
20 south 53 degrees-39 minutes-22 seconds east 149-78/100 feet;
21 south 35 degrees-50 minutes-43 seconds west 248-84/100 feet;
22 south 53 degrees-35 minutes-36 seconds east 412-81/100 feet
23 to the northeast corner of the 2-245/1000 acres tract
24 described in the deed to Betty L. Henson Family Partnership,
25 L.P., recorded in volume 2508, page 712 of the said Real
26 Records, and the beginning of a curve to the right having a
27 radius of 224-00/100 feet.

1 Thence southwesterly along the northwesterly line of the said
2 2-245/1000 acres tract, and said curve to the right an arc length of
3 206-71/100 feet; the long chord of the said 206-71/100 feet arc is
4 south 63 degrees-04 minutes-17 seconds west 199-46/100 feet.

5 Thence southerly along the said northwesterly line of the
6 2-245/1000 acres tract, to and along the northwesterly line, and
7 the southwesterly of Lot 1, Phase 2, CRESSON CROSSROADS, according
8 to the plat thereof recorded in Slide C-223 of the said Plat Records
9 the following:

10 south 89 degrees-30 minutes-30 seconds west 62-17/100 feet;
11 south 32 degrees-28 minutes-47 seconds west 113-40/100 feet;
12 south 00 degrees-59 minutes-04 seconds west 372-43/100 feet;
13 south 35 degrees-28 minutes-40 seconds west 203-06/100 feet
14 to the northerly corner of said Lot 1;
15 south 35 degrees-55 minutes-50 seconds west 338-42/100 feet
16 to the westerly corner of said Lot 1;
17 south 54 degrees-04 minutes-10 seconds east 260-72/100 feet
18 to the easterly line of the said 744-672/1000 acres tract,
19 and southerly corner of said Lot, 1, and in the west line of
20 U.S. Highway No. 377.

21 Thence southwesterly along the said easterly line of the
22 744-672/1000 acres tract, and the said west line of U.S. Highway
23 No. 377, the following:

24 south 35 degrees-14 minutes-38 seconds west 501-06/100 feet;
25 south 35 degrees-00 minutes-14 seconds west 165-65/100 feet;
26 south 35 degrees-30 minutes-36 seconds west 614-77/100 feet;
27 south 41 degrees-55 minutes-26 seconds west 403-69/100 feet;

1 south 34 degrees-08 minutes-17 seconds west 200-11/100 feet;
2 south 29 degrees-40 minutes-57 seconds west 318-73/100 feet;
3 south 28 degrees-50 minutes-42 seconds west 172-82/100 feet
4 south 32 degrees-49 minutes-34 seconds west 508-28/100 feet;
5 south 60 degrees-56 minutes-28 seconds west 175-64/100 feet
6 to the most southerly southeast corner of the said
7 744-672/1000 acres tract in the north line of Old Granbury
8 Road.

9 Thence south 89 degrees-25 minutes-07 seconds west, along the south
10 line of the said 744-672/1000 acres tract, and the said north line
11 of Old Granbury Road, 953-56/100 feet to the Beginning and
12 containing 561-055/1000 acres.

13 Compiled on December 17, 2016 from Real Records, and Plat Records of
14 Hood County, Texas, and some previous surveys.

15 Field notes for:(TRACT 2)

16 All of Lot 40 of CRESSON CROSSROADS PHASE ONE, an Addition to the
17 City of Cresson, Hood County, Texas according to the plat thereof
18 recorded in Slide C-126 of the Plat Records of Hood County, Texas
19 and all of Lot 41-R of CRESSON CROSSROADS PHASE ONE, an Addition to
20 the City of Cresson, Hood County, Texas according to the plat
21 thereof recorded in Slide C-350 of the said Plat Records, and
22 described by metes and bounds as follows:

23 Beginning at the northwesterly corner of said Lot 40 at the
24 intersection of the southwesterly right-of-way of State Highway
25 No. 171, and the southeasterly right-of-way of Hughie Long Road.

26 Thence south 62 degrees-06 minutes-59 seconds east, along the
27 northeasterly line of said Lot 40, and the southwesterly

1 right-of-way of said State Highway No. 171, to and along the
2 northeasterly line of said Lot 41-R, a distance of 422-10/100 feet
3 to the northeasterly corner of said Lot 41-R.

4 Thence south 27 degrees-53 minutes-51 seconds west, along the
5 southeasterly line of said Lot 41-R, a distance of 309-72/100 feet
6 to the southeasterly corner of said Lot 41-R, in the northeasterly
7 line of Lot 39 of said CRESSON CROSSROADS PHASE ONE.

8 Thence north 62 degrees-06 minutes-59 seconds west, along the
9 southwesterly line of said Lot 41-R, and the northeasterly line of
10 said lot 39, to and along the southwesterly line of said Lot 40, a
11 distance of 422-10/100 feet to the southwesterly corner of said Lot
12 40, in the easterly right-of-way of said Hughie Long Road.

13 Thence north 27 degrees-53 minutes-51 seconds east, along the
14 westerly line of said Lot 40, and the easterly right-of-way of said
15 Hughie Long Road, 309-72/100 feet to the place of beginning and
16 containing 3-001/1000 acres.

17 Compiled on December 16, 2016 from Real Records, and Plat Records of
18 Hood County, Texas, and some previous surveys.

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

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

1 Environmental Quality.

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

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

10 SECTION 4. (a) If this Act does not receive a two-thirds
11 vote of all the members elected to each house, Subchapter C, Chapter
12 7968, Special District Local Laws Code, as added by Section 1 of
13 this Act, is amended by adding Section 7968.108 to read as follows:

14 Sec. 7968.108. NO EMINENT DOMAIN POWER. The district may
15 not exercise the power of eminent domain.

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

19 SECTION 5. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2017.