

By: Parker

H.B. No. 4638

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Bear Creek Ranch Municipal Utility District No. 1 of Parker County; 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 8078 to read as follows:

CHAPTER 8078. BEAR CREEK RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF

PARKER COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8078.0101. 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 Bear Creek Ranch Municipal Utility District No. 1 of Parker County.

Sec. 8078.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8078.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 8078.0104. CONSENT OF MUNICIPALITY REQUIRED. The
3 temporary directors may not hold an election under Section
4 8078.0103 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. 8078.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

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

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

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

17 Sec. 8078.0106. 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. 8078.0201. GOVERNING BODY; TERMS. (a) The district is
5 governed by a board of five elected directors.

6 (b) Except as provided by Section 8078.0202, directors
7 serve staggered four-year terms.

8 Sec. 8078.0202. TEMPORARY DIRECTORS. (a) On or after
9 September 1, 2019, the owner or owners of a majority of the assessed
10 value of the real property in the district may submit a petition to
11 the commission requesting that the commission appoint as temporary
12 directors the five persons named in the petition. The commission
13 shall appoint as temporary directors the five persons named in the
14 petition.

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

16 (1) the date permanent directors are elected under
17 Section 8078.0103; or

18 (2) September 1, 2023.

19 (c) If permanent directors have not been elected under
20 Section 8078.0103 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 8078.0103; 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. 8078.0301. GENERAL POWERS AND DUTIES. The district
10 has the powers and duties necessary to accomplish the purposes for
11 which the district is created.

12 Sec. 8078.0302. 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. 8078.0303. 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. 8078.0304. 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. 8078.0305. COMPLIANCE WITH MUNICIPAL CONSENT
10 ORDINANCE OR RESOLUTION. The district shall comply with all
11 applicable requirements of any ordinance or resolution that is
12 adopted under Section 54.016 or 54.0165, Water Code, and that
13 consents to the creation of the district or to the inclusion of land
14 in the district.

15 Sec. 8078.0306. DIVISION OF DISTRICT. (a) The district may
16 be divided into two or more new districts only if the district:

17 (1) has no outstanding bonded debt; and

18 (2) is not imposing ad valorem taxes.

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

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

26 (d) The board, on its own motion or on receipt of a petition
27 signed by the owner or owners of a majority of the assessed value of

1 the real property in the district, may adopt an order dividing the
2 district.

3 (e) The board may adopt an order dividing the district
4 before or after the date the board holds an election under Section
5 8078.0103 to confirm the district's creation.

6 (f) An order dividing the district shall:

7 (1) name each new district;

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

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

11 and

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

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

18 (h) Any new district created by the division of the district
19 shall hold a confirmation and directors' election as required by
20 Section 8078.0103. If the voters of a new district do not confirm
21 the creation of the new district, the assets, obligations,
22 territory, and governance of the new district revert to the
23 original district.

24 (i) Municipal consent to the creation of the district and to
25 the inclusion of land in the district granted under Section
26 8078.0104 acts as municipal consent to the creation of any new
27 district created by the division of the district and to the

1 inclusion of land in the new district.

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

6 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

7 Sec. 8078.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)

8 The district may issue, without an election, bonds and other
9 obligations secured by:

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

11 (2) contract payments described by Section 8078.0403.

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

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

20 Sec. 8078.0402. OPERATION AND MAINTENANCE TAX. (a) If

21 authorized at an election held under Section 8078.0401, the
22 district may impose an operation and maintenance tax on taxable
23 property in the district in accordance with Section 49.107, Water
24 Code.

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

27 Sec. 8078.0403. CONTRACT TAXES. (a) In accordance with

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

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

9 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

10 Sec. 8078.0501. AUTHORITY TO ISSUE BONDS AND OTHER
11 OBLIGATIONS. The district may issue bonds or other obligations
12 payable wholly or partly from ad valorem taxes, impact fees,
13 revenue, contract payments, grants, or other district money, or any
14 combination of those sources, to pay for any authorized district
15 purpose.

16 Sec. 8078.0502. TAXES FOR BONDS. At the time the district
17 issues bonds payable wholly or partly from ad valorem taxes, the
18 board shall provide for the annual imposition of a continuing
19 direct ad valorem tax, without limit as to rate or amount, while all
20 or part of the bonds are outstanding as required and in the manner
21 provided by Sections 54.601 and 54.602, Water Code.

22 Sec. 8078.0503. BONDS FOR ROAD PROJECTS. At the time of
23 issuance, the total principal amount of bonds or other obligations
24 issued or incurred to finance road projects and payable from ad
25 valorem taxes may not exceed one-fourth of the assessed value of the
26 real property in the district.

27 SECTION 2. The Bear Creek Ranch Municipal Utility District

1 No. 1 of Parker County initially includes all the territory
2 contained in the following area:

3 BEING 2055.70 acres of land situated in the JAMES BRADLEY SURVEY,
4 ABSTRACT No. 119, JAMES BRADLEY SURVEY, ABSTRACT No. 120, JOHN D.
5 BAY SURVEY, ABSTARCT NO. 195, J.H. REAN SURVEY, ABSTRACT No. 1106,
6 T.J. BENDERMAN SURVEY, ABSTRACT No. 2519, I. & G.N. RR. CO.,
7 SECTION NO. 3, BLOCK 1, ABSTRACT NO. 1799 and the PETER B. HOLDER
8 SURVEY, ABSTRACT No. 614, Parker County, Texas, being a portion of
9 those certain tracts of land described in deed as Parcel No. 1 and
10 Parcel No. 2, to The Dixon Foundation, recorded in Book 2416, Page
11 417, Official Public Records, Parker County, Texas, said 2055.70
12 acres being more particularly described as follows:

13 BEGINNING at the most westerly northwest corner of said Parcel
14 No. 2, in Bear Creek Road (Right-of-Way varies), from which a 2"
15 steel fence corner post found in the south line of said Bear Creek
16 Road bears S 01°12'56" E, a distance of 40.00 feet, for reference,
17 said BEGINNING point having a NAD 83, Zone 4202 (Grid) coordinate
18 value of NORTH: 6918277.984 and EAST: 2233063.538, for reference;

19 THENCE along Bear Creek Road, as follows:

20 S 67°36'03" E, a distance of 3869.57 feet to the most northerly
21 northeast corner of said Parcel No. 2;

22 S 02°12'27" E, a distance of 1472.57 feet to a point;

23 S 55°59'27" E, a distance of 1165.45 feet to a point;

24 S 71°46'27" E, a distance of 801.00 feet to a point;

25 S 70°43'19" E, a distance of 221.91 feet to a point;

26 S 70°45'54 E, a distance of 1742.88 feet to a point for the most
27 northerly northeast corner of the herein described 2055.70 acre

1 tract;

2 THENCE S 24°06'27" W, leaving said Bear Creek Road, passing the
3 northwest corner of that certain tract of land described in deed to
4 Kevin Reeves, recorded in Instrument Number 2017-02400, Official
5 Public Records, Parker County, Texas, and continuing along the most
6 west line of said Reeves tract, in all, a distance of 1186.42 feet
7 to a point from which a 5/8" iron rod found bears N 60°42'50" W, a
8 distance of 0.42 feet, for reference;

9 THENCE along the southwesterly lines of said Reeves tract as
10 follows:

11 S 60°42'50" E, a distance of 230.94 feet to a 5/8" iron rod found;
12 S 14°49'14" E, a distance of 744.61 feet to a 5/8" iron rod found;
13 N 72°21'34" E, a distance of 390.26 feet to a point from which a 3"
14 steel pipe fence post bears N 06°43'26" W, a distance of 1.25 feet
15 for reference;

16 S 00°10'37" W, a distance of 764.25 feet to a 1/2" iron rod found at
17 the southwest corner of said Reeves tract, being in the north line
18 of a Seventy (70) foot wide Transmission Easement and Right-of-Way
19 recorded in Book 2684, Page 531 and Book 2734, Page 1161, Official
20 Public Records, Parker County, Texas;

21 THENCE along the south line of said Reeves tract and the north line
22 of said Transmission Easement and Right-of-Way, as follows:

23 N 89°17'27" E, a distance of 766.57 feet to a point;
24 S 87°58'20" E, a distance of 852.96 feet to a point;
25 S 87°37'59" E, a distance of 500.58 feet to a point in the west
26 occupied line of said Bear Creek Road, at the southeast corner of
27 said Reeves tract;

1 THENCE S 20°01'40" E, along the west occupied line of said Bear Creek
2 Road, a distance of 75.70 feet to a 5/8" capped iron rod found
3 stamped "Brooks Baker", being in the most easterly south line of
4 said Parcel No. 2;

5 THENCE along the most easterly south line of said Parcel No. 2, as
6 follows:

7 N 87°38'33" W, a distance of 529.23 feet to a point;

8 N 87°58'55" W, a distance of 851.08 feet to a point;

9 S 89°16'51" W, a distance of 765.97 feet to a point at the most
10 southerly southwest corner of said Parcel No. 2 and being in the
11 east line of said Parcel No. 1;

12 THENCE S 03°54'04" E, along the east line of said Parcel No. 1 and
13 along the called east line of said BENDERMAN SURVEY, a distance of
14 10017.79 feet to a 2" pipe in concrete at the southeast corner of
15 said Parcel No. 1 and being the called southeast corner of said
16 BENDERMAN SURVEY;

17 THENCE S 89°26'10" W, along the south line of said Parcel No. 1 and
18 along the called south line of said BENDERMAN SURVEY, a distance of
19 1606.98 feet to a 5/8" capped iron rod found stamped "Brooks Baker";

20 THENCE S 89°48'07" W, continuing along the south line of said Parcel
21 No. 1 and continuing along the called south line of said BENDERMAN
22 SURVEY, a distance of 3711.27 feet to a 2" pipe in concrete found at
23 the most southerly southwest corner of said Parcel No. 1;

24 THENCE N 01°35'25" W, along the most southerly west line of said
25 Parcel No. 1, a distance of 1216.91 feet to a 2" pipe in concrete
26 found at an interior corner of said Parcel No. 1 and being in the
27 called south line of said J.H. REAN SURVEY;

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1 THENCE N 89°19'15" W, along the most westerly south line of said
2 Parcel No. 1 and along the called south line of said J.H. REAN
3 SURVEY, a distance of 660.00 feet to a 2" pipe in concrete found at
4 the most westerly southwest corner of said Parcel No. 1 and being
5 the called southwest corner of said J.H. REAN SURVEY;

6 THENCE along the west line of said Parcel No. 1 and along the called
7 west line of said J.H. REAN SURVEY, as follows:

8 N 00°01'41" W, a distance of 2676.89 feet to a 5/8" iron rod found;

9 N 00°04'03" W, a distance of 1981.74 feet to a 5/8" iron rod found;

10 N 00°10'29" E, a distance of 1520.50 feet to a 5/8" iron rod found;

11 N 00°04'43" W, a distance of 1097.99 feet to a 5/8" iron rod found;

12 N 00°02'24" W, a distance of 901.55 feet to a 1/2" capped iron rod
13 set stamped "C.F. Stark RPLS 5084";

14 N 00°25'07" W, a distance of 984.78 feet to a 2" pipe in concrete
15 found at an interior corner of said Parcel No. 1;

16 THENCE N 89°37'52" W along the most northerly south line of said
17 Parcel No. 1, a distance of 2013.88 feet to a 1/2" capped iron rod
18 set stamped "C.F. Stark RPLS 5084, at the most westerly southwest
19 corner of said Parcel No. 1;

20 THENCE ' N 00°45'08" W, along the most westerly west line of said
21 Parcel No. 1, a distance of 1196.14 feet to a 5/8" rod found;

22 THENCE N 01°17'22" W, continuing along the most westerly west line
23 of said Parcel No. 1, a distance of 1964.12 to a 5/8" capped iron
24 rod found stamped "Brooks Baker" at the northwest corner of said
25 Parcel No. 1 and being the southwest corner of said Parcel No. 2,
26 from which a 5/8" capped iron rod found (not legible) bears S
27 88°46'12" E, a distance of 728.31 feet for reference;

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1 THENCE N 01°17'05" W, along the west line of said Parcel 2, a
2 distance of 3591.76 feet to the POINT OF BEGINNING and containing
3 2055.70 acres, more or less.

4 Being a 235.50 acre tract situated in the I & G.N. RAILROAD CO.
5 SURVEY, ABSTRANCT NO. 1783, AND THE A.J. OTTO SURVEY, ABSTRACT NO.
6 2340, Parker County, Texas and being all of the land conveyed to
7 Kolb Ranch, LLC as evidenced by deed recorded in County Clerk
8 Documents No. 2018-13108 and 2018-14455, said 235.50 acres being
9 further described in metes and bounds as follow:

10 BEGINNING at a 1/2inch iron rod found in the west line of the Curtis
11 D. Johnson, Jr. et al. tract, recorded in instrument
12 No. 2013-12796, Official Public Records, Parker County, Texas, for
13 the southeast corner of this tract. Said southeast corner also
14 being the northeast corner of Maravilla Vistas Addition, and
15 addition to Parker County, Texas recorded in Cabinet E, Slide 13,
16 Plat Records, Parker County, Texas and having a NAD 83 coordinate of
17 N: 6921387.53, E: 2234996.34;

18 THENCE N 63°51'23" W along the north line of said Maravilla Vistas
19 Addition, a distance of 1836.72 feet to a 1/2 inch iron rod found in
20 the east line of the Vina Louise Klasing tract as recorded in Volume
21 1548, Page 1187, Deed Records Parker County, Texas for the most
22 southern southwest corner of this tract, said most southern
23 southwest corner also being the northwest corner of said Maravilla
24 Vistas;

25 THENCE N 31°50'01" E, along the east line of said Klasing tract, a
26 distance of 507.08 feet to a 1/2 inch iron rod set stamped "C.F.
27 Stark 5084" for an interior corner of this tract;

1 THENCE N 37°39'16" W, along the north line of said Klasing tract, a
2 distance of 662.15 feet to a 1/2 inch iron rod found in the west line
3 of said Klasing tract and the east line of La Madera, Phase 3, an
4 addition to Parker County, Texas recorded in Cabinet D, Slide 219,
5 Plat Records, Parker County, Texas, continuing along the north line
6 of said La Madera Phase 3 a total distance of 2642.59 feet to a 1/2
7 inch iron rod found in the south line of McDavid Springs, an
8 addition to Parker County, Texas recorded in Cabinet C, Slide 726,
9 Plat Records, Parker County, Texas, for the most western southwest
10 corner of this tract, said most western southwest corner also the
11 northwest corner of said La Madera addition;

12 THENCE N 61°45'54" E, along the south line of said McDavid Springs
13 addition, a distance of 1335.26 feet to a 3 inch metal pipe post
14 found for an interior corner of this tract, said 3 inch metal pipe
15 post also being a corner for the McDavid Springs addition;

16 THENCE N 00°11'28" W, along the east line of said McDavid Springs
17 addition, a distance of 347.16 feet to a 3 inch metal pipe post
18 found for the northwest corner of this tract, said northwest corner
19 also being the southwest corner of the River Creek Addition, an
20 addition to Parker County recorded in Cabinet B, Slide 296, Plat
21 Records, Parker County, Texas;

22 THENCE, along the south line of said River Creek addition and the
23 south line of the Montex Drilling tract, recorded in Vol. 274, Pg.
24 244, Deed Records, Parker County, Texas as follows:

25 N 89°20'01" E, a distance of 1582.81 feet to a 1/2 inch iron
26 rod set stamped "C.F. Stark 5084"

27 N 89°24'23" E, a distance of 1099.43 feet to a 3 inch metal

1 pipe post found in the west line of the W.A. Moncrief tract,
2 recorded Vol. 523, Pg. 620, Deed Records, Parker County, Texas, for
3 the most northern northeast corner of this tract, said most
4 northern northeast corner also being the southeast corner of said
5 Montex Drilling tract;

6 THENCE S 01°03'51" E, along the west line of said Moncrief tract, a
7 distance of 527.13 feet to a 3 inch metal pipe post found in the
8 north line of said Johnson tract for a corner of this tract, said
9 corner also the southwest corner of the Moncrief tract and the
10 northwest corner of said Johnson tract;

11 THENCE S 52°21'34" W, along the northwesterly line of said Johnson
12 tract, a distance of 1487.07 feet to a 1/2 inch iron rod found
13 stamped "Harlan" for an interior corner of this tract, said
14 interior corner also being a the most westerly southwest corner of
15 said Johnson tract;

16 THENCE S 63°51'14" E, along the southwesterly line of said Johnson
17 tract, a distance of 1555.29 feet to a 1/2 inch iron rod found
18 stamped "Harlan" for the most easterly northeast corner of this
19 tract, said most easterly northeast corner also being an interior
20 corner of said Johnson tract;

21 THENCE S 26°08'47" W, along the west line of said Johnson tract, a
22 distance of 2473.48 feet to the POINT OF BEGINNING, and containing
23 235.50 acres (10,258,662.02 square feet) more or less.

24 BEING 215.30 acres situated in the I & G.N. RR. CO. SURVEY, Abstract
25 No. 1783, the W.H. JONES SURVEY, Abstract No. 2395 and the J.
26 BRADLEY SURVEY, Abstract No. 120, Parker County, Texas, being all
27 of that certain tract of land described in deed to Curtis D.

1 Johnson, Jr., et al, recorded in Instrument Number 201312796,
2 Official Records, Parker County, Texas, being more particularly
3 described as follows:

4 BEGINNING at a 3" metal pipe post found at the most northerly
5 northwest corner of said Johnson, Jr., et al tract and being the
6 most easterly southeast corner of that certain tract of land
7 described in deed to James P. McFarland, IV, recorded in Volume
8 2606, Page 1426, Official Records, Parker County, Texas, said
9 BEGINNING point having a NAD 83, Zone 4202 (Grid) coordinate value
10 of NORTH:6925201.42 and EAST:2235867.72, for reference;

11 THENCE N 88°48'42" E, along the north line of said Johnson, Jr., et
12 al, tract, a distance of 1011.13 feet to a 3" concrete filled metal
13 post found;

14 THENCE S 89°54'31" E, continuing along the north line of said
15 Johnson, Jr., et al, tract, a distance of 1002.32 feet to a 3"
16 concrete filled metal post found at the northeast corner of said
17 Johnson, Jr., et al, tract;

18 THENCE along the east and southeasterly line of said Johnson, Jr.,
19 et al, tract, as follows:

20 S 00°18'33" W, a distance of 729.65 feet to a 3" concrete filled
21 metal post found;

22 N 89°14'08" W, a distance of 333.23 feet to a 1/2" capped iron rod
23 set stamped "C.F. Stark RPLS 5084";

24 S 26°08'40" W, at a distance of 7451.86 feet, passing a 1/2" iron rod
25 found in the occupied north line of Bear Creek Road (Right-of-Way
26 varies), and continuing, in all, a distance of 7472.30 feet to a
27 point in said Bear Creek Road;

1 THENCE N 67°45'12" W, along Bear Creek Road, a distance of 919.65
2 feet to a point at the southwest corner of said Johnson, Jr., et al,
3 tract;

4 THENCE N 26°08'53" E, leaving said Bear Creek Road, at a distance of
5 20.20 feet passing a 1/2" capped iron rod found stamped "Harlan" in
6 the occupied north line of said Bear Creek Road, and continuing,
7 passing the southeast corner of MARAVILLA VISTAS, an Addition to
8 Parker County, Texas, according to the Plat recorded in Cabinet D,
9 Slide 491, Plat Records, Parker County, Texas, and continuing along
10 the common line of said Johnson, Jr., et al, tract and said
11 MARAVILLA VISTAS (recorded in Cab. D, Slide 491), at a distance of
12 2465.14 feet, passing a 1/2" capped iron rod found stamped "Texas
13 Surveying" at the northeast corner of said MARAVILLA VISTAS
14 (recorded in Cab. D, Slide 491) and being the southeast corner of
15 MARAVILLA VISTAS, an Addition to Parker County, Texas, according to
16 the Plat recorded in Cabinet E, Slide 13, Plat Records, Parker
17 County, Texas, and continuing along the common line of said
18 Johnson, Jr., et al, tract and said MARAVILLA VISTAS (recorded in
19 Cab. E, Slide 13), in all, a distance of 3622.23 feet to a 1/2" iron
20 rod found at the northeast corner of said MARAVILLA VISTAS
21 (recorded in Cab. E, Slide 13);

22 THENCE N 26°08'47" E, along the northwesterly line of said Johnson,
23 Jr., et al, tract, a distance of 2473.48 feet to a 1/2" capped iron
24 rod found stamped "Harlan" at an ell corner of said Johnson, Jr., et
25 al, tract;

26 THENCE N 63°51'14" W, along a northerly south line of said Johnson,
27 Jr., et al, tract, a distance of 1555.29 feet to a 1/2" capped iron

1 rod found stamped "Harlan" at the most westerly northwest corner of
2 said Johnson, Jr., et al, tract, being in the southeasterly line of
3 that certain tract of land described in deed to James P. McFarland,
4 IV, recorded in Volume 2606, Page 1426, Official Records, Parker
5 County, Texas, from which a 1/2" capped iron rod found stamped
6 "Harlan" bears S 52°17'02" W, a distance of 99.95 feet, for
7 reference;

8 THENCE N 52°21'34" E, along the common line of said Johnson, Jr., et
9 al, tract and said James P. McFarland, IV, a distance of 1487.07
10 feet to the POINT OF BEGINNING and containing 215.30 acres of land,
11 more or less.

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

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

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

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

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

3 SECTION 4. (a) If this Act does not receive a two-thirds
4 vote of all the members elected to each house, Subchapter C, Chapter
5 8078, Special District Local Laws Code, as added by Section 1 of
6 this Act, is amended by adding Section 8078.0307 to read as follows:

7 Sec. 8078.0307. NO EMINENT DOMAIN POWER. The district may
8 not exercise the power of eminent domain.

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

12 SECTION 5. This Act takes effect September 1, 2019.