

By: Zwiener

H.B. No. 4647

A BILL TO BE ENTITLED

AN ACT

relating to boundaries of the Anthem Municipal Utility District.

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

SECTION 1. Subchapter A, Chapter 7979, Special District Local Laws Code, is amended by adding Section 7979.004 to read as follows:

Sec. 7979.004. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 2 of the Act enacting this section.

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

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

SECTION 2. The Anthem Municipal Utility District includes all the territory contained in the following area:

BEGINNING at a 1/2-inch iron rod located on the northwesterly right of way line of RM 150, an 80 foot wide public right of way, for the southwest corner of said 73.693 acre Tract 2, same being the

1 northwest corner of a called 17.95 acre tract described in a deed to
2 Robert and Linda Rosebrock recorded in Volume 1126, Page 236 of the
3 Hays County Deed Records;

4 THENCE, with the northwest right of way line of said RM 150 the
5 following courses and distances:

6 1. N45°54'47"W, 312.73 feet with the westerly line of said
7 73.693 acre tract to a Texas Department of Transportation Type 1
8 Concrete Monument;

9 2. N44°00'03"W, 1476.41 feet tract to a Texas Department of
10 Transportation Type 1 Concrete Monument found at the beginning of a
11 curve to the left;

12 3. with the arc of said curve to the left, passing the most
13 southerly southwest corner of said 599.25 acre tract, a found
14 3/8-inch iron rod at an arc distance of 39.42 feet, passing the
15 southerly corner of a 875 square foot and 0.308 acre tract described
16 in a deed to Mountain City - 150, L.P. in Volume 5272, Page 490 and
17 continuing for an arc distance of 568.29 feet, having a radius of
18 1185.90 feet, a central angle of 27°27'23" and a chord bearing and
19 distance of N57°43'45"W, 562.87 feet to a 1/2-inch iron rod with cap
20 stamped "AST" set for corner on said northwesterly right of way
21 line, same being on the southerly line of a called 581.00 acre tract
22 described in a deed to M I W L S, LP and being a reentrant corner and
23 most westerly south corner of the herein described tract;

24 THENCE, leaving the northwesterly right of way line of RM 150 and
25 with the common line of said 581.00 acre tract and said 599.25 acre
26 tract the following courses and distances:

27 1. N88°36'39"E, 1422.09 feet to a 1/2-inch iron pipe found

1 for an angle point in said line;

2 2. N88°38'02"E, 25.14 feet to a Mag Nail in concrete for an
3 interior ell corner of the herein described tract;

4 3. N01°42'12"W, 2818.15 feet to a found 8-inch diameter
5 Cedar Fence Post for an interior ell corner of the herein described
6 tract;

7 4. S87°57'12"W, 2442.13 feet to a found 8-inch diameter
8 Cedar Fence Post for an exterior ell corner of the herein described
9 tract, same being the southeast corner of said 752.05 acre tract;

10 THENCE, with the westerly line of said 599.25 acre tract, same being
11 the easterly line of said 752.05 acre tract the following courses
12 and distances:

13 1. N01°27'27"E, 1085.94 feet to a 1/2-inch iron rod with cap
14 stamped "AST" found;

15 THENCE, leaving said westerly line and crossing said 599.25 acre
16 tract the following courses and distances;

17 2. N42°57'57"E, 440.38 feet to a 1/2-inch iron rod with cap
18 stamped "AST" found for corner;

19 3. N20°52'40"E, 1067.39 feet to a 1/2-inch iron rod with cap
20 stamped "AST" found for corner;

21 4. N37°09'29"E, 492.15 feet to a 1/2-inch iron rod with cap
22 stamped "AST" found for corner;

23 5. S85°09'20"E, 319.53 feet to a 1/2-inch iron rod with cap
24 stamped "AST" found for corner;

25 6. N84°25'47"E, 294.59 feet to a 1/2-inch iron rod with cap
26 stamped "AST" found for corner to the beginning of a curve to the
27 left;

1 7. with the arc of a non-tangent curve to the left, 511.24
2 feet, having a radius of 871.82 feet, a central angle of 33°35'56"
3 and a chord bearing and distance of N68°19'13"E, 503.95 feet to a
4 1/2-inch iron rod with cap stamped "AST" found for corner and a
5 point of compound curvature;

6 8. with a compound curve to the left, 763.84 feet, having a
7 radius of 1431.82 feet, a central angle of 30°33'56" and a chord
8 bearing and distance of N32°21'48"E, 754.81 feet to a 1/2-inch iron
9 rod with cap stamped "AST" found for corner;

10 9. N08°59'58"E, 277.34 feet to a 1/2-inch iron rod with cap
11 stamped "AST" found for corner;

12 10. N09°56'17"E, 409.55 feet to a 1/2-inch iron rod with cap
13 stamped "AST" found for corner;

14 11. with the arc of a non-tangent curve to the left, 835.46
15 feet, having a radius of 2082.16 feet, a central angle of 22°59'23"
16 and a chord bearing and distance of N48°50'55"E, 829.87 feet to a
17 1/2-inch iron rod with cap stamped "AST" found for corner;

18 12. N37°50'06"E, 277.44 feet to a 1/2-inch iron rod with cap
19 stamped "AST" found for corner;

20 13. N45°32'16"E, 192.35 feet to a 1/2-inch iron rod with cap
21 stamped "AST" found for corner on the southwesterly line of a called
22 1974.77 acre tract described in a deed as Tract 6, and recorded in
23 Volume 3533, Page 150 of said deed records and being on the
24 northeasterly line of said 599.25 acre tract;

25 THENCE, with said southwesterly line, same being the northeasterly
26 line of said 599.25 acre tract, S47°09'20"E, 189.32 feet to a 5-inch
27 diameter Cedar fence post found with 3 mag nails and shiner at the

1 north corner of Tract 4, Indian Creek Ranch Subdivision as recorded
2 in Volume 6, Page 59 of the Hays County Plat Records;
3 THENCE, leaving the southwesterly line of said 1974.77 acre tract,
4 and with easterly line of said 599.25 acre tract the following
5 courses and distances

6 1. With the westerly line of said Indian Creek Ranch Tract
7 4, S06°08'47"W, 1374.75 feet to a 1/2-inch iron pipe found at the
8 southwest corner of said tract 4, same being the northwest corner of
9 Tract 2 of said Indian Creek Ranch and angle point in said easterly
10 line;

11 2. With the westerly line of said Tract 2, S06°09'17"W,
12 3133.57 feet to a 6-inch diameter fence post at the southwest corner
13 of said Tract 2 and an angle point in said easterly line;

14 3. With the southerly line of said Tract 2, N89°16'58"E,
15 1309.43 feet to a 1/2-inch iron pipe found at the southeast corner
16 of said Tract 2, same being on the westerly line of Tract 1 of said
17 Indian Creek Ranch and an angle point in said easterly line;

18 4. With the westerly line of said Tract 1, S00°29'12"E,
19 431.49 feet to a 1/2-inch iron pipe found for an angle point in said
20 line;

21 5. S29°40'46"W, 298.05 feet to a 1/2-inch iron pipe for angle
22 point in said line;

23 6. S34°36'44"W, 477.34 feet to an iron rod found with cap
24 stamped RPLS 4542 at the southwest corner of said Tract 1, same
25 being on the northerly line of a tract conveyed to the Hays
26 Consolidated Independent School District (deed recital unknown);

27 7. S87°30'03"W, 5.50 feet to an iron rod with cap stamped

1 "McMillan" for the northwest corner of said School District Tract;
2 8. S11°36'28"W, 614.17 feet to an iron rod with cap stamped
3 "McMillan" for an angle point in said line;
4 9. S10°09'51"W, 395.16 feet to an iron rod with cap stamped
5 "McMillan" for an angle point in said line;
6 10. S10°11'50"W, 101.83 feet to an iron rod with cap stamped
7 "McMillan" for an angle point in said line;
8 11. S10°09'55"W, 625.50 feet to an iron rod with cap stamped
9 "McMillan" for an angle point in said line;
10 12. S12°41'22"W, 447.62 feet to a Nail in a 6-inch fence
11 corner post for an angle point in said line;
12 13. S42°49'53"W, 93.56 feet to a 30-inch Live Oak tree for an
13 angle point in said line;
14 14. S00°59'19"W, 13.67 feet to an iron rod with cap stamped
15 RPLS 4542 at the southwest corner of said School District tract and
16 the southeast corner of said 599.25 acre tract and being a point on
17 the northerly line of said 73.693 acre Tract 2;
18 THENCE, with the northerly line of said 73.693 acre tract,
19 N88°39'49"E, passing a 1/2-inch iron rod at 243.73 feet and
20 continuing for a total distance of 325.41 feet to a 1/2-inch iron
21 rod on the southerly line of said School District tract and being
22 the northwest corner of Lot 6, Century Acres, a subdivision of
23 record in Volume 6, Page 53 of the Hays County Plat Records;
24 THENCE, with said easterly line of said 73.693 acre tract and with
25 the westerly line of said Lot 6 and 7 of said Century Acres and the
26 easterly line of said Lot 2B and 2C Resubdivision of Lot 2B of the
27 Resubdivision of Lot 2 Century Acres of record in Document

1 No. 17040812 of the Hays County Official Public Records,
2 S13°28'59"E, 1658.91 feet to a 1/2-inch iron pipe found for the
3 southeast corner of said 73.693 acre tract, same being the
4 southwest corner of said Lot 2B and the common northerly corner of
5 Lots 8 and 9 of Meadow Woods Section Two, a subdivision of record in
6 Volume 3, Page 188 of said Plat Records, same being the northeast
7 corner of said 17.95 acre tract;

8 THENCE, with the northerly line of said 17.95 acre tract, same being
9 the southerly line of said 599.25 acre tract, S88°38'38"W, passing
10 an iron rod with cap stamped "McMillan" at 103.02 feet and
11 continuing for a total distance of 1505.09 feet to the POINT OF
12 BEGINNING and containing, 422.996 acres of land, more or less.

13 SECTION 3. The Anthem Municipal Utility District retains
14 all the rights, powers, privileges, authority, duties, and
15 functions that it had before the effective date of this Act.

16 SECTION 4. (a) The legislature validates and confirms all
17 governmental acts, elections, and proceedings of the Anthem
18 Municipal Utility District that were taken before the effective
19 date of this Act.

20 (b) This section does not apply to any matter that on the
21 effective date of this Act:

22 (1) is involved in litigation if the litigation
23 ultimately results in the matter being held invalid by a final court
24 judgment; or

25 (2) has been held invalid by a final court judgment.

26 SECTION 5. (a) The legal notice of the intention to
27 introduce this Act, setting forth the general substance of this

1 Act, has been published as provided by law, and the notice and a
2 copy of this Act have been furnished to all persons, agencies,
3 officials, or entities to which they are required to be furnished
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
5 Government Code.

6 (b) The governor, one of the required recipients, has
7 submitted the notice and Act to the Texas Commission on
8 Environmental Quality.

9 (c) The Texas Commission on Environmental Quality has filed
10 its recommendations relating to this Act with the governor, the
11 lieutenant governor, and the speaker of the house of
12 representatives within the required time.

13 (d) All requirements of the constitution and laws of this
14 state and the rules and procedures of the legislature with respect
15 to the notice, introduction, and passage of this Act are fulfilled
16 and accomplished.

17 SECTION 6. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2019.