

By: Oliverson

H.B. No. 4651

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Harris County Municipal Utility District No. 571; 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 8098 to read as follows:

CHAPTER 8098. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 571

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8098.0101. 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 Harris County Municipal Utility District No. 571.

Sec. 8098.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8098.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1       Sec. 8098.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
2 temporary directors may not hold an election under Section  
3 8098.0103 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. 8098.0105. 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. 8098.0106. 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. 8098.0201. GOVERNING BODY; TERMS. (a) The district is  
4 governed by a board of five elected directors.

5           (b) Except as provided by Section 8098.0202, directors  
6 serve staggered four-year terms.

7           Sec. 8098.0202. TEMPORARY DIRECTORS. (a) The temporary  
8 board consists of:

9                   (1) Binh Chau;

10                   (2) Todd Brown;

11                   (3) Stephanie E. Tabor;

12                   (4) Adlena Leemhuis; and

13                   (5) Jennifer Day.

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

15                   (1) the date permanent directors are elected under  
16 Section 8098.0103; 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 8098.0103 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 8098.0103; 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. 8098.0301. 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. 8098.0302. 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. 8098.0303. 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. 8098.0304. 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. 8098.0305. 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               SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16       Sec. 8098.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
17 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 8098.0403.

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. 8098.0402. OPERATION AND MAINTENANCE TAX. (a) If  
3 authorized at an election held under Section 8098.0401, the  
4 district may impose an operation and maintenance tax on taxable  
5 property in the district in accordance with Section 49.107, Water  
6 Code.

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

9 Sec. 8098.0403. CONTRACT TAXES. (a) In accordance with  
10 Section 49.108, Water Code, the district may impose a tax other than  
11 an operation and maintenance tax and use the revenue derived from  
12 the tax to make payments under a contract after the provisions of  
13 the contract have been approved by a majority of the district voters  
14 voting at an election held for that purpose.

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

18 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

19 Sec. 8098.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
20 OBLIGATIONS. The district may issue bonds or other obligations  
21 payable wholly or partly from ad valorem taxes, impact fees,  
22 revenue, contract payments, grants, or other district money, or any  
23 combination of those sources, to pay for any authorized district  
24 purpose.

25 Sec. 8098.0502. TAXES FOR BONDS. At the time the district  
26 issues bonds payable wholly or partly from ad valorem taxes, the  
27 board shall provide for the annual imposition of a continuing

1 direct ad valorem tax, without limit as to rate or amount, while all  
2 or part of the bonds are outstanding as required and in the manner  
3 provided by Sections 54.601 and 54.602, Water Code.

4 Sec. 8098.0503. BONDS FOR ROAD PROJECTS. At the time of  
5 issuance, the total principal amount of bonds or other obligations  
6 issued or incurred to finance road projects and payable from ad  
7 valorem taxes may not exceed one-fourth of the assessed value of the  
8 real property in the district.

9 SECTION 2. The Harris County Municipal Utility District  
10 No. 571 initially includes all the territory contained in the  
11 following area:

12 That tract of land situated in the Chauncey Goodrich Survey,  
13 A-311, in Harris County, Texas, and out of the 131.3702 acre tract  
14 described as Tract 2 in the deed from Charles T. Haynes Jr. and  
15 Glenda K. Haynes, Trustees of the Haynes Family Revocable Trust to  
16 Cunningham Interests II, Ltd, recorded under File Number  
17 20120265722, of the Official Public Records of Harris County,  
18 Texas, and out of the 31.4393 acre tract described in the deed from  
19 Lisa M. Krakosky and spouse, Dean M. Krakosky, John P. McShan, Mark  
20 S. McShan, Lisa M. Krakosky and Andrew J. McShan, to APITX 3, LLC,  
21 recorded under File No. RP-2017-304570, of the Official Public  
22 Records of Harris County, Texas, and more particularly described by  
23 metes and bounds as follows:

24 Basis of bearing is based on the record bearing of aforesaid  
25 Tract 2 (which has a basis of bearing of North 89° 39' 06" East along  
26 the common line of the remainder of the 14 acre tract as described  
27 in a deed filed for record under Harris County Clerk's File

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1 No. R-965836, and the 33.2209 acre tract as described in a deed  
2 filed for record under Harris County Clerk's File No. Z-331462);

3 BEGINNING at a point (called in RP-2017-304570: a 1 inch iron  
4 pipe next to a rail road beam found on the east right-of-way line of  
5 Telge Road (60 feet wide) as recorded in Vol. 78, Pg. 262, of the  
6 Harris County Deed Records (H.C.D.R.), marking the northwest corner  
7 of a called 27.5033 acre tract of land conveyed to Graceview Baptist  
8 Church, as recorded under H.C.C.F. No. RP-2016-456441, the  
9 southwest corner of said called 31.478 acre tract, and the  
10 southwest corner of the herein described tract) for the southwest  
11 corner of the herein described tract;

12 THENCE North 00° 13' 02" West - 59.18' (called in  
13 RP-2017-304570: North 02 Deg. 18 Min. 03 Sec. West with the east  
14 right-of-way line of said Telge Road, a distance of 59.18 feet to a  
15 capped 5/8-inch iron rod stamped "Windrose Land Services" set  
16 marking the southwest corner of a called 3.792 acre tract of land  
17 conveyed to Jerry B. Boyd, et ux, as recorded under H.C.C.F.  
18 No. 20080575074, and the westerly northwest corner of the herein  
19 described tract, from which a found 5/8-inch iron rod bears South 78  
20 Deg. 56 Min. 56 Sec. East, a distance of 0.64 feet), to a westerly  
21 northwest corner of the herein described tract;

22 THENCE North 89° 59' 01" East - 866.69' (called in  
23 RP-2017-304570: North 87 Deg. 54 Min. 00 Sec. East, with the south  
24 line of said called 3.792 acre tract and the south line of a called  
25 5.084 acre tract of land conveyed to E. Wheeler Coe, Jr., and  
26 recorded under H.C.C.F. No. R033492, a distance of 866.69 feet to a  
27 1/2-inch iron rod found marking the southeast corner of said called



1 5.084 acre tract and an interior corner of the herein described  
2 tract), to an angle corner of the herein described tract;

3       THENCE North 00° 21' 08" East - 689.64' (called in  
4 RP-2017-304570: North 01 Deg. 43 Min. 53 Sec. West, with the east  
5 line of said called 5.084 acre tract, passing at a distance of  
6 596.19 feet a 5/8-inch iron rod round marking the northeast corner  
7 of said called 5.084 acre tract, and the southeast corner of a  
8 called 3.970 acre tract of land conveyed to Michael C. Vollbrecht,  
9 as recorded under H.C.C.F. No. RP-2016-336364, in all a distance of  
10 689.64 feet to a capped 5/8-inch iron rod stamped "Windrose Land  
11 Services" set marking the southwest corner of a called 17.409 acre  
12 tract of land conveyed to Allen Pennington, as recorded under  
13 H.C.C.F. No. 20140517739, and the northerly northwest corner of the  
14 herein described tract, from which a found 1-inch iron pipe bears  
15 North 48 Deg. 57 Min. 18 Sec. East, a distance of 3.29 feet), to a  
16 westerly northwest corner of the herein described tract;

17       THENCE North 89° 22' 04" East - 809.13' (called in  
18 RP-2017-304570: North 87 Dec. 17 Min. 03 Sec. East, with the south  
19 line of said called 17.409 acre tract, a distance of 809.13 feet to  
20 a 1-inch iron rod found marking the southeast corner of said called  
21 17.409 acre tract, the southwest corner of a called 3.1720 acre  
22 tract of land conveyed to Mario Jimenez, as recorded under H.C.C.F.  
23 No. 20090343492, and an angle point in the north line of the herein  
24 described tract), to an angle corner of the herein described tract;

25       THENCE South 89° 59' 34" East - 929.13' (called in  
26 RP-2017-304570: North 87 Deg. 55 Min. 25 Sec. East, with the south  
27 line of said called 3.1720 acre tract, the south line of a called

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1 0.814 acre tract of land conveyed to Timothy James Kraemer, as  
2 recorded under H.C.C.F. No. 20070586673, and the south line of a  
3 called 2.1463 acre tract of land conveyed to Fred Joseph Wonk and  
4 Debra Kathryn Pate, as recorded under H.C.C.F. No. 20130584290, a  
5 distance of 929.13 feet to a 1-inch iron pipe found on the west line  
6 of a called 131.3702 acre tract of land conveyed to Cunningham  
7 Interests II, Ltd., as recorded under H.C.C.F. No. 20120265722,  
8 marking the southeast corner of said 2.1463 acre tract, and the  
9 northeast corner of the herein described tract), to an interior  
10 angle corner of the herein described tract;

11       THENCE North 00° 04' 02" West - 1.07' (called in 20120265722:  
12 along the common line of said North tract (that certain call 42.2857  
13 acre tract of land described in a deed filed for record under Harris  
14 County Clerk's File No. Z-331458) and said 31.478 acre tract of  
15 land (as described in a deed filed for record under Harris County  
16 Clerk's File No. X-573459) to a 1" iron pipe (found) for angle point  
17 marking the Northeast corner of said 31.478 acre tract of land and  
18 the Southeast corner of Lot 15 in Block 3 of said Treichel Wood  
19 Estates (unrecorded) as described in a deed filed for record under  
20 Harris County Clerk's File No. 2010349120), to an angle corner of  
21 the herein described tract:

22       THENCE North 00° 21' 36" West - 1247.73' (called in  
23 20120265722: along the common line of said Treichel Wood Estates  
24 and said North tract, passing at call 607.98 feet the Northwest  
25 corner of said North tract and the Southwest corner of the remainder  
26 of said 39.4277 acre tract of land (described in a deed filed for  
27 record under Harris County Clerk's File No. P-215054), a total

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1 distance of 1,247.73 feet to a 3/4" iron pipe (found) in the South  
2 line of Lot 42 of Treichel Wood Estates, (unrecorded), marking the  
3 Northeast corner of Lot 44 in Block 4 of said Treichel Wood Estates  
4 as described in a deed filed for record under Harris County Clerk's  
5 File No. J-673788, the Northwest corner of the remainder of said  
6 39.4277 acre tract of land) to the most northerly northwest corner  
7 of the herein described tract;

8       THENCE South 89° 59' 48" East - 433.11 (called in 20120265722:  
9 along the common line of the remainder of said 39.4277 acre tract of  
10 land and said Treichel Wood Estates to a 1-1/4" iron pipe (found)  
11 for an angle point marking the Southeast corner of Lot 37 in Block 4  
12 of said Treichel Wood Estates as described in a deed filed for  
13 record under Harris County Clerk's File No. L-094431 and the  
14 Southwest corner of that certain call 1.0629 acre tract of land  
15 known as Tract 10 A as described in a deed filed for record under  
16 Harris County Clerk's File No. S-674840) to an angle corner of the  
17 herein described tract;

18       THENCE South 89° 58' 37" East - 839.57' (called in  
19 20120265722: along the common line of the remainder of said 39.4277  
20 acre tract of land and said Tract 10A to a 3/4" iron pipe (found) for  
21 angle point marking the Southeast corner of that certain call  
22 3.3726 acre remainder tract of land known as Tract 10 G, 10 G1 and 10  
23 G2 out of that certain call 4.3276 acre tract of land described in a  
24 deed filed for record under Harris County Clerk's File No. G-445448  
25 and the Southwest corner of the remainder of that certain call 17  
26 acre tract of land as described in a deed filed for record in Volume  
27 285, Page 363 of said Harris County Deed Records) to an angle corner

1 of the herein described tract;

2           THENCE North 89° 59' 01" East - 34.92' (called in 20120265722:  
3 along the common line of the remainder of said 39.4277 acre tract of  
4 land and the remainder of said 17 acre tract of land to a point for  
5 corner in a Harris County Flood Control Ditch marking the Southeast  
6 corner of the remainder of said 17 acre tract of land, the Southwest  
7 corner of said 3 acre tract of land (described in a deed filed for  
8 record under Harris County Clerk's File No. R-965831)), to an angle  
9 corner of the herein described tract;

10           THENCE North 89° 59' 00" East - 591.39' (calculated) to  
11 (called in 20120265722: a 2" iron pipe (found) in the North line of  
12 the remainder of said 39.4277 acre tract of land marking the  
13 Southeast corner of the remainder of said 14 acre tract of land  
14 (described in a deed filed for record under Harris County Clerk's  
15 File No. R-965836), the Southwest corner of said 10.08 acre tract  
16 of land (described in a deed filed for record under Harris County  
17 Clerk's File No. B-477153) an angle corner of the herein described  
18 tract;

19           THENCE South 89° 56' 36" East - 784.05' (called in  
20 20120265722: along the common line of said 10.08 acre and the  
21 remainder of said 39.4277 acre tract of land to a 1" iron pipe  
22 (found bent) in the East line of said Chauncey Goodrich Survey, the  
23 West line of the John Hooper Survey, A-325 in said Harris County,  
24 Texas and the West line of that certain call 1.9160 acre tract of  
25 land known as Tract 2 G as described in a deed filed for record under  
26 Harris County Clerk's File No. H-893093 marking the Southeast  
27 corner of said 10.08 acre tract of land, the Northeast corner of the

1 remainder of said 39.4277 acre tract) to the northeast corner of the  
2 herein described tract;

3           THENCE South 00° 55' 02" East - 639.13' (called in  
4 20120265722: along the common line of the remainder of said 39.4277  
5 acre tract of land, said Chauncey Goodrich Survey, said Tract 2 G  
6 and said John Hooper Survey to a 5/8" iron rod (found) for angle  
7 point in the West line of that certain call 8.612 acre tract of land  
8 as described in a deed filed for record under Harris County Clerk's  
9 File No. N-090793 marking the Southeast corner of the remainder of  
10 said 39.4277 acre tract of land the Northeast corner of said North  
11 tract), to an angle corner of the herein described tract;

12           THENCE South 00° 53' 39" East - 683.76' (called in  
13 20120265722: along the common line of said North tract, said  
14 Chauncey Goodrich Survey, said 8.612 acre tract of land and said  
15 John Hooper Survey to a 5/8" iron rod (found) for angle point in the  
16 West line of that certain call 10.4400 acre tract of land as  
17 described in a deed filed for record under Harris County Clerk's  
18 File No. D-858395 marking the Southeast corner of said North tract  
19 and the Northeast corner of said South tract (that certain call  
20 42.2857 acre tract of land as described in a deed filed for record  
21 under Harris County Clerk's File No. 20090332908)), to an angle  
22 corner of the herein described tract;

23           THENCE South 01° 31' 34" East - 49.35' (called in 20120265722:  
24 along the common line of said South tract, said Chauncey Goodrich  
25 Survey, said 10.4400 acre tract of land and said John Hooper Survey  
26 to a 1/2" iron rod (found) for angle point marking the Southwest  
27 corner of said 10.4400 acre tract of land and the Northwest corner

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1 of that certain call 1.0000 acre tract of land known as Lot 15 A in  
2 Calvert Subdivision, (unrecorded), as described in a deed filed for  
3 record under Harris County Clerk's File No. D-280475), to an angle  
4 corner of the herein described tract;

5       THENCE South 00° 53' 06" East - 290.16' (called in  
6 20120265722: along the common line of said South tract, said  
7 Chauncey Goodrich Survey, said Lot 15 A and said John Hooper Survey  
8 to a 1/2" iron rod (found) for angle point marking the Southwest  
9 corner of said Lot 15 A and the Northwest corner of Olin Road,  
10 (60.00 feet in width)), to an angle corner of the herein described  
11 tract;

12       THENCE South 00° 50' 01" East - 342.17' (called in  
13 20120265722: along the common line of said South tract, said  
14 Chauncey Goodrich Survey, said Olin Road and said John Hooper  
15 Survey, passing at 60.00 feet the Southwest corner of said Olin Road  
16 and the Northwest corner of that certain call 0.04458 acre tract of  
17 land as described in a deed filed for record under Harris County  
18 Clerk's File No. V-223565, a total distance of 342.17 feet, to a  
19 5/8" iron rod (found) in the North line of the John Hooper Survey,  
20 A-375 in said Harris County, Texas and the North line of that  
21 certain call 233 acre tract of land as described in a deed filed for  
22 record in Volume 16, Page 166 of said Harris County Deed Records  
23 marking the Southwest corner of said 0.04458 acre tract of land, the  
24 Southeast corner of said Chauncey Goodrich Survey, A-311, the  
25 Southwest corner of said John Hooper Survey, A-325, the Southeast  
26 corner of said South tract), to the southeast corner of the herein  
27 described tract;

1           THENCE South 89° 59' 05" West - 1255.61' (called in  
2 20120265722: along the common line of said South tract, said  
3 Chauncey Goodrich Survey, said 233 acre tract of land and said John  
4 Hooper Survey to a 1-1/4" iron pipe (found) for angle point marking  
5 the Northwest corner of said 233 acre tract of land and the  
6 Northeast corner of that certain call 25.25 acre tract of land known  
7 as Tract 2 as described in a deed filed for record under Harris  
8 County Clerk's File No. U-132699), to an angle corner of the herein  
9 described tract;

10           THENCE South 89° 55' 49" West - 1399.66' (called in  
11 20120265722: along the common line of said South tract, said  
12 Chauncey Goodrich Survey, said Tract 2 and said John Hooper Survey,  
13 passing at call 699.77 feet the Northwest corner of said Tract 2 and  
14 the Northeast corner of that certain call 25.20 acre tract of land  
15 known as Tract 1 as described in a deed filed for record under  
16 Harris County Clerk's File No. U-132699, a total distance of  
17 1,399.66 feet, to a T-Rail (found) for angle point marking the  
18 Northwest corner of said Tract 1 and the Northeast corner of that  
19 certain call 27.507 acre tract of land described in a deed filed for  
20 record under Harris County Clerk's File No. R-075089), to an angle  
21 corner of the herein described tract;

22           THENCE South 89° 27' 44" West - 48.77' (called in 20120265722:  
23 along the common line of said South tract, said Clauncey Goodrich  
24 Survey, said 27.507 acre tract and said John Hooper Survey to a 1"  
25 iron pipe (found) in the North line of said 27.507 acre tract of  
26 land marking the Southwest corner of said South tract, the  
27 Southeast corner of that certain call 31.478 acre tract of land as

1 described in a deed filed for record under Harris County Clerk's  
2 File No. X-573459) and (called in RP-2017-304570: a capped 5/8  
3 inch iron rod stamped "Windrose Land Services" set on the north line  
4 of said called 27.5033 acre tract, marking the southwest corner of  
5 said called 131.3702 acre tract, from which a found 1-inch iron pipe  
6 bears South 02 Deg. 17 Min. 53 Sec. East, a distance of 0.49 feet),  
7 and an angle corner of the herein described tract;

8       THENCE North 89° 58' 31" West - 2611.75' (called in  
9 RP-2017-304570: South 87 Deg. 56 Min. 28 Sec. West, with the north  
10 line of said called 27.5033 acre tract, a distance of 2611.75 feet)  
11 to the POINT OF BEGINNING and containing 155.4 acres.

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 8098, Special District Local Laws Code, as added by Section 1 of  
6 this Act, is amended by adding Section 8098.0306 to read as follows:

7 Sec. 8098.0306. 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 immediately if it receives  
13 a vote of two-thirds of all the members elected to each house, as  
14 provided by Section 39, Article III, Texas Constitution. If this  
15 Act does not receive the vote necessary for immediate effect, this  
16 Act takes effect September 1, 2019.