

By: Wilson

H.B. No. 4669

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Northeast Burnet County Water District No. 1; 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 8064 to read as follows:

CHAPTER 8064. NORTHEAST BURNET COUNTY WATER DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8064.0101. 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 Northeast Burnet County Water District No. 1.

Sec. 8064.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8064.0103. 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. 8064.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
2 temporary directors may not hold an election under Section  
3 8064.0103 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. 8064.0105. 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. 8064.0106. 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. 8064.0201. GOVERNING BODY; TERMS. (a) The district is  
4 governed by a board of five elected directors.

5           (b) Except as provided by Section 8064.0202, directors  
6 serve staggered four-year terms.

7           Sec. 8064.0202. TEMPORARY DIRECTORS. (a) On or after the  
8 effective date of the Act enacting this chapter, the owner or owners  
9 of a majority of the assessed value of the real property in the  
10 district may submit a petition to the commission requesting that  
11 the commission appoint as temporary directors the five persons  
12 named in the petition. The commission shall appoint as temporary  
13 directors the five persons named in the petition.

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

15                   (1) the date permanent directors are elected under  
16 Section 8064.0103; 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 8064.0103 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 8064.0103; 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. 8064.0301. 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. 8064.0302. 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. 8064.0303. 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. 8064.0304. 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. 8064.0305. IMPROVEMENT PROJECTS. (a) The district  
10 may provide or finance, or contract with a governmental or private  
11 person to provide or finance, the following types of projects or  
12 activities in support of or incidental to one of the projects:

13                (1) an improvement project that is a public  
14 improvement, facility, or service that may be provided by a  
15 municipal utility district or a municipal management district,  
16 including:

17                        (A) water, wastewater, reclamation, drainage,  
18 road, trail, or bridge improvement;

19                        (B) utilization and reuse of treated effluent in  
20 landscape and other features, including temporary holding  
21 features;

22                        (C) transportation of treated effluent for  
23 reuse; and

24                        (D) injection of treated stormwater runoff or  
25 stormwater collected from roofs into aquifers as storage or to  
26 recharge the aquifer; and

27                (2) the purchase and maintenance of conservation land

for endangered species, including the cost of:

(A) any permits relating to endangered species or the maintenance of the land; and

(B) purchasing land or easements for conservation mitigation.

(b) To finance an improvement project under Subsection (a)(1), the district may, in the manner authorized by:

(1) Chapter 375, Local Government Code, or Chapter 54, Water Code, use funds derived from:

(A) ad valorem taxes;

(B) sales and use taxes from a strategic partnership agreement authorized by Section 8064.0307;

(C) assessments imposed under Section 8064.0501;

(D) revenue from an improvement project;

(E) impact fees; or

(F) any other source; and

(2) Sections 375.201 through 375.205, Local Government Code, enter into obligations, including:

(A) lease purchase agreements;

(B) certificates of participation in lease purchase agreements;

(C) general obligation bonds and notes and revenue bonds and notes;

(D) combination general obligation and revenue bonds and notes; and

(E) other interest-bearing obligations.

(c) Sections 375.161 through 375.163, Local Government

1 Code, do not apply to an assessment imposed by the district.

2 Sec. 8064.0306. DIVISION OF DISTRICT. (a) The district may  
3 be divided into two or more new districts only if the district:

4 (1) has no outstanding bonded debt; and

5 (2) is not imposing ad valorem taxes.

6 (b) This chapter applies to any new district created by the  
7 division of the district, and a new district has all the powers and  
8 duties of the district.

9 (c) Any new district created by the division of the district  
10 may not, at the time the new district is created, contain any land  
11 outside the area described by Section 2 of the Act enacting this  
12 chapter.

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

17 (e) The board may adopt an order dividing the district  
18 before or after the date the board holds an election under Section  
19 8064.0103 to confirm the creation of the district.

20 (f) An order dividing the district shall:

21 (1) name each new district;

22 (2) include the metes and bounds description of the  
23 territory of each new district;

24 (3) appoint temporary directors for each new district  
25 or provide that the owner or owners of a majority of the assessed  
26 value of the real property in each new district may submit a  
27 petition to the commission requesting that the commission appoint

1 as temporary directors the five persons named in the petition; and  
2 (4) provide for the division of assets and liabilities  
3 between or among the new districts.

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

8 (h) Any new district created by the division of the district  
9 shall hold a confirmation and directors' election as required by  
10 Section 8064.0103.

11 (i) Any new district created by the division of the district  
12 must hold an election as required by this chapter to obtain voter  
13 approval before the district may impose a maintenance tax or issue  
14 bonds payable wholly or partly from ad valorem taxes.

15 Sec. 8064.0307. STRATEGIC PARTNERSHIP AGREEMENT. The  
16 district may negotiate and enter into a written strategic  
17 partnership agreement with a municipality under Section [43.0751](#),  
18 Local Government Code.

19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20 Sec. 8064.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
21 The district may issue, without an election, bonds and other  
22 obligations secured by:

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

24 (2) contract payments described by Section 8064.0403.

25 (b) The district must hold an election in the manner  
26 provided by Chapters [49](#) and [54](#), Water Code, to obtain voter approval  
27 before the district may impose an ad valorem tax or issue bonds



1 payable from ad valorem taxes.

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

6 (d) The district may not issue bonds payable wholly or  
7 partly from assessments.

8 Sec. 8064.0402. OPERATION AND MAINTENANCE TAX. (a) If  
9 authorized at an election held under Section 8064.0401, the  
10 district may impose an operation and maintenance tax on taxable  
11 property in the district in accordance with Section 49.107, Water  
12 Code.

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

15 Sec. 8064.0403. CONTRACT TAXES. (a) In accordance with  
16 Section 49.108, Water Code, the district may impose a tax other than  
17 an operation and maintenance tax and use the revenue derived from  
18 the tax to make payments under a contract after the provisions of  
19 the contract have been approved by a majority of the district voters  
20 voting at an election held for that purpose.

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

24 SUBCHAPTER E. ASSESSMENTS; APPLICABILITY OF IMPACT FEES AND  
25 ASSESSMENTS

26 Sec. 8064.0501. PETITION REQUIRED FOR FINANCING  
27 RECREATIONAL FACILITY OR IMPROVEMENT BY ASSESSMENT. (a) The

1 district may finance a recreational facility or improvement,  
2 including an improvement project under Section 8064.0305, with  
3 assessments on residential or commercial property or both  
4 residential and commercial property under this subchapter, but only  
5 if:

6 (1) a written petition requesting that facility or  
7 improvement has been filed with the board; and

8 (2) the district holds a hearing on the proposed  
9 assessments.

10 (b) The petition must be signed by the owners of a majority  
11 of the assessed value of real property in the district subject to  
12 assessment according to the most recent certified tax appraisal  
13 roll for the county.

14 Sec. 8064.0502. METHOD OF NOTICE FOR HEARING. The district  
15 shall mail notice of the hearing to each property owner in the  
16 district who will be subject to the assessment at the current  
17 address to be assessed as reflected on the tax rolls. The district  
18 may mail the notice by certified or first class United States mail.  
19 The board shall determine the method of notice.

20 Sec. 8064.0503. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
21 An assessment or a reassessment imposed under this subchapter by  
22 the district, penalties and interest on an assessment or  
23 reassessment, an expense of collection, and reasonable attorney's  
24 fees incurred by the district:

25 (1) are a first and prior lien against the property  
26 assessed;

27 (2) are superior to any other lien or claim other than

1 a lien or claim for county, school district, or municipal ad valorem  
2 taxes; and

3 (3) are the personal liability of and a charge against  
4 the owners of the property even if the owners are not named in the  
5 assessment proceedings.

6 (b) The lien is effective from the date of the board's  
7 resolution imposing the assessment until the date the assessment is  
8 paid. The board may enforce the lien in the same manner that the  
9 board may enforce an ad valorem tax lien against real property.

10 (c) The board may make a correction to or deletion from the  
11 assessment roll that does not increase the amount of assessment of  
12 any parcel of land without providing notice and holding a hearing in  
13 the manner required for additional assessments.

14 Sec. 8064.0504. UTILITY PROPERTY EXEMPT FROM IMPACT FEES  
15 AND ASSESSMENTS. The district may not impose an impact fee or  
16 assessment on the property, including the equipment,  
17 rights-of-way, facilities, or improvements, of:

18 (1) an electric utility or a power generation company  
19 as defined by Section 31.002, Utilities Code;

20 (2) a gas utility as defined by Section 101.003 or  
21 121.001, Utilities Code;

22 (3) a telecommunications provider as defined by  
23 Section 51.002, Utilities Code; or

24 (4) a person who provides to the public cable  
25 television or advanced telecommunications services.

26 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

27 Sec. 8064.0601. AUTHORITY TO ISSUE BONDS AND OTHER

1 OBLIGATIONS. The district may issue bonds or other obligations  
2 payable wholly or partly from ad valorem taxes, impact fees,  
3 revenue, contract payments, grants, or other district money, or any  
4 combination of those sources, to pay for any authorized district  
5 purpose.

6 Sec. 8064.0602. TAXES FOR BONDS. At the time the district  
7 issues bonds payable wholly or partly from ad valorem taxes, the  
8 board shall provide for the annual imposition of a continuing  
9 direct ad valorem tax, without limit as to rate or amount, while all  
10 or part of the bonds are outstanding as required and in the manner  
11 provided by Sections 54.601 and 54.602, Water Code.

12 Sec. 8064.0603. BONDS FOR ROAD PROJECTS. At the time of  
13 issuance, the total principal amount of bonds or other obligations  
14 issued or incurred to finance road projects and payable from ad  
15 valorem taxes may not exceed one-fourth of the assessed value of the  
16 real property in the district.

17 SUBCHAPTER G. DEFINED AREAS

18 Sec. 8064.0701. AUTHORITY TO ESTABLISH DEFINED AREAS OR  
19 DESIGNATED PROPERTY. The district may define areas or designate  
20 certain property of the district to pay for improvements,  
21 facilities, or services that primarily benefit that area or  
22 property and do not generally and directly benefit the district as a  
23 whole.

24 Sec. 8064.0702. PROCEDURE FOR ELECTION. (a) Before the  
25 district may impose an ad valorem tax or issue bonds payable from ad  
26 valorem taxes of the defined area or designated property, the board  
27 shall hold an election in the defined area or in the designated

1 property only.

2 (b) The board may submit the issues to the voters on the same  
3 ballot to be used in another election.

4 Sec. 8064.0703. DECLARING RESULT AND ISSUING ORDER. (a) If  
5 a majority of the voters voting at the election approve the  
6 proposition or propositions, the board shall declare the results  
7 and, by order, shall establish the defined area and describe it by  
8 metes and bounds or designate the specific property.

9 (b) A court may not review the board's order except on the  
10 ground of fraud, palpable error, or arbitrary and confiscatory  
11 abuse of discretion.

12 Sec. 8064.0704. TAXES FOR SERVICES, IMPROVEMENTS, AND  
13 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter  
14 approval and adoption of the order described by Section 8064.0703,  
15 the district may apply separately, differently, equitably, and  
16 specifically its taxing power and lien authority to the defined  
17 area or designated property to provide money to construct,  
18 administer, maintain, and operate services, improvements, and  
19 facilities that primarily benefit the defined area or designated  
20 property.

21 Sec. 8064.0705. ISSUANCE OF BONDS FOR DEFINED AREA OR  
22 DESIGNATED PROPERTY. After the order under Section 8064.0703 is  
23 adopted, the district may issue bonds to provide for any land,  
24 improvements, facilities, plants, equipment, and appliances for  
25 the defined area or designated property.

26 SECTION 2. The Northeast Burnet County Water District No. 1  
27 initially includes all the territory contained in the following

1 area:

2 FIELD NOTES

3 BEING ALL OF THAT CERTAIN 1863.573 ACRE TRACT OR PARCEL OF LAND OUT  
4 OF AND A PART OF THE JAMES H. CRISWELL SURVEY, NO. 64, ABSTRACT NO.  
5 187 1/2, M.M GRANT SURVEY NO. 529, ABSTRACT NO. 369, M.M. GRANT  
6 SURVEY NO. 530, ABSTRACT NO. 370, J.H. EVANS SURVEY NO. 1239,  
7 ABSTRACT NO. 1164, WILLIAM B. ANDERSON SURVEY NO. 65, ABSTRACT NO.  
8 13, T.C.RY. CO. SURVEY NO. 53, ABSTRACT NO. 1357, JOHN B. BARKER  
9 SURVEY NO. 1345, ABSTRACT NO. 1211, WILLIAM G. WILLIAMS SURVEY NO.  
10 931, ABSTRACT NO. 1001, W.C. HEATH SURVEY NO. 1398, ABSTRACT NO.  
11 1310, SARAH SMART SURVEY, NO. 841, ABSTRACT NO. 865, T.C.R.R. CO.  
12 SURVEY NO. 91, ABSTRACT NO. 1588, DAVE STEWART SURVEY NO. 5,  
13 ABSTRACT NO 806, AND THE S.W. MAYO SURVEY NO. 1156, ABSTRACT NO.  
14 1184, ALL SITUATED IN BURNET COUNTY, TEXAS, SAID TRACT OF LAND BEING  
15 MORE PARTICULARLY DESCRIBED AS BEING ALL OF A CALLED 233.6123 ACRE  
16 TRACT OF LAND (EXHIBIT A), SAVE AND EXCEPT A CALLED 10.00 ACRE TRACT  
17 OF LAND (EXHIBIT B) CONVEYED TO SWG BRIGGS I, LP. IN DOCUMENT NO.  
18 201610419, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, ALL OF  
19 A CALLED 1526.98 ACRE TRACT OF LAND CONVEYED TO SWG BRIGGS I, LP.,  
20 IN VOLUME 856, PAGE 747, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY,  
21 TEXAS, AND ALL OF A CALLED 113.00 ACRE TRACT OF LAND CONVEYED TO SWG  
22 BRIGGS I, LP., IN DOCUMENT NUMBER 201610423, OFFICIAL PUBLIC  
23 RECORDS OF BURNET COUNTY, TEXAS, SAID 1863.573 ACRE TRACT OF LAND  
24 BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

25 BEGINNING, at a at the northernmost corner of said 113.00 acre  
26 tract, being at the westernmost corner of A CALLED 31.0236 acre  
27 tract of land conveyed to Mike & Deanna Leschber in Document Number

H.B. No. 4669

201204123, Official Public Records of Burnet County, Texas, same being in the southeast line of County Road 219 (R.O.W. Varies), for the northeast corner and the POINT OF BEGINNING of the herein described tract of land,

THENCE, with the northeast line of said 113.00 acres, the southwest line of said 31.0236 acres, the southwest line of a called 25.16 acre tract of land conveyed to Danny & Darlene Bannister in Document Number 201605105, Official Public Records of Burnet, County, Texas, and the southwest line of a called 25.18 acre tract of land conveyed to Barbara Cook Irrevocable Trust in Document Number 201604313, Official Public Records of Burnet County, Texas, the following nine (9) courses and distances, numbered 1 through 9,

- 1) S21°23'29"E, a distance of 526.92 feet to a point,
- 2) S28°33'31"E, a distance of 1017.15 feet to a point,
- 3) S08°26'18"W, a distance of 288.16 feet to a point,
- 4) N86°24'09"E, a distance of 312.43 feet to a point,
- 5) S32°25'56"E, a distance of 358.15 feet to a point,
- 6) S29°49'18"E, a distance of 163.65 feet to a point,
- 7) S36°39'03"E, a distance of 194.88 feet to a point,
- 8) S22°22'24"E, a distance of 94.36 feet to a point, and
- 9) S19°03'14"E, a distance of 218.48 feet to a point at the most westerly, southwest corner of said 25.18 acre tract, being the easternmost corner of said 113.00 acre tract, same being in a northwest line of said 1526.98 acre tract of land,

THENCE, N67°56'31"E, with the southeast line of said 25.18 acre tract, a distance of 815.54 feet to a point at an interior corner of said 25.18 acre tract of land,

H.B. No. 4669

1 THENCE, S21°01'35"E, continuing with a northeast line of said  
2 1526.98 acre tract, the southwest line of said 25.18 acre tract, the  
3 southwest line of a called 25.10 acre tract of land conveyed to  
4 Pamela Cannavan in Volume 1214, Page 561, Official Public Records  
5 of Burnet County, Texas, the southwest line of a called 25.092 acre  
6 tract of land conveyed to David & Melody Baker in Document Number  
7 201100991, Official Public Records of Burnet County, Texas, and the  
8 southwest line of a called 25.13 acre tract of land conveyed to K.D.  
9 Rhodes Ranch, LLC. in Document Number 200702836, Official Public  
10 Records of Burnet, County, Texas, a distance of 3532.45 feet to a  
11 point at the southernmost corner of said 25.13 acre tract, being in  
12 the northwest line of a called 31.44 acre tract of land conveyed to  
13 Daniel & Diann Davis in Volume 1032, Page 314m, Official Public  
14 Records of Burnet, County, Texas,

15 THENCE, S67°36'29"W, with the northwest line of said 31.44 acre and  
16 a southeast line of said 1526.98 acre tract of land, a distance of  
17 281.44 feet to a point at the westernmost corner of said 31.44 acre  
18 tract,

19 THENCE, continuing with a northeast line of said 1526.98 acre  
20 tract, the southwest line of said 31.44 acre tract, the southwest  
21 line of a called 50.0 acre tract of land conveyed to Andres &  
22 Jacqueline Gonzales in Volume 632, Page 553, Official Public  
23 Records of Burnet County, Texas, and a southwest line of a called  
24 79.88 acre tract of land (Tract Three) conveyed to Kevin & Faith  
25 McAndrew in Document Number 20906099, Official Public Records of  
26 Burnet County, Texas, the following four (4) courses and distances,  
27 numbered 1 through 4,



1           1)    S21°06'12"E, a distance of 924.69 feet to a point,  
2           2)    S25°03'14"E, a distance of 415.81 feet to a point,  
3           3)    S20°46'52"E, a distance of 563.14 feet to a point, and  
4           4)    S21°06'08"E, a distance of 745.00 feet to a point at an  
5 interior corner of said 79.88 acre tract, being at the easternmost  
6 corner of said 1526.98 acre tract, for the easternmost corner of the  
7 herein described tract of land,  
8 THENCE, S68°34'51"W, with a southeast line of said 1526.98 acre  
9 tract, a northwest line of said 79.88 acre tract, and the northwest  
10 line of Lots 18 & 19, Spring Creek Estates, a subdivision recorded  
11 in Volume 2, Page 29A, Plat Records of Burnet county, Texas, a  
12 distance of 2652.74 feet to a point at the westernmost corner of  
13 said Lot 18, being at a south corner of said 1526.98 acre tract,  
14 same being in the northeast line of a called 107.9 acre tract of  
15 land conveyed to Charles & Nancy Stovall in Document Number  
16 201803478, Official Public Records of Burnet County, Texas,  
17 THENCE, N21°32'12"W, with a southwest line of said 1526.98 acre  
18 tract and the northeast line of said 107.9 acre tract of land, a  
19 distance of 1043.80 feet to a point at the north corner of said  
20 107.9 acre tract of land,  
21 THENCE, with a southeast line of said 1526.98 acre tract, the  
22 southeast line of said 223.6123 acre tract, the northwest line of  
23 said 107.9 acre tract, the northwest line of a called 317.74 acre  
24 tract of land, (Tract 1) conveyed to Jadenyx, LP. in Volume 1196,  
25 Page 271, Official Public Records of Burnet County, Texas, and the  
26 northwest line of a called 232.06 acre tract of land (Tract 3)  
27 conveyed to Jadenyx, LP. in Volume 1196, Page 271, Official Public

H.B. No. 4669

1 Records of Burnet County, Texas, the following two (2) courses and  
2 distances, numbered 1 and 2,

3 1) S68°29'04"W, a distance of 1840.13 feet to a point, and

4 2) S68°51'14"W, a distance of 5049.97 feet to a point at the  
5 west corner of said 232.06 acre tract, being at the southernmost  
6 corner of said 223.6123 acre tract, same being in the northeast line  
7 of a called 469.21 acre tract of land conveyed to Billie Stiles in  
8 Volume 1458, Page 914, Official Public Records of Burnet County,  
9 Texas, for the southwest corner of the herein described tract of  
10 land,

11 THENCE, with the common line of said 469.21 acre tract of land and  
12 said 223.6123 acre tract of land, the following two (2) courses and  
13 distances, numbered 1 and 2,

14 1) N21°32'07"W, a distance of 2024.80 feet to a point at the  
15 northernmost corner of said 469.21 acre tract of land, and

16 2) S69°04'28"W, a distance of 1682.57 feet to a point in the  
17 northwest line of said 469.21 acre tract, being at a southwest  
18 corner of said 223.6123 acre tract, same being at the easternmost  
19 corner of a called 160.45 acre tract of land conveyed to Floyd &  
20 Tammy Cantwell in Document Number 200910400, Official Public  
21 Records of Burnet County, Texas, for a southwest corner of the  
22 herein described tract of land,

23 THENCE, N21°13'36"W, with a southwest line of said 223.6123 acre  
24 tract, the northeast line of said 160.45 acre tract and the  
25 northeast line of a called 14.0 acre tract of land conveyed to SWG  
26 Briggs I, LP. in Document Number 201610417, Official Public Records  
27 of Burnet County, Texas, a distance of 1973.11 feet to a point in

H.B. No. 4669

1 the southwest line of said 223.6123 acre tract, being in the  
2 northeast line of said 14.0 acre tract, same being at the  
3 southernmost corner of a called 10.00 acre tract of land conveyed to  
4 Wayne & Leigh Anne Eaton in Volume 975, Page 166, Official Public  
5 Records of Burnet County, Texas,

6 THENCE, with the southeast and northeast line of said 10.00 acre  
7 tract and over and across said 223.6123 acre tract of land, the  
8 following two (2) courses and distances, numbered 1 and 2,

9 1) N69°01'35"E, a distance of 660.01 feet to a point at the  
10 east corner of said 10.00 acre tract, and

11 2) N21°13'36"W, a distance of 660.00 feet to a point at the  
12 northernmost corner of said 10.00 acre tract, being a northwest  
13 line of said 223.6123 acre tract of land, same being in the  
14 southeast line of FM 2657 (80' R.O.W.), for a west corner of the  
15 herein described tract of land,

16 THENCE, with the southeast line of said FM 2657, the northwest line  
17 of said 223.6123 acre tract and the northwest line of said 1526.98  
18 acre tract of land, the following nine (9) courses and distances,  
19 numbered 1 through 9,

20 1) N69°01'35"E, a distance of 680.27 feet to a point at the  
21 beginning of a curve to the left,

22 2) Along said curve to the left, having a radius of 1185.92  
23 feet, an arc length of 1092.68 feet, and a chord that bears  
24 N42°38'30"E, a distance of 1054.44 feet to a point,

25 3) N16°14'45"E, a distance of 1349.29 feet to a point at the  
26 beginning of a curve to the left,

27 4) Along said curve to the left, having a radius of 2904.79

1 feet, an arc length of 769.66 feet, and a chord that bears  
2 N08°39'20"E, a distance of 767.41 feet to a point,

3 5) N01°04'37"E, a distance of 1877.79 feet to a point at the  
4 beginning of a curve to the right,

5 6) Along said curve to the right, having a radius of 1105.92  
6 feet, an arc length of 637.44 feet, and a chord that bears  
7 N17°32'25"E, a distance of 628.65 feet to a point,

8 7) N42°28'01"E, a distance of 97.25 feet to a point at the  
9 beginning of a curve to the right,

10 8) Along said curve to the right, having a radius of 1095.92  
11 feet, an arc length of 162.19 feet, and a chord that bears  
12 N43°19'43"E, a distance of 162.04 feet to a point, and

13 9) N47°34'39"E, a distance of 657.87 feet to a point at the  
14 intersection of the southeast line of said FM 2657 and the south  
15 line of County Road 219 (R.O.W. Varies), being at a north corner of  
16 said 1526.98 acre tract of land, for a north corner of the herein  
17 described tract of land,

18 THENCE, with the south line of said County Road 219, the north line  
19 of said 1526.98 acre tract, and the north line of said 113.00 acre  
20 tract, the following eight (8) courses and distances, numbered 1  
21 through 8,

22 1) S54°06'13"E, a distance of 57.20 feet to a point,

23 2) S72°29'38"E, a distance of 88.74 feet to a point,

24 3) N69°30'23"E, a distance of 313.21 feet to a point,

25 4) N86°15'23"E, a distance of 719.11 feet to a point,

26 5) S54°47'06"E, a distance of 233.00 feet to a point,

27 6) S85°05'04"E, a distance of 2003.08 feet to a point,

1           7) N86°10'53"E, a distance of 53.79 feet to a point,

2           8) N68°21'35"E, a distance of 1753.54 feet to the POINT OF  
3 BEGINNING and containing 1863.573 acres of land.

4 BEARING BASIS: 1526.98 Acres, Volume 856, Page 747, Official Public  
5 Records of Burnet County, Texas.

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

13           (b) The governor, one of the required recipients, has  
14 submitted the notice and Act to the Texas Commission on  
15 Environmental Quality.

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

20           (d) All requirements of the constitution and laws of this  
21 state and the rules and procedures of the legislature with respect  
22 to the notice, introduction, and passage of this Act are fulfilled  
23 and accomplished.

24           SECTION 4. (a) If this Act does not receive a two-thirds  
25 vote of all the members elected to each house, Subchapter C, Chapter  
26 8064, Special District Local Laws Code, as added by Section 1 of  
27 this Act, is amended by adding Section 8064.0308 to read as follows:

1        Sec. 8064.0308. NO EMINENT DOMAIN POWER. The district may  
2 not exercise the power of eminent domain.

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

6        SECTION 5. This Act takes effect immediately if it receives  
7 a vote of two-thirds of all the members elected to each house, as  
8 provided by Section 39, Article III, Texas Constitution. If this  
9 Act does not receive the vote necessary for immediate effect, this  
10 Act takes effect September 1, 2019.