

By: Stephenson

H.B. No. 4680

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Gateway Park Municipal Management District; 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 C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3985 to read as follows:

CHAPTER 3985. GATEWAY PARK MUNICIPAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3985.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of El Campo.

(3) "Development agreement" means a development agreement between the city and the primary landowner that establishes the standards that apply to development in the district, in addition to those contained in zoning, subdivision, and other applicable ordinances of the city.

(4) "Director" means a board member.

(5) "District" means the Gateway Park Municipal Management District.

(6) "Rail facilities" includes all real and personal property owned or held by the district for railroad purposes, including land, interests in land, structures, easements, rail lines, stations, platforms, rolling stock, garages, equipment, and

1 other facilities necessary or convenient for the operation of those
2 facilities.

3 Sec. 3985.0102. NATURE OF DISTRICT. The Gateway Park
4 Municipal Management District is a special district created under
5 Section 59, Article XVI, Texas Constitution.

6 Sec. 3985.0103. PURPOSE; DECLARATION OF INTENT. (a) The
7 creation of the district is essential to accomplish the purposes of
8 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
9 Texas Constitution, and other public purposes stated in this
10 chapter.

11 (b) By creating the district and in authorizing the city and
12 other political subdivisions to contract with the district, the
13 legislature has established a program to accomplish the public
14 purposes set out in Section 52-a, Article III, Texas Constitution.

15 (c) The creation of the district is necessary to promote,
16 develop, encourage, and maintain employment, commerce,
17 transportation, housing, tourism, recreation, the arts,
18 entertainment, economic development, safety, and the public
19 welfare in the district.

20 (d) This chapter and the creation of the district may not be
21 interpreted to relieve the city from providing the level of
22 services provided as of the effective date of the Act enacting this
23 chapter to the area in the district. The district is created to
24 supplement and not to supplant city services provided in the
25 district.

26 Sec. 3985.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

27 (a) All land and other property included in the district will

1 benefit from the improvements and services to be provided by the
2 district under powers conferred by Sections 52 and 52-a, Article
3 III, and Section 59, Article XVI, Texas Constitution, and other
4 powers granted under this chapter.

5 (b) The district is created to serve a public use and
6 benefit.

7 (c) The creation of the district is in the public interest
8 and is essential to further the public purposes of:

9 (1) developing and diversifying the economy of the
10 state;

11 (2) eliminating unemployment and underemployment; and

12 (3) developing or expanding transportation and
13 commerce.

14 (d) The district will:

15 (1) promote the health, safety, and general welfare of
16 residents, employers, potential employees, employees, visitors,
17 and consumers in the district, and of the public;

18 (2) provide needed funding for the district to
19 preserve, maintain, and enhance the economic health and vitality of
20 the district territory as a community and business center;

21 (3) promote the health, safety, welfare, and enjoyment
22 of the public by providing pedestrian ways and by landscaping and
23 developing certain areas in the district, which are necessary for
24 the restoration, preservation, and enhancement of scenic beauty;
25 and

26 (4) provide for water, wastewater, drainage, road,
27 rail, and recreational facilities for the district.

1 (e) Pedestrian ways along or across a street, whether at
2 grade or above or below the surface, and street lighting, street
3 landscaping, parking, and street art objects are parts of and
4 necessary components of a street and are considered to be a street
5 or road improvement.

6 (f) The district will not act as the agent or
7 instrumentality of any private interest even though the district
8 will benefit many private interests as well as the public.

9 Sec. 3985.0105. INITIAL DISTRICT TERRITORY. (a) The
10 district is initially composed of the territory described by
11 Section 2 of the Act enacting this chapter.

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

16 (1) organization, existence, or validity;

17 (2) right to issue any type of bonds for the purposes
18 for which the district is created or to pay the principal of and
19 interest on the bonds;

20 (3) right to impose or collect an assessment or tax; or

21 (4) legality or operation.

22 Sec. 3985.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
23 All or any part of the area of the district is eligible to be
24 included in:

25 (1) a tax increment reinvestment zone created under
26 Chapter 311, Tax Code; or

27 (2) a tax abatement reinvestment zone created under

1 Chapter 312, Tax Code.

2 Sec. 3985.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
3 DISTRICTS LAW. Except as otherwise provided by this chapter,
4 Chapter 375, Local Government Code, applies to the district.

5 Sec. 3985.0108. CONSTRUCTION OF CHAPTER. This chapter
6 shall be liberally construed in conformity with the findings and
7 purposes stated in this chapter.

8 Sec. 3985.0109. MUNICIPAL CONSENT OR AGREEMENT. (a) The
9 district shall comply with all applicable requirements of a
10 municipal ordinance or resolution that consents to the creation of
11 the district or to the inclusion of land in the district.

12 (b) An agreement between the district and a municipality
13 related to municipal consent to the creation of the district,
14 including a development agreement, is valid and enforceable.

15 SUBCHAPTER B. BOARD OF DIRECTORS

16 Sec. 3985.0201. GOVERNING BODY; TERMS. (a) The district is
17 governed by a board of five directors who serve staggered four-year
18 terms.

19 (b) Three directors must be elected in the manner provided
20 by Subchapter D, Chapter 49, Water Code.

21 (c) Two directors must be appointed by the governing body of
22 the city.

23 Sec. 3985.0202. VACANCY. If a vacancy occurs on the board,
24 the remaining directors shall appoint a director for the remainder
25 of the unexpired term.

26 Sec. 3985.0203. COMPENSATION; EXPENSES. (a) The district
27 may compensate each director in an amount not to exceed \$150 for

1 each board meeting. The total amount of compensation for each
2 director in one year may not exceed \$7,200.

3 (b) A director is entitled to reimbursement for necessary
4 and reasonable expenses incurred in carrying out the duties and
5 responsibilities of the board.

6 Sec. 3985.0204. INITIAL DIRECTORS. (a) The initial board
7 consists of the following directors:

	<u>Pos. No.</u>	<u>Name of Director</u>
8	<u>1</u>	=====
9	<u>2</u>	=====
10	<u>3</u>	=====
11	<u>4</u>	=====
12	<u>5</u>	=====

13 (b) Initial directors serve until the earlier of:

14 (1) for each director serving in a position for which
15 the directors are elected, the date the permanent directors are
16 elected under Section 3985.0201 or June 1, 2023; and
17

18 (2) for each director serving in a position for which
19 the directors are appointed under Section 3985.0201, June 1, 2023.

20 (c) If the permanent elected directors have not been elected
21 under Section 3985.0201 and the terms of those temporary directors
22 have expired, the governing body of the city shall appoint or
23 reappoint successor directors to serve terms that expire on the
24 earlier of:

25 (1) the date the permanent elected directors are
26 elected under Section 3985.0201; or

27 (2) the fourth anniversary of the date of the

1 appointment or reappointment.

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 3985.0301. GENERAL POWERS AND DUTIES. The district
4 has the powers and duties necessary to accomplish the purposes for
5 which the district is created.

6 Sec. 3985.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The
7 district, using any money available to the district for the
8 purpose, may provide, design, construct, acquire, improve,
9 relocate, operate, maintain, or finance an improvement project or
10 service authorized under this chapter or Chapter 372 or 375, Local
11 Government Code.

12 (b) The district may contract with a governmental or private
13 entity to carry out an action under Subsection (a).

14 (c) The implementation of a district project or service is a
15 governmental function or service for the purposes of Chapter 791,
16 Government Code.

17 Sec. 3985.0303. NONPROFIT CORPORATION. (a) The board by
18 resolution may authorize the creation of a nonprofit corporation to
19 assist and act for the district in implementing a project or
20 providing a service authorized by this chapter.

21 (b) The nonprofit corporation:

22 (1) has each power of and is considered to be a local
23 government corporation created under Subchapter D, Chapter 431,
24 Transportation Code; and

25 (2) may implement any project and provide any service
26 authorized by this chapter.

27 (c) The board shall appoint the board of directors of the

1 nonprofit corporation. The board of directors of the nonprofit
2 corporation shall serve in the same manner as the board of directors
3 of a local government corporation created under Subchapter D,
4 Chapter 431, Transportation Code, except that a board member is not
5 required to reside in the district.

6 Sec. 3985.0304. LAW ENFORCEMENT SERVICES. To protect the
7 public interest, the district may contract with a qualified party,
8 including the city, to provide law enforcement services in the
9 district for a fee.

10 Sec. 3985.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
11 The district may join and pay dues to a charitable or nonprofit
12 organization that performs a service or provides an activity
13 consistent with the furtherance of a district purpose.

14 Sec. 3985.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
15 district may engage in activities that accomplish the economic
16 development purposes of the district.

17 (b) The district may establish and provide for the
18 administration of one or more programs to promote state or local
19 economic development and to stimulate business and commercial
20 activity in the district, including programs to:

21 (1) make loans and grants of public money; and

22 (2) provide district personnel and services.

23 (c) The district may create economic development programs
24 and exercise the economic development powers provided to
25 municipalities by:

26 (1) Chapter 380, Local Government Code; and

27 (2) Subchapter A, Chapter 1509, Government Code.

1 Sec. 3985.0307. PARKING FACILITIES. (a) The district may
2 acquire, lease as lessor or lessee, construct, develop, own,
3 operate, and maintain parking facilities or a system of parking
4 facilities, including lots, garages, parking terminals, or other
5 structures or accommodations for parking motor vehicles off the
6 streets and related appurtenances.

7 (b) The district's parking facilities serve the public
8 purposes of the district and are owned, used, and held for a public
9 purpose even if leased or operated by a private entity for a term of
10 years.

11 (c) The district's parking facilities are parts of and
12 necessary components of a street and are considered to be a street
13 or road improvement.

14 (d) The development and operation of the district's parking
15 facilities may be considered an economic development program.

16 Sec. 3985.0308. ADDING OR EXCLUDING LAND. The district may
17 add or exclude land in the manner provided by Subchapter J, Chapter
18 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

19 Sec. 3985.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The
20 board by resolution shall establish the number of directors'
21 signatures and the procedure required for a disbursement or
22 transfer of district money.

23 Sec. 3985.0310. RAIL FACILITIES. The district may
24 construct, acquire, improve, maintain, finance, and operate rail
25 facilities and improvements for freight, commuter, or other rail
26 purposes.

27 Sec. 3985.0311. NO EMINENT DOMAIN POWER. The district may

1 not exercise the power of eminent domain.

2 SUBCHAPTER D. ASSESSMENTS

3 Sec. 3985.0401. PETITION REQUIRED FOR FINANCING SERVICES
4 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
5 service or improvement project with assessments under this chapter
6 unless a written petition requesting that service or improvement
7 has been filed with the board.

8 (b) A petition filed under Subsection (a) must be signed by
9 the owners of a majority of the assessed value of real property in
10 the district subject to assessment according to the most recent
11 certified tax appraisal roll for the county.

12 Sec. 3985.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
13 The board by resolution may impose and collect an assessment for any
14 purpose authorized by this chapter in all or any part of the
15 district.

16 (b) An assessment, a reassessment, or an assessment
17 resulting from an addition to or correction of the assessment roll
18 by the district, penalties and interest on an assessment or
19 reassessment, an expense of collection, and reasonable attorney's
20 fees incurred by the district:

21 (1) are a first and prior lien against the property
22 assessed;

23 (2) are superior to any other lien or claim other than
24 a lien or claim for county, school district, or municipal ad valorem
25 taxes; and

26 (3) are the personal liability of and a charge against
27 the owners of the property even if the owners are not named in the

1 assessment proceedings.

2 (c) The lien is effective from the date of the board's
3 resolution imposing the assessment until the date the assessment is
4 paid. The board may enforce the lien in the same manner that the
5 board may enforce an ad valorem tax lien against real property.

6 (d) The board may make a correction to or deletion from the
7 assessment roll that does not increase the amount of assessment of
8 any parcel of land without providing notice and holding a hearing in
9 the manner required for additional assessments.

10 SUBCHAPTER E. TAXES AND BONDS

11 Sec. 3985.0501. TAX ELECTION REQUIRED. The district must
12 hold an election in the manner provided by Chapter 49, Water Code,
13 or, if applicable, Chapter 375, Local Government Code, to obtain
14 voter approval before the district may impose an ad valorem tax.

15 Sec. 3985.0502. OPERATION AND MAINTENANCE TAX. (a) If
16 authorized by a majority of the district voters voting at an
17 election under Section 3985.0501, the district may impose an
18 operation and maintenance tax on taxable property in the district
19 in the manner provided by Section 49.107, Water Code, for any
20 district purpose, including to:

- 21 (1) maintain and operate the district;
22 (2) construct or acquire improvements; or
23 (3) provide a service.

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

27 Sec. 3985.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE

1 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
2 terms determined by the board.

3 (b) The district may issue bonds, notes, or other
4 obligations payable wholly or partly from ad valorem taxes,
5 assessments, impact fees, revenue, contract payments, grants, or
6 other district money, or any combination of those sources of money,
7 to pay for any authorized district purpose.

8 Sec. 3985.0504. BONDS SECURED BY REVENUE OR CONTRACT
9 PAYMENTS. The district may issue, without an election, bonds
10 secured by:

11 (1) revenue other than ad valorem taxes, including
12 contract revenues; or

13 (2) contract payments, provided that the requirements
14 of Section 49.108, Water Code, have been met.

15 Sec. 3985.0505. BONDS SECURED BY AD VALOREM TAXES;
16 ELECTIONS. (a) If authorized at an election under Section
17 3985.0501, the district may issue bonds payable from ad valorem
18 taxes.

19 (b) Section 375.243, Local Government Code, does not apply
20 to the district.

21 (c) At the time the district issues bonds payable wholly or
22 partly from ad valorem taxes, the board shall provide for the annual
23 imposition of a continuing direct annual ad valorem tax, without
24 limit as to rate or amount, for each year that all or part of the
25 bonds are outstanding as required and in the manner provided by
26 Sections 54.601 and 54.602, Water Code.

27 (d) All or any part of any facilities or improvements that

1 may be acquired by a district by the issuance of its bonds may be
2 submitted as a single proposition or as several propositions to be
3 voted on at the election.

4 Sec. 3985.0506. BONDS AND OTHER OBLIGATIONS FOR IMPROVEMENT
5 UNDER AGREEMENT. If the improvements financed by an obligation
6 will be constructed or financed pursuant to the terms of an
7 agreement between the district and the city entered into before the
8 issuance of the obligation, the obligation may be in the form of
9 bonds, notes, or other obligations, payable wholly or partly from
10 assessments, issued by public or private sale, in the manner
11 provided by Subchapter A, Chapter 372, Local Government Code.

12 Sec. 3985.0507. CONSENT OF MUNICIPALITY AND AGREEMENT
13 REQUIRED. (a) The board may not issue bonds until each
14 municipality in whose corporate limits or extraterritorial
15 jurisdiction the district is located has consented by ordinance or
16 resolution to the creation of the district and to the inclusion of
17 land in the district.

18 (b) Subsection (a) applies only to the district's first
19 issuance of bonds payable from ad valorem taxes.

20 (c) The board may not impose taxes or assessments, borrow
21 money, or issue obligations until the district and the city have
22 entered into an agreement for the development of the property in the
23 district and financing of improvement projects in the district.

24 SUBCHAPTER I. DISSOLUTION

25 Sec. 3985.0901. DISSOLUTION. (a) The board shall dissolve
26 the district on written petition filed with the board by the owners
27 of:

1 (1) 66 percent or more of the assessed value of the
2 property subject to assessment by the district based on the most
3 recent certified county property tax rolls; or

4 (2) 66 percent or more of the surface area of the
5 district, excluding roads, streets, highways, utility
6 rights-of-way, other public areas, and other property exempt from
7 assessment by the district according to the most recent certified
8 county property tax rolls.

9 (b) The board by majority vote may dissolve the district at
10 any time.

11 (c) The district may not be dissolved by its board under
12 Subsection (a) or (b) if the district:

13 (1) has any outstanding debt until that debt has been
14 repaid or defeased in accordance with the order or resolution
15 authorizing the issuance of the debt;

16 (2) has a contractual obligation to pay money until
17 that obligation has been fully paid in accordance with the
18 contract; or

19 (3) owns, operates, or maintains public works,
20 facilities, or improvements unless the district contracts with
21 another person for the ownership and operation or maintenance of
22 the public works, facilities, or improvements.

23 (d) Sections 375.261, 375.262, and 375.264, Local
24 Government Code, do not apply to the district.

25 SECTION 2. The Gateway Park Municipal Management District
26 initially includes all territory contained in the following area:

27 Field Note Description of a 410.73 acre tract of land

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1 situated in the I. & G.N. R.R. Co. Survey No. 37, Abstract No. 222,
2 the I. & G.N. R.R. Co. Survey No. 36, Abstract No. 223 and the H. &
3 T.C. R.R. Co. (J. Telfener) Survey No. 2, Abstract No. 453 in
4 Wharton County, Texas, being a part or portion of a called 540.95
5 acre tract of land conveyed to Joe A. Zalman, Jr., et al, in Volume
6 225, Page 156 in Official Records of Wharton County, Texas.

7 BEGINNING at a 5/8" Iron Rod called and found at the
8 intersection of the centerline of County Road 421 (measures 64'
9 wide), with the Southeast right-of-way of the Texas Mexican
10 Railway, for the North corner of said 540.95 acre tract, and for the
11 North corner of this herein described tract;

12 THENCE: S 34°23'52" E - along and with the centerline of
13 County Road 421, same being the Northeast line of said 540.95 acre
14 tract, a distance of 4,479.67 feet to a 5/8" Iron Rod (bent) called
15 and found for an angle point of said 540.95 acre tract, in the East
16 line of Survey No. 37, same being the North corner of a called 4.00
17 acre tract of land conveyed to Joseph J. Kocurek in Volume 173, Page
18 566 in Official Records of Wharton County, Texas, and for an angle
19 point of this herein described tract;

20 THENCE: S 02°32'31" E - along and with the upper East line of
21 said 540.95 acre tract, the East line of Survey No. 37, same being
22 the West line of said 4.00 acre tract, at 146.79 feet, pass a 4" Iron
23 Pipe called and found for reference, continuing on course a total
24 distance of 177.14 feet to a 5/8" Iron Rod called and found in the
25 centerline of County Road 405 (measures 64' wide), for the
26 Southeast corner of Survey No. 37, the Northeast corner of Survey
27 No. 36, the Northeast corner of a called 80.020 acre tract of land

1 conveyed to Joseph John Kocurek in Volume 396, Page 602 in Deed
2 Records of Wharton County, Texas, same being the upper Southeast
3 corner of said 540.95 acre tract, and for the upper Southeast corner
4 of this herein described tract;

5 THENCE: S 87°25'51" W - along and with the centerline of
6 County Road 405, the North line of said 80.020 acre tract, same
7 being the upper South line of said 540.95 acre tract, a distance of
8 1,098.24 feet to a 5/8" Iron Rod called and found for an interior
9 corner of said 540.95 acre tract, same being the Northwest corner of
10 said 80.020 acre tract, and for an interior corner of this herein
11 described tract, from which, a 5/8" Iron Rod bears: N 51°06'58" W -
12 1.42 feet;

13 THENCE: S 02°33'37" E - along and with the lower East line of
14 said 540.95 acre tract, same being the West line of said 80.020 acre
15 tract, at 3,140.72 feet, pass a 4" Iron Pipe called and found for
16 reference, continuing on course a total distance of 3,172.25 feet
17 to a 5/8" Iron Rod called and found in the centerline of County Road
18 400 (measures 64' wide), in the South line of Survey No. 36, same
19 being in the North line of a called 82.125 acre tract of land
20 conveyed to Rebekkah Jean Jones, et al, in Volume 1007, Page 19 in
21 Official Records of Wharton County, Texas, for the lower Southeast
22 corner of said 540.95 acre tract, and for the lower Southeast corner
23 of this herein described tract from which, a 5/8" Iron Rod bears: N
24 44°18'47" W - 3.80 feet;

25 THENCE: S 87°26'24" W - along and with the centerline of
26 County Road 400, the North line of said 82.125 acre tract, same
27 being the lower South line of said 540.95 acre tract, a distance of

1 1,689.69 feet to a point at the centerline intersection of County
2 Road 400 and County Road 407 (measures 64' wide), for an angle point
3 of said 540.95 acre tract, and for an angle point of this herein
4 described tract, from which, a 5/8" Iron Rod bears: N 02°19'43" E -
5 3.85 feet;

6 THENCE: S 87°26'36" W - along and with the centerline of
7 County Road 400, same being the lower South line of said 540.95 acre
8 tract, a distance of 507.08 feet to a point for the lower Southwest
9 corner of said 540.95 acre tract, same being the Southeast corner of
10 a called 78.821 acre tract of land conveyed to the Watz Family Trust
11 in Volume 730, Page 17 in Official Records of Wharton County, Texas,
12 and for the lower Southwest corner of this herein described tract;

13 THENCE: N 02°35'11" W - along and with the West line of said
14 540.95 acre tract, same being the East line of said 78.821 acre
15 tract, at 10.17 feet, pass a 3/4" Iron Shaft called and found for
16 reference, at 32.00 feet, pass a 5/8" Iron Rod set in the North line
17 of County Road 400, continuing on course a total distance of
18 3,174.10 feet to a 2" Iron Pipe (bent) called and found in the
19 centerline of County Road 405, for an interior corner of said 540.95
20 acre tract, same being the Northeast corner of said 78.821 acre
21 tract, and for an interior corner of this herein described tract;

22 THENCE: S 87°25'24" W - along and with the centerline of
23 County Road 405, the upper South line of said 540.95 acre tract,
24 same being the North line of said 78.821 acre tract, a distance of
25 444.85 feet to a point for the Southeast corner of a 113.44 acre
26 tract of land surveyed by this firm January 14, 2019, and for the
27 upper Southwest corner of this herein described tract;

1 THENCE: N 02°32'31" W - along and with the East line of said
2 113.44 acre tract, at 32.00 feet, pass a 5/8" Iron Rod set in the
3 North margin of County Road 405, continuing a total distance of
4 555.41 feet to a 5/8" Iron Rod set for an angle point of said 113.44
5 acre tract, and for an angle point of this herein described tract;

6 THENCE: N 36°43'40" W - along and with the East line of said
7 113.44 acre tract, a distance of 1,932.86 feet to a 5/8" Iron Rod
8 set for the North corner of said 113.44 acre tract, same being in
9 the Southeast line of a 16.75 acre tract of land surveyed by this
10 firm January 14, 2019, and for the West corner of this herein
11 described tract;

12 THENCE: N 53°16'28" E - along and with the Southeast line of
13 said 16.75 acre tract, a distance of 1,543.43 feet to a point at the
14 PC of a non-tangent curve to the left, for an angle point of said
15 16.75 acre tract, and for an angle point of this herein described
16 tract;

17 THENCE: Northeasterly - along and with the Southeast line of
18 said 16.75 acre tract and with said non-tangent curve to the left,
19 having a radius of 800.49 feet, an arc length of 72.72 feet, a chord
20 bearing of N 50°40'19" E and a chord distance of 72.69 feet to a
21 point for an angle point of said 16.75 acre tract, and for an angle
22 point of this herein described tract;

23 THENCE: N 48°04'10" E - along and with the Southeast line of
24 said 16.75 acre tract, a distance of 184.07 feet to a point for an
25 angle point of said 16.75 acre tract, and for an angle point of this
26 herein described tract;

27 THENCE: N 53°16'28" E - along and with the Southeast line of

1 said 16.75 acre tract, a distance of 179.76 feet to a point at the PC
2 of a non-tangent curve to the left, for an angle point of said 16.75
3 acre tract, and for an angle point of this herein described tract;

4 THENCE: Northeasterly - along and with the Southeast line of
5 said 16.75 acre tract and with said non-tangent curve to the left,
6 having a radius of 800.49 feet, an arc length of 225.66 feet, a
7 chord bearing of N 45°11'55" E and a chord distance of 224.91 feet to
8 a point for an angle point of said 16.75 acre tract, and for an angle
9 point of this herein described tract;

10 THENCE: N 37°07'22" E - along and with the Southeast line of
11 said 16.75 acre tract, a distance of 157.22 feet to a point at the PC
12 of a non-tangent curve to the right, for an angle point of said
13 16.75 acre tract, and for an angle point of this herein described
14 tract;

15 THENCE: Northeasterly - along and with the Southeast line of
16 said 16.75 acre tract and with said non-tangent curve to the right,
17 having a radius of 728.49 feet, an arc length of 156.81 feet, a
18 chord bearing of N 43°17'22" E and a chord distance of 156.51 feet to
19 a point for an angle point of said 16.75 acre tract, and for an angle
20 point of this herein described tract;

21 THENCE: N 49°27'22" E - along and with the Southeast line of
22 said 16.75 acre tract, a distance of 80.15 feet to a point in the
23 Northwest line of said 540.95 acre tract, same being in the
24 Southeast right-of-way of the Texas Mexican Railway, for the East
25 corner of said 16.75 acre tract, and for an angle point of this
26 herein described tract;

27 THENCE: N 53°16'20" E - along and with the Northwest line of

1 said 540.95 acre tract, same being in the Southeast right-of-way of
2 the Texas Mexican Railway, at 445.29 feet, pass a 5/8" Iron Rod
3 (slightly bent) called and found in the Southwest margin of County
4 Road 421, continuing on course a total distance of 477.29 feet to
5 the POINT OF BEGINNING, containing within these metes and bounds
6 410.73 Acres, more or less.

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

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

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

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

25 SECTION 4. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2019.