

By: Nevárez

H.B. No. 4701

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the West Pecos 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 3962 to read as follows:

CHAPTER 3962. WEST PECOS MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3962.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Pecos.

(3) "County" means Reeves County.

(4) "Director" means a board member.

(5) "District" means the West Pecos Management District.

(6) "School district" means Pecos Barstow Toyah Independent School District.

Sec. 3962.0102. NATURE OF DISTRICT. The West Pecos Management District is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3962.0103. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI,

1 Texas Constitution, and other public purposes stated in this
2 chapter.

3 (b) By creating the district and in authorizing the county,
4 the city, the school district, and other political subdivisions to
5 contract with the district, the legislature has established a
6 program to accomplish the public purposes set out in Section 52-a,
7 Article III, Texas Constitution.

8 (c) The creation of the district is necessary to promote,
9 develop, encourage, and maintain employment, commerce,
10 transportation, housing, tourism, recreation, the arts,
11 entertainment, economic development, safety, and the public
12 welfare in the district.

13 (d) This chapter and the creation of the district may not be
14 interpreted to relieve the county or the city from providing the
15 level of services provided as of the effective date of the Act
16 enacting this chapter to the area in the district. The district is
17 created to supplement and not to supplant county or city services
18 provided in the district.

19 Sec. 3962.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

20 (a) All land and other property included in the district will
21 benefit from the improvements and services to be provided by the
22 district under powers conferred by Sections 52 and 52-a, Article
23 III, and Section 59, Article XVI, Texas Constitution, and other
24 powers granted under this chapter.

25 (b) The district is created to serve a public use and
26 benefit.

27 (c) The creation of the district is in the public interest

1 and is essential to further the public purposes of:

2 (1) developing and diversifying the economy of the
3 state;

4 (2) eliminating unemployment and underemployment; and

5 (3) developing or expanding transportation and
6 commerce.

7 (d) The district will:

8 (1) promote the health, safety, and general welfare of
9 residents, employers, potential employees, employees, visitors,
10 and consumers in the district, and of the public;

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

14 (3) promote the health, safety, welfare, and enjoyment
15 of the public by providing pedestrian ways and by landscaping and
16 developing certain areas in the district, which are necessary for
17 the restoration, preservation, and enhancement of scenic beauty;
18 and

19 (4) provide for water, wastewater, drainage, and road
20 facilities for the district.

21 (e) Pedestrian ways along or across a street, whether at
22 grade or above or below the surface, and street lighting, street
23 landscaping, parking, and street art objects are parts of and
24 necessary components of a street and are considered to be a street
25 or road improvement.

26 (f) The district will not act as the agent or
27 instrumentality of any private interest even though the district

1 will benefit many private interests as well as the public.

2 Sec. 3962.0105. INITIAL DISTRICT TERRITORY. (a) The
3 district is initially composed of the territory described by
4 Section 2 of the Act enacting this chapter.

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

9 (1) organization, existence, or validity;

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

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

14 (4) legality or operation.

15 Sec. 3962.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

16 All or any part of the area of the district is eligible to be
17 included in:

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

20 (2) a tax abatement reinvestment zone created under
21 Chapter 312, Tax Code.

22 Sec. 3962.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
23 DISTRICTS LAW. Except as otherwise provided by this chapter,
24 Chapter 375, Local Government Code, applies to the district.

25 Sec. 3962.0108. CONSTRUCTION OF CHAPTER. This chapter
26 shall be liberally construed in conformity with the findings and
27 purposes stated in this chapter.

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 3962.0201. GOVERNING BODY; TERMS. The district is
3 governed by a board of seven voting directors who serve staggered
4 terms of four years with three or four directors' terms expiring
5 June 1 of each odd-numbered year.

6 Sec. 3962.0202. QUALIFICATIONS AND APPOINTMENT OF VOTING
7 DIRECTORS. (a) Section 375.063, Local Government Code, does not
8 apply to the district.

9 (b) To be qualified to serve as a director, a person must be
10 at least 18 years of age.

11 (c) The governing body of the city shall appoint five
12 directors from persons recommended by the board in the manner
13 provided by Section 375.064, Local Government Code, each of whom
14 must be:

15 (1) an owner of property in the district;

16 (2) an owner of a beneficial interest in a trust, or a
17 trustee in a trust, that directly or indirectly owns property in the
18 district; or

19 (3) an agent, employee, or tenant of a person
20 described by Subdivision (1) or (2).

21 (d) The governing body of the city and the governing body of
22 the county shall each appoint an additional director. A director
23 appointed under this subsection is not required to have a
24 qualification listed in Subsection (c).

25 Sec. 3962.0203. NONVOTING DIRECTORS. The board may appoint
26 representatives of taxing entities in the district to serve as
27 nonvoting directors.

1 Sec. 3962.0204. INITIAL DIRECTORS. (a) The governing body
2 of the city shall appoint five initial directors to Positions 1-5
3 who have the qualifications prescribed by Sections 3962.0202(b) and
4 (c).

5 (b) The governing body of the city shall appoint an initial
6 director to Position 6 and the governing body of the county shall
7 appoint an initial director to Position 7. Each director must have
8 the qualification prescribed by Section 3962.0202(b). An initial
9 director appointed under this subsection is not required to have a
10 qualification listed in Section 3962.0202(c).

11 (c) The terms of the initial directors in Positions 1
12 through 4 expire June 1, 2021, and the terms of the initial
13 directors in Positions 5 through 7 expire June 1, 2023.

14 (d) This section expires September 1, 2023.

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 3962.0301. GENERAL POWERS AND DUTIES. The district
17 has the powers and duties necessary to accomplish the purposes for
18 which the district is created.

19 Sec. 3962.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The
20 district, using any money available to the district for the
21 purpose, may provide, design, construct, acquire, improve,
22 relocate, operate, maintain, or finance an improvement project or
23 service authorized under this chapter or Chapter 375, Local
24 Government Code.

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

27 (c) The implementation of a district project or service is a

1 governmental function or service for the purposes of Chapter 791,
2 Government Code.

3 (d) The city, the county, the school district, the Reeves
4 County Hospital District, and any other local government or
5 political subdivision may contract with the district to provide for
6 financing, construction, maintenance, and operation of public
7 infrastructure or to carry out a district purpose.

8 (e) The district may not undertake a project on land owned
9 by the city unless the city consents to the project.

10 Sec. 3962.0303. NONPROFIT CORPORATION. (a) The board by
11 resolution may authorize the creation of a nonprofit corporation to
12 assist and act for the district in implementing a project or
13 providing a service authorized by this chapter.

14 (b) The nonprofit corporation:

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

18 (2) may implement any project and provide any service
19 authorized by this chapter.

20 (c) The board shall appoint the board of directors of the
21 nonprofit corporation. The board of directors of the nonprofit
22 corporation shall serve in the same manner as the board of directors
23 of a local government corporation created under Subchapter D,
24 Chapter 431, Transportation Code, except that a board member is not
25 required to reside in the district.

26 Sec. 3962.0304. AUTHORITY TO CONTRACT FOR PUBLIC SAFETY
27 SERVICES. To protect the public interest, the district may

1 contract with a qualified party, including the city, the county, or
2 any other governmental entity to provide law enforcement, public
3 safety, fire protection, ambulance, emergency, or code enforcement
4 services in the district for a fee.

5 Sec. 3962.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.

6 The district may join and pay dues to a charitable or nonprofit
7 organization that performs a service or provides an activity
8 consistent with the furtherance of a district purpose.

9 Sec. 3962.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The

10 district may engage in activities that accomplish the economic
11 development purposes of the district.

12 (b) The district may establish and provide for the
13 administration of one or more programs to promote state or local
14 economic development and to stimulate business and commercial
15 activity in the district, including programs to:

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

17 (2) provide district personnel and services.

18 (c) The district may create economic development programs
19 and exercise the economic development powers provided to
20 municipalities by:

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

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

23 Sec. 3962.0307. PARKING FACILITIES. (a) The district may

24 acquire, lease as lessor or lessee, construct, develop, own,
25 operate, and maintain parking facilities or a system of parking
26 facilities, including lots, garages, parking terminals, or other
27 structures or accommodations for parking motor vehicles off the

1 streets and related appurtenances.

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

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

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

11 Sec. 3962.0308. ADDING OR EXCLUDING LAND. The district may
12 add or exclude land in the manner provided by Subchapter J, Chapter
13 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

14 Sec. 3962.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The
15 board by resolution shall establish the number of directors'
16 signatures and the procedure required for a disbursement or
17 transfer of district money.

18 Sec. 3962.0310. RESIDENTIAL PROPERTY NOT EXEMPT. Section
19 375.161, Local Government Code, does not apply to the district.

20 Sec. 3962.0311. NO EMINENT DOMAIN POWER. The district may
21 not exercise the power of eminent domain.

22 SUBCHAPTER D. ASSESSMENTS

23 Sec. 3962.0401. PETITION REQUIRED FOR FINANCING SERVICES
24 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
25 service or improvement project with assessments under this chapter
26 unless a written petition requesting that service or improvement
27 has been filed with the board.

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

5 Sec. 3962.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
6 The board by resolution may impose and collect an assessment for any
7 purpose authorized by this chapter in all or any part of the
8 district.

9 (b) An assessment, a reassessment, or an assessment
10 resulting from an addition to or correction of the assessment roll
11 by the district, penalties and interest on an assessment or
12 reassessment, an expense of collection, and reasonable attorney's
13 fees incurred by the district:

14 (1) are a first and prior lien against the property
15 assessed;

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

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

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

26 (d) The board may make a correction to or deletion from the
27 assessment roll that does not increase the amount of assessment of

1 any parcel of land without providing notice and holding a hearing in
2 the manner required for additional assessments.

3 SUBCHAPTER E. TAXES AND BONDS

4 Sec. 3962.0501. TAX ELECTION REQUIRED. The district must
5 hold an election in the manner provided by Chapter 49, Water Code,
6 or, if applicable, Chapter 375, Local Government Code, to obtain
7 voter approval before the district may impose an ad valorem tax.

8 Sec. 3962.0502. OPERATION AND MAINTENANCE TAX. (a) If
9 authorized by a majority of the district voters voting at an
10 election under Section 3962.0501, the district may impose an
11 operation and maintenance tax on taxable property in the district
12 in the manner provided by Section 49.107, Water Code, for any
13 district purpose, including to:

- 14 (1) maintain and operate the district;
15 (2) construct or acquire improvements; or
16 (3) provide a service.

17 (b) The board shall determine the operation and maintenance
18 tax rate. The rate may not exceed the rate approved at the
19 election.

20 Sec. 3962.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE
21 BONDS. (a) The district may borrow money on terms determined by
22 the board.

23 (b) The district may issue bonds, notes, or other
24 obligations payable wholly or partly from ad valorem taxes,
25 assessments, impact fees, revenue, contract payments, grants, or
26 other district money, or any combination of those sources of money,
27 to pay for any authorized district purpose.

1 Sec. 3962.0504. BONDS SECURED BY REVENUE OR CONTRACT
2 PAYMENTS. The district may issue, without an election, bonds
3 secured by:

4 (1) revenue other than ad valorem taxes, including
5 contract revenues; or

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

8 Sec. 3962.0505. BONDS SECURED BY AD VALOREM TAXES;
9 ELECTIONS. (a) If authorized at an election under Section
10 3962.0501, the district may issue bonds payable from ad valorem
11 taxes.

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

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

20 (d) All or any part of any facilities or improvements that
21 may be acquired by a district by the issuance of its bonds may be
22 submitted as a single proposition or as several propositions to be
23 voted on at the election.

24 Sec. 3962.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The
25 board may not issue bonds until the city has consented by ordinance
26 or resolution to the creation of the district and to the inclusion
27 of land in the district.

1 (b) This section applies only to the district's first
2 issuance of bonds payable from ad valorem taxes.

3 SUBCHAPTER F. DEFINED AREAS

4 Sec. 3962.0601. AUTHORITY TO ESTABLISH DEFINED AREAS OR
5 DESIGNATED PROPERTY. The district may define areas or designate
6 certain property of the district to pay for improvements,
7 facilities, or services that primarily benefit that area or
8 property and do not generally and directly benefit the district as a
9 whole.

10 Sec. 3962.0602. PROCEDURE FOR ELECTION. (a) Before the
11 district may impose an ad valorem tax applicable only to the defined
12 area or designated property or issue bonds payable from ad valorem
13 taxes of the defined area or designated property, the board shall
14 hold an election in the defined area or designated property only.

15 (b) The board may submit the proposition to the voters on
16 the same ballot to be used in another election.

17 Sec. 3962.0603. DECLARING RESULT AND ISSUING ORDER. (a) If
18 a majority of the voters voting at an election held under Section
19 3962.0602 approve the proposition or propositions, the board shall
20 declare the results and, by order, shall establish the defined area
21 or designated property and describe it by metes and bounds or
22 designate the specific area or property.

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

26 Sec. 3962.0604. TAXES FOR SERVICES, IMPROVEMENTS, AND
27 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter

1 approval and adoption of an order described by Section 3962.0603,
2 the district may apply separately, differently, equitably, and
3 specifically its taxing power and lien authority to the defined
4 area or designated property to provide money to construct,
5 administer, maintain, and operate services, improvements, and
6 facilities that primarily benefit the defined area or designated
7 property.

8 Sec. 3962.0605. ISSUANCE OF BONDS FOR DEFINED AREA OR
9 DESIGNATED PROPERTY. After an order under Section 3962.0603 is
10 adopted, the district may issue bonds to provide for any land,
11 improvements, facilities, plants, equipment, and appliances for
12 the defined area or designated property.

13 SUBCHAPTER I. DISSOLUTION

14 Sec. 3962.0901. DISSOLUTION. (a) The board shall dissolve
15 the district on written petition filed with the board by the owners
16 of:

17 (1) 66 percent or more of the assessed value of the
18 property subject to assessment by the district based on the most
19 recent certified county property tax rolls; or

20 (2) 66 percent or more of the surface area of the
21 district, excluding roads, streets, highways, utility
22 rights-of-way, other public areas, and other property exempt from
23 assessment by the district according to the most recent certified
24 county property tax rolls.

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

27 (c) The district may not be dissolved by its board under

1 Subsection (a) or (b) if the district:

2 (1) has any outstanding bonded indebtedness until that
3 bonded indebtedness has been repaid or defeased in accordance with
4 the order or resolution authorizing the issuance of the bonds;

5 (2) has a contractual obligation to pay money until
6 that obligation has been fully paid in accordance with the
7 contract; or

8 (3) owns, operates, or maintains public works,
9 facilities, or improvements unless the district contracts with
10 another person for the ownership, operation, or maintenance of the
11 public works, facilities, or improvements.

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

14 SECTION 2. The West Pecos Management District initially
15 includes all territory contained in the following area:

16 Tract 1 - 620.00 Acres

17 FIELD NOTE DESCRIPTION OF 640.000 ACRES, MORE OR LESS, SAVE
18 AND EXCEPT 20.000 ACRES, IN THE H. & G. N. RR. CO. SURVEY, BLOCK 5,
19 SECTION 19, ABSTRACT 430, REEVES COUNTY, TEXAS IN A DEED TO EVANS I
20 LTD RECORDED IN VOLUME 538, PAGE 682, DRRCT (DEED RECORDS OF REEVES
21 COUNTY, TEXAS) AND BEING MORE PARTICULARLY DESCRIBED BY METES AND
22 BOUNDS AS FOLLOWS:

23 BEGINNING at a railroad spike found at the northwest corner
24 of said Section 19, in the south right-of-way line of Farm to Market
25 Road 204, also being the northeast corner of H. & G. N. RR. Co.
26 Survey, Block 5, Section 20, Abstract 3540, for the northwest
27 corner of this description;

1 THENCE leaving said Section 20, along the north line of said
2 Section 19, for the south line of said Farm to Market Road
3 right-of-way, S 77°11'26" E a distance of 5286.37 feet to a 2"
4 aluminum cap found at the northeast corner of said Section 19 and
5 the northwest corner of that tract called 162.70 acres in a deed to
6 Evans I Ltd, recorded in Volume 534, Page 130, DRRCT, also being the
7 northwest corner for H. & G. N. RR. Co. Survey, Block 5, Section 22,
8 Abstract 4987, for the northeast corner of this description;

9 THENCE along the east line of said Section 19, for the west
10 line of said Section 22, S 12°53'43" W a distance of 2776.45 feet
11 passing a 1/2" iron rod found at the southwest corner of said 162.70
12 acre tract, for a total of 5283.92 feet to a 2" iron pipe found at
13 the southeast corner of said Section 19, for the southwest corner of
14 said Section 22, also being the northeast corner of H. & G. N. RR.
15 Co. Survey, Block 5, Section 38, Abstract 1389, for the southeast
16 corner of this description;

17 THENCE along the south line of said Section 19, for the north
18 line of said Section 38, N 76°59'27" W a distance of 5282.11 feet to
19 a 1/2" iron rod set at the southwest corner of said Section 19, for
20 the northwest corner of said Section 38, Abstract 1124, also being
21 the southeast corner of said Section 20, for the southwest corner of
22 this description;

23 THENCE along the west line of said Section 19, for the east
24 line of said Section 20, N 12°50'56" E a distance of 5265.50 feet to
25 the POINT OF BEGINNING. There are 640.000 acres, more or less,
26 described in these field notes.

27 SAVE AND EXCEPT 20 ACRES:

1 BEGINNING at a 1 1/2" iron rod set in the south right-of-way
2 line of Farm to Market Road 204, in the north line of Section 19 from
3 which a 2" aluminum cap found at the northeast corner of said
4 Section 19 and the northwest corner of that tract called 162.70
5 acres in a deed to Evans I Ltd, recorded in Volume 534, Page 130,
6 DRRCT bears: S 77°11'26" E a distance of 40.00, for the northeast
7 corner of this description;

8 THENCE leaving Farm to Market Road right-of-way, with and 40
9 feet from the east line of Section 19, severing said 640 acre tract,
10 S 12°53'43" W a distance of 933.38 feet to a 1/2" iron rod set, for
11 the southeast corner of this description;

12 THENCE continuing across said Section 19, N 77°11'26" W a
13 distance of 933.38 feet to a 1/2" iron rod set, for the southwest
14 corner of this description;

15 THENCE N 12°53'43" E a distance of 933.38 feet to a 1/2" iron
16 rod set in the north line of said Section 19 and the south line of
17 said Farm to Market Road right-of-way, from which a railroad spike
18 found at the northwest corner of said Section 19 and the northeast
19 corner of H. & G. N. RR. Co. Survey, Block 5, Section 20, Abstract
20 3540, bears N 77°11'26" W a distance of 4312.99 feet;

21 THENCE along the north line of said Section 19, for the south
22 line of said right-of-way, S 77°11'26" E a distance of 933.38 feet
23 to the POINT OF BEGINNING. There are 20.000 acres, more or less,
24 described in these field notes.

25 Tract 2 - 513.56 Acres

26 BEING ALL THAT CERTAIN TRACT OR PARCEL OF LAND CONTAINING
27 513.67 ACRES OF LAND CONVEYED IN A WARRANTY DEED TO HIGHWAY 20

1 PROPERTIES, LLC, A TEXAS LIMITED LIABILITY COMPANY AND AS DESCRIBED
2 AND RECORDED IN VOLUME 785, PAGE 618 IN THE OFFICIAL PUBLIC RECORDS
3 OF REEVES COUNTY, TEXAS (OPRRCT) SAID TRACT LOCATED IN SECTION 76,
4 BLOCK 04, W.M. HIGGINS SURVEY, ABSTRACT NO. 3661 & SECTION 18, BLOCK
5 05, G.S. JOHNSON SURVEY, ABSTRACT NO. 1332 & SECTION 17, BLOCK 05,
6 H. & G.N. RR. CO. SURVEY, ABSTRACT NO. 429 ALL IN REEVES COUNTY,
7 TEXAS SAID 513.67 ACRE TRACT DESCRIBED MORE FULLY BY METES AND
8 BOUNDS AS FOLLOWS:

9 BEGINNING AT A 1/2" IRON ROD, CAPPED AND MARKED "TRANSGLOBAL
10 SERVICES", SET ON THE COMMON LINE OF SAID SECTION 18 AND SECTION 17
11 FOR A CORNER OF SAID 528.29 ACRE TRACT, FROM WHICH A 1/2" IRON ROD,
12 CAPPED AND MARKED "RPLS 2158" FOUND AT THE SOUTHEAST CORNER OF SAID
13 SECTION 18 AND THE SOUTHWEST CORNER OF SAID SECTION 17 BEARS S
14 32°39'40" E A DISTANCE OF 1319.48 FEET;

15 THENCE: N 77°11'40" W A DISTANCE OF 4662.73 FEET TO A 1/2" IRON
16 ROD, CAPPED AND MARKED "TRANSGLOBAL SERVICES" SET FOR A CORNER OF
17 SAID 528.29 ACRE TRACT;

18 THENCE: N 13°37'23" E A DISTANCE OF 741.23 FEET TO A 1/2" IRON
19 ROD, CAPPED AND MARKED "TRANSGLOBAL SERVICES" SET FOR A CORNER OF
20 SAID 528.29 ACRE TRACT;

21 THENCE: N 77°16'57" W A DISTANCE OF 679.21 FEET TO A 1/2" IRON
22 ROD, CAPPED AND MARKED "TRANSGLOBAL SERVICES" SET FOR A CORNER OF
23 SAID 528.29 ACRE TRACT;

24 THENCE: N 32°00'17" W A DISTANCE OF 1767.74 FEET TO A 1/2" IRON
25 ROD, CAPPED AND MARKED "TRANSGLOBAL SERVICES" SET FOR A CORNER OF
26 SAID 528.29 ACRE TRACT;

27 THENCE: N 69°42'16" E A DISTANCE OF 510.63 FEET TO A 1/2" IRON

1 ROD, CAPPED AND MARKED "TRUJILLO RPLS 5358" FOUND FOR A CORNER OF
2 SAID 528.29 ACRE TRACT;

3 THENCE: S 32°00'17" E A DISTANCE OF 1645.55 FEET TO A 1/2" IRON
4 ROD, CAPPED AND MARKED "TRUJILLO RPLS 5358" FOUND FOR A CORNER OF
5 SAID 528.29 ACRE TRACT;

6 THENCE: N 57°59'42" E A DISTANCE OF 3303.39 FEET TO A 1/2" IRON
7 ROD, CAPPED AND MARKED "TRUJILLO RPLS 5358" FOUND FOR A CORNER OF
8 SAID 528.29 ACRE TRACT;

9 THENCE: S 72°40'13" E A DISTANCE OF 2282.07 FEET TO A 1/2" IRON
10 ROD, CAPPED AND MARKED "TRANSGLOBAL SERVICES" SET FOR A CORNER OF
11 SAID 528.29 ACRE TRACT;

12 THENCE: S 12°52'49" W A DISTANCE OF 1537.42 FEET TO A 1/2" IRON
13 ROD, CAPPED AND MARKED "TRUJILLO RPLS 5358" FOUND FOR A CORNER OF
14 SAID 528.29 ACRE TRACT;

15 THENCE: S 77°07'10" E A DISTANCE OF 1320.00 FEET TO A RAILROAD
16 SPIKE FOUND FOR A CORNER OF SAID 528.29 ACRE TRACT;

17 THENCE: N 12°31'50" E A DISTANCE OF 879.27 FEET TO A 1/2" IRON
18 ROD, CAPPED AND MARKED "TRUJILLO RPLS 5358" FOUND FOR A CORNER OF
19 SAID 528.29 ACRE TRACT;

20 THENCE: S 77°20'53" E A DISTANCE OF 4733.55 FEET TO A 1/2" IRON
21 ROD, CAPPED AND MARKED "TRUJILLO RPLS 5358" FOUND FOR A CORNER OF
22 SAID 528.29 ACRE TRACT;

23 THENCE: S 12°35'02" W A DISTANCE OF 968.08 FEET TO A 1/2" IRON
24 PIN FOUND FOR A CORNER OF SAID 528.29 ACRE TRACT;

25 THENCE: N 78°06'01" W A DISTANCE OF 1169.78 FEET TO A 1/2" IRON
26 PIN FOUND FOR A CORNER OF SAID 528.29 ACRE TRACT;

27 THENCE: S 12°37'49" W A DISTANCE OF 775.60 FEET TO A 1/2" IRON

1 PIN FOUND FOR A CORNER OF SAID 528.29 ACRE TRACT;

2 THENCE: N 77°20'53" W A DISTANCE OF 3571.02 FEET TO A 1/2" IRON
3 ROD, CAPPED AND MARKED "TRUJILLO RPLS 5358" FOUND FOR A CORNER OF
4 SAID 528.29 ACRE TRACT;

5 THENCE: N 12°50'17" E A DISTANCE OF 101.51 FEET TO A POINT;

6 THENCE: N 76°48'14" W A DISTANCE OF 944.25 FEET TO A POINT;

7 THENCE: S 12°38'52" W A DISTANCE OF 942.79 FEET TO THE PLACE OF
8 BEGINNING OF THE HEREIN DESCRIBED TRACT, IN ALL CONTAINING 513.67
9 ACRES MORE OR LESS.

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

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

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

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

1 SECTION 4. This Act takes effect immediately if it receives
2 a vote of two-thirds of all the members elected to each house, as
3 provided by Section 39, Article III, Texas Constitution. If this
4 Act does not receive the vote necessary for immediate effect, this
5 Act takes effect September 1, 2019.