

1-1 By: Smith (Senate Sponsor - Fallon) H.B. No. 4704
 1-2 (In the Senate - Received from the House May 6, 2019;
 1-3 May 6, 2019, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 20, 2019, reported favorably by
 1-5 the following vote: Yeas 7, Nays 0; May 20, 2019, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			

1-16 A BILL TO BE ENTITLED
 1-17 AN ACT

1-18 relating to the creation of the Double M Municipal Utility District
 1-19 of Grayson County; granting a limited power of eminent domain;
 1-20 providing authority to issue bonds; providing authority to impose
 1-21 assessments, fees, and taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-24 Code, is amended by adding Chapter 8314 to read as follows:

1-25 CHAPTER 8314. DOUBLE M MUNICIPAL UTILITY DISTRICT OF GRAYSON
 1-26 COUNTY

1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 8314.0101. DEFINITIONS. In this chapter:

1-29 (1) "Board" means the district's board of directors.

1-30 (2) "City" means the City of Gunter, Texas.

1-31 (3) "Commission" means the Texas Commission on
 1-32 Environmental Quality.

1-33 (4) "Director" means a board member.

1-34 (5) "District" means the Double M Municipal Utility
 1-35 District of Grayson County.

1-36 Sec. 8314.0102. NATURE OF DISTRICT. The district is a
 1-37 municipal utility district created under Section 59, Article XVI,
 1-38 Texas Constitution.

1-39 Sec. 8314.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-40 REQUIRED. The temporary directors shall hold an election to
 1-41 confirm the creation of the district and to elect five permanent
 1-42 directors as provided by Section 49.102, Water Code.

1-43 Sec. 8314.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-44 temporary directors may not hold an election under Section
 1-45 8314.0103 until each municipality in whose corporate limits or
 1-46 extraterritorial jurisdiction the district is located has:

1-47 (1) consented by ordinance or resolution to the
 1-48 creation of the district and to the inclusion of land in the
 1-49 district; and

1-50 (2) approved and entered into a development agreement
 1-51 with the owners of land within the district under Section 212.172,
 1-52 Local Government Code.

1-53 Sec. 8314.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-54 (a) The district is created to serve a public purpose and benefit.

1-55 (b) The district is created to accomplish the purposes of:

1-56 (1) a municipal utility district as provided by
 1-57 general law and Section 59, Article XVI, Texas Constitution; and

1-58 (2) Section 52, Article III, Texas Constitution, that
 1-59 relate to the construction, acquisition, improvement, operation,
 1-60 or maintenance of macadamized, graveled, or paved roads, or
 1-61 improvements, including storm drainage, in aid of those roads.

2-1 Sec. 8314.0106. INITIAL DISTRICT TERRITORY. (a) The
 2-2 district is initially composed of the territory described by
 2-3 Section 2 of the Act enacting this chapter.

2-4 (b) The boundaries and field notes contained in Section 2 of
 2-5 the Act enacting this chapter form a closure. A mistake made in the
 2-6 field notes or in copying the field notes in the legislative process
 2-7 does not affect the district's:

2-8 (1) organization, existence, or validity;

2-9 (2) right to issue any type of bond for the purposes
 2-10 for which the district is created or to pay the principal of and
 2-11 interest on a bond;

2-12 (3) right to impose a tax; or

2-13 (4) legality or operation.

2-14 Sec. 8314.0107. ANNEXATION BY CITY. Notwithstanding any
 2-15 other law, if any of the territory of the district is annexed by the
 2-16 city into the city's corporate limits, the district:

2-17 (1) retains all of the district's outstanding debt and
 2-18 obligations; and

2-19 (2) is not dissolved.

2-20 SUBCHAPTER B. BOARD OF DIRECTORS

2-21 Sec. 8314.0201. GOVERNING BODY; TERMS. (a) The district is
 2-22 governed by a board of five elected directors.

2-23 (b) Except as provided by Section 8314.0202, directors
 2-24 serve staggered four-year terms.

2-25 Sec. 8314.0202. TEMPORARY DIRECTORS. (a) On or after
 2-26 September 1, 2019, the owner or owners of a majority of the assessed
 2-27 value of the real property in the district may submit a petition to
 2-28 the commission requesting that the commission appoint as temporary
 2-29 directors the five persons named in the petition. The commission
 2-30 shall appoint as temporary directors the five persons named in the
 2-31 petition.

2-32 (b) Temporary directors serve until the earlier of:

2-33 (1) the date permanent directors are elected under
 2-34 Section 8314.0103; or

2-35 (2) September 1, 2023.

2-36 (c) If permanent directors have not been elected under
 2-37 Section 8314.0103 and the terms of the temporary directors have
 2-38 expired, successor temporary directors shall be appointed or
 2-39 reappointed as provided by Subsection (d) to serve terms that
 2-40 expire on the earlier of:

2-41 (1) the date permanent directors are elected under
 2-42 Section 8314.0103; or

2-43 (2) the fourth anniversary of the date of the
 2-44 appointment or reappointment.

2-45 (d) If Subsection (c) applies, the owner or owners of a
 2-46 majority of the assessed value of the real property in the district
 2-47 may submit a petition to the commission requesting that the
 2-48 commission appoint as successor temporary directors the five
 2-49 persons named in the petition. The commission shall appoint as
 2-50 successor temporary directors the five persons named in the
 2-51 petition.

2-52 SUBCHAPTER C. POWERS AND DUTIES

2-53 Sec. 8314.0301. GENERAL POWERS AND DUTIES. The district
 2-54 has the powers and duties necessary to accomplish the purposes for
 2-55 which the district is created.

2-56 Sec. 8314.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-57 DUTIES. (a) The district has the powers and duties provided by the
 2-58 general law of this state, including Chapters 49 and 54, Water Code,
 2-59 applicable to municipal utility districts created under Section 59,
 2-60 Article XVI, Texas Constitution.

2-61 (b) Notwithstanding Subsection (a), the district may not
 2-62 act as a retail provider of water or wastewater service.

2-63 (c) The district shall make the district's water and
 2-64 wastewater facilities available to an entity holding the applicable
 2-65 certificate of public convenience and necessity.

2-66 Sec. 8314.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-67 52, Article III, Texas Constitution, the district may design,
 2-68 acquire, construct, finance, issue bonds for, improve, operate,
 2-69 maintain, and convey to this state, a county, or a municipality for

3-1 operation and maintenance macadamized, graveled, or paved roads, or
 3-2 improvements, including storm drainage, in aid of those roads.

3-3 Sec. 8314.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 3-4 road project must meet all applicable construction standards,
 3-5 zoning and subdivision requirements, and regulations of each
 3-6 municipality in whose corporate limits or extraterritorial
 3-7 jurisdiction the road project is located.

3-8 (b) If a road project is not located in the corporate limits
 3-9 or extraterritorial jurisdiction of a municipality, the road
 3-10 project must meet all applicable construction standards,
 3-11 subdivision requirements, and regulations of each county in which
 3-12 the road project is located.

3-13 (c) If the state will maintain and operate the road, the
 3-14 Texas Transportation Commission must approve the plans and
 3-15 specifications of the road project.

3-16 Sec. 8314.0305. COMPLIANCE WITH MUNICIPAL CONSENT
 3-17 ORDINANCE OR RESOLUTION. The district shall comply with all
 3-18 applicable requirements of any ordinance or resolution that is
 3-19 adopted under Section 54.016 or 54.0165, Water Code, and that
 3-20 consents to the creation of the district or to the inclusion of land
 3-21 in the district.

3-22 Sec. 8314.0306. DIVISION OF DISTRICT. (a) The district may
 3-23 be divided into two or more new districts only if the district:

3-24 (1) has no outstanding bonded debt; and

3-25 (2) is not imposing ad valorem taxes.

3-26 (b) This chapter applies to any new district created by the
 3-27 division of the district, and a new district has all the powers and
 3-28 duties of the district.

3-29 (c) Any new district created by the division of the district
 3-30 may not, at the time the new district is created, contain any land
 3-31 outside the area described by Section 2 of the Act enacting this
 3-32 chapter.

3-33 (d) The board, on its own motion or on receipt of a petition
 3-34 signed by the owner or owners of a majority of the assessed value of
 3-35 the real property in the district, may adopt an order dividing the
 3-36 district.

3-37 (e) The board may adopt an order dividing the district
 3-38 before or after the date the board holds an election under Section
 3-39 8314.0103 to confirm the district's creation.

3-40 (f) An order dividing the district shall:

3-41 (1) name each new district;

3-42 (2) include the metes and bounds description of the
 3-43 territory of each new district;

3-44 (3) appoint temporary directors for each new district;
 3-45 and

3-46 (4) provide for the division of assets and liabilities
 3-47 between or among the new districts.

3-48 (g) On or before the 30th day after the date of adoption of
 3-49 an order dividing the district, the district shall file the order
 3-50 with the commission and record the order in the real property
 3-51 records of each county in which the district is located.

3-52 (h) Any new district created by the division of the district
 3-53 shall hold a confirmation and directors' election as required by
 3-54 Section 8314.0103. If the voters of a new district do not confirm
 3-55 the creation of the new district, the assets, obligations,
 3-56 territory, and governance of the new district revert to the
 3-57 original district.

3-58 (i) Municipal consent to the creation of the district and to
 3-59 the inclusion of land in the district granted under Section
 3-60 8314.0104 acts as municipal consent to the creation of any new
 3-61 district created by the division of the district and to the
 3-62 inclusion of land in the new district.

3-63 (j) Any new district created by the division of the district
 3-64 must hold an election as required by this chapter to obtain voter
 3-65 approval before the district may impose a maintenance tax or issue
 3-66 bonds payable wholly or partly from ad valorem taxes.

3-67 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-68 Sec. 8314.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
 3-69 The district may issue, without an election, bonds and other

4-1 obligations secured by:

4-2 (1) revenue other than ad valorem taxes; or

4-3 (2) contract payments described by Section 8314.0403.

4-4 (b) The district must hold an election in the manner
 4-5 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 4-6 before the district may impose an ad valorem tax or issue bonds
 4-7 payable from ad valorem taxes.

4-8 (c) The district may not issue bonds payable from ad valorem
 4-9 taxes to finance a road project unless the issuance is approved by a
 4-10 vote of a two-thirds majority of the district voters voting at an
 4-11 election held for that purpose.

4-12 Sec. 8314.0402. OPERATION AND MAINTENANCE TAX. (a) If
 4-13 authorized at an election held under Section 8314.0401, the
 4-14 district may impose an operation and maintenance tax on taxable
 4-15 property in the district in accordance with Section 49.107, Water
 4-16 Code.

4-17 (b) The board shall determine the tax rate. The rate may not
 4-18 exceed the rate approved at the election.

4-19 Sec. 8314.0403. CONTRACT TAXES. (a) In accordance with
 4-20 Section 49.108, Water Code, the district may impose a tax other than
 4-21 an operation and maintenance tax and use the revenue derived from
 4-22 the tax to make payments under a contract after the provisions of
 4-23 the contract have been approved by a majority of the district voters
 4-24 voting at an election held for that purpose.

4-25 (b) A contract approved by the district voters may contain a
 4-26 provision stating that the contract may be modified or amended by
 4-27 the board without further voter approval.

4-28 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-29 Sec. 8314.0501. AUTHORITY TO ISSUE BONDS AND OTHER
 4-30 OBLIGATIONS. The district may issue bonds or other obligations
 4-31 payable wholly or partly from ad valorem taxes, impact fees,
 4-32 revenue, contract payments, grants, or other district money, or any
 4-33 combination of those sources, to pay for any authorized district
 4-34 purpose.

4-35 Sec. 8314.0502. TAXES FOR BONDS. At the time the district
 4-36 issues bonds payable wholly or partly from ad valorem taxes, the
 4-37 board shall provide for the annual imposition of a continuing
 4-38 direct ad valorem tax, without limit as to rate or amount, while all
 4-39 or part of the bonds are outstanding as required and in the manner
 4-40 provided by Sections 54.601 and 54.602, Water Code.

4-41 Sec. 8314.0503. BONDS FOR ROAD PROJECTS. At the time of
 4-42 issuance, the total principal amount of bonds or other obligations
 4-43 issued or incurred to finance road projects and payable from ad
 4-44 valorem taxes may not exceed one-fourth of the assessed value of the
 4-45 real property in the district.

4-46 SECTION 2. The Double M Municipal Utility District of
 4-47 Grayson County initially includes all the territory contained in
 4-48 the following area:

4-49 TRACT 2 ID 134711 & 271594

4-50 Situated I the County of Grayson, State of Texas, being part
 4-51 of the Robert Mason Survey, Abstract No. 784, and the William
 4-52 Richard Survey, Abstract No. 998, being all of Blocks Twenty three
 4-53 (23), Twenty Four (24), and part of Block Twenty Five (25) of "The
 4-54 Gunter Farms" as shown by plat of record in Volume 203, Page 272,
 4-55 Deed Records, Grayson County, Texas, being all of a tract of land
 4-56 described as being 117.2 acres in Tract No. 18 (Block 23 of The
 4-57 Gunter Farms), all of a tract of land described as being 60 acres in
 4-58 Tract No. 23 9part of Block 24 of the Gunter Farms), part of a
 4-59 146.00 acre tract of land described in Tract No. 34, all of a tract
 4-60 of land described as 77.74 acres in Tract No. 35 (part of Block 25
 4-61 of The Gunter Farms) and all of tract of land described as being
 4-62 66.68 acres in Tract No. 36 (part of Block 24 of The Gunter Farms)
 4-63 in deed from the Nelson Bunker Hunt Trust Estate to Land Owners
 4-64 General Partner, Inc., dated September 30, 1988, recorded in Volume
 4-65 2004, Page 268, Real Property Records, Grayson County, Texas, and
 4-66 being more particularly described by metes and bounds as follows
 4-67 to-wit:

4-68 BEGINNING at a set spike nail and flasher in the center of a
 4-69 North/South public road Scharff Road, and on the West line of said

5-1 Mason Survey, said nail maintaining the northwest corner of both
5-2 said 117.2 acre tract, and Block 23 of The Gunter Farms;

5-3 THENCE North 89 deg. 49 min. 31 sec. East, with the North line
5-4 of said Block 23, passing a fence corner post on the East side of
5-5 said road, and continuing with the general course of a fence, at
5-6 approximately 1000ft, passing the end of said fence and continuing
5-7 for a total distance of 1946.920 feet to a set 1 inch steel rod for
5-8 the Northeast corner of both said 117.2 acre tract and Block 23;

5-9 THENCE South 00 deg. 14 min. 41 sec. East, with the East line
5-10 of Block 23, at a distance, at a distance of 37.0 ft. passing a fence
5-11 corner post, and continuing with the general course of a fence for a
5-12 total distance of 1650.73 feet to an angle point in said fence;

5-13 THENCE South 00 deg. 24 min, 09 sec. West, continuing with the
5-14 East line of Block 23, the general course of said fence, at a
5-15 distance of 944 ft. passing a fence corner post at a turn to the
5-16 Southwest in said fence, and continuing for a total distance of
5-17 1050.85 feet to a set spike nail and flasher in the center of an
5-18 East/West public road known as Stiff Chapel Road, and on the North
5-19 line of both said 66.68 acre tract and Block 24 of the Gunter Farms,
5-20 said nail maintaining the Southeast corner of both said 117.2 acre
5-21 tract and Block 23;

5-22 THENCE North 89 deg. 19 min. 42 sec. East, with the North line
5-23 of said 66.68 acre tract and Block 24 of of the Gunter Farms,
5-24 passing their Northeast corner, the Northwest corner of both said
5-25 77.74 acre tract and Block 25 of the Gunter Farms, and continuing
5-26 for a total distance of 1999.78 feet to a set spike nail and flasher
5-27 for the Northeast corner of both said 77.74 acre tract and Block 25;

5-28 THENCE South 02 deg. 14 min. 09 sec. East, with the general
5-29 course of a fence maintaining the East line of both said 77.74 acre
5-30 tract and Block 5, a distance of 1586.76 feet to a point in a pond;

5-31 Thence South 00 deg. 59 min. 34 sec. West, continuing with the
5-32 general course of said fence, the East line of both said 77.74 acre
5-33 tract and Block 25, a distance of 719.96 feet to a fence corner post
5-34 in concrete maintaining the Southeast corner of said 77.74 acre
5-35 tract, the Northeast corner of a 25 2/3 acre Less & EXPECTED in said
5-36 Tract No.35;

5-37 THENCE South 88 deg. 52 min. 42 sec. West, with the general
5-38 course of a fence maintaining the South line of said 77.74 acre
5-39 tract, passing an all corner of Block 25, and continuing with a
5-40 South line of Block 25, passing its most Westerly Southwest corner,
5-41 the Southeast of both said 66.68 acre tract and Block 24 of Gunter
5-42 Farms, and Continuing for a total distance of 2372.36 feet to an
5-43 angle point in said fence.

5-44 THENCE South 86 deg. 54 min. 19 sec. West, Continuing with the
5-45 general course of said fence, the South line of both said 66.68 acre
5-46 tract and Block 24, passing their Southwest corner of the West line
5-47 of aid Mason Survey, the East line of said Richards Survey, the most
5-48 Easterly Southeast corner of said 145.00 acre tract, and continuing
5-49 for a total distance of 2370.47 feet to a 4 inch dia. Pipe fence
5-50 corner post in concrete on a West line of said 146.00 acre tract;

5-51 THENCE North 02 deg. 35 min. 21 sec. West, with the general
5-52 course of a fence maintaining a West line of said 146.00 acre tract,
5-53 passing a fence corner post on the South side of the above mentioned
5-54 Stiff Chapel Road, and continuing for a total distance of 2354.25
5-55 feet to a set spike nail and flasher in the center of said road, said
5-56 nail maintaining the most Northerly Northwest corner of said 146.00
5-57 acre tract;

5-58 THENCE North 86 deg. 27 min. 26 sec. East, with the center of
5-59 said road, the North line of said 146.00 acre tract, a distance of
5-60 971.12 feet to a set spike nail and flasher at the intersection of
5-61 the center of said road with the center of the above mentioned
5-62 Scharff Road on the East line of said Richards Survey, the West line
5-63 of the said Mason Survey, said nail maintaining the Northwest
5-64 corner of Block 24, the Southwest corner of Block 23 of the Gunter
5-65 Farms;

5-66 THENCE North 01 deg. 30 min. 00 sec. West, with the enter of
5-67 said Scharff Road, the West line of said Mason Survey, the West line
5-68 of said Block 23, a distance of 2742.74 feet to the place beginning
5-69 and containing 374.17 acre of land, more or less.

6-1 TRACT 3 ID 134810

6-2 All that certain tract or parcel of land situated in the
6-3 William Richards Survey, Abstract Number 998, County of Grayson,
6-4 State of Texas; said tract being all of a called 160 acre tract as
6-5 described in Tract 21, and all of a called acre tract as described
6-6 in Tract 22 in Substitute Trustee's Deed to John Hancock Mutual Life
6-7 Insurance Co., dated 07 July 192, and Recorded I Volume 2220 Page
6-8 297 of the Deed Records of the County of Grayson, State of Texas,
6-9 and being more fully described as follows:

6-10 BEGINNING for the southwest corner of the tract being
6-11 described herein at a found 1/2 inch steel square tubing, said
6-12 tubing being the southwest corner of said Tract 22, the southeast
6-13 corner of tract 15, and the northeast corner of a called 76.73 acre
6-14 tract as shown by Deed to Erwin Jaresh, dated 06 November 1963, and
6-15 Recorded in Volume 992 Page 516 of said Deed Records, said tubing
6-16 also being in the center⁴ line of Stiff Chapel Road (a gravel
6-17 surfaced public road, and the center line of Jaresh Road (a gravel
6-18 surfaced public road):

6-19 THENCE North 01 degrees 04 minute 00 seconds West, with the
6-20 west line of said Tract 22, and with the east line of said tract 15,
6-21 a distance of 2663.33 feet to a found 1/2 inch Rebar for northwest
6-22 corner of said Tract 22, the northeast corner of tract 15, and the
6-23 southwest corner of tract 20 of said John Hancock Deed;

6-24 THENCE North 88 degrees 48 minutes 47 seconds East, with the
6-25 North line of said Tract 21 and 22, and the south line of said tract
6-26 20, a distance of 3725.83 feet to as set 1/2 inch square tubing for
6-27 the northeast corner of said Tract 21, and the southeast corner of
6-28 said tract 29, and Scharff Road.

6-29 THENCE South 01 degrees 16 minutes 42 seconds East, with the
6-30 east line of said Tract 21, and in said Scharff Road, a distance of
6-31 2643.27 feet to a found 1/2 inch steel square tubing for the
6-32 southeast corner of said Tract 21;

6-33 THENCE South 87 degrees 39 minutes 40 seconds West, with the
6-34 South line said Tract 21, and in said Stiff Chapel Road, a distance
6-35 of 970.94 feet to a found 1/2 inch steel square tubing for a corner;

6-36 THENCE South 87 degrees 58 minutes 20 seconds West, with the
6-37 South line of said Tract 21 and 22, a distance of 2135.72 feet to a
6-38 found Spike Nail for a corner.

6-39 THENCE South 89 degrees 47 minutes 50 seconds West, with the
6-40 south line of said Tract 22, and in said road a distance of 629.46
6-41 feet to the POINT OF BEGINNING and containing 227.268 acres of land

6-42 TRACT 5 ID 134710

6-43 All that certain tract or parcel of land situated in the
6-44 Robert Mason Survey, Abstract Number 784, County of Grayson, State
6-45 of Texas; said tract being all of a called 153.7 acre tract as
6-46 described in Tract 24, and all of a called 25.66 acre tract as
6-47 described in Tract 25 in the Substitute Trustee's Deed to John
6-48 Hancock Mutual Life Insurance Co., dated 07 July 1992, and Recorded
6-49 in Volume 2220 Page 297 of the Deed Records of County of Grayson,
6-50 State of Texas, and being more fully described as follows:

6-51 BEGINNING for the southwest corner of the tract being
6-52 described herein at a found 1/2 inch rebar by a wood fence corner
6-53 post, said rebar being the southwest corner o said Tract 25, and the
6-54 northwest corner of a called 112.268 acre tract as shown by Deed to
6-55 The Calla Lillie Dickie Family Trust, dated September 1990, and
6-56 Recorded in Volume 2116 Page 696 of said Deed Records;

6-57 THENCE North 02 degrees 33 minutes 15 seconds West, with the
6-58 west line of said Tract 25, a distance of 960.89 feet to a Cross-Tie
6-59 fence corner post on the south line of a Tract 35 of said John
6-60 Hancock Deed;

6-61 THENCE North 89 degrees 55 minutes 32 seconds East, with the
6-62 north line of said Tract 25, and with the south line of said Tract
6-63 35, a distance of 1185.26 feet to a set 1/2 inch rebar for the
6-64 northeast corner of said Tract 25, and the southeast corner of said
6-65 Tract 35, and on the west line of said Tract 24;

6-66 THENCE North 02 degrees 14 minutes 17 seconds East, with the
6-67 west line of said Tract 24, and the east line of said Tract 35, a
6-68 distance of 279.28 feet to a wood fence corner post for a corner;

6-69 THENCE North 00 degrees 16 minutes 13 seconds East, with the

7-1 west line of said Tract 24, and the east line of said Tract 35, a
7-2 distance of 428.41 feet to a metal T-Post fence corner post for a
7-3 corner.

7-4 THENCE North 00 degrees 31 minutes 40 seconds West, with the
7-5 west line of said Tract 24, and the east line of said Tract 35, a
7-6 distance of 1598.67 feet to a found Spike Nail for the northwest
7-7 corner of said Tract 24, and the northeast corner of said Tract 35,
7-8 said Spike Nail being in the center line of Stiff Chapel Road 9an
7-9 asphalt surfaced public road);

7-10 THENCE South 89 degrees 30 minutes 51 seconds East with the
7-11 north line of said Tract 24, and with said road, a distance of
7-12 2041.00 feet to a found 1/2 inch rebar for the northeast corner of
7-13 said Tract 24;

7-14 THENCE South 00 degrees 16 minutes 08 seconds East, with the
7-15 east line of said Tract 24, and with Old Skaggs Road (a gavel
7-16 surfaced public road, a distance of 3261.34 feet to a found 1/2
7-17 inch rebar for the southeast corner of said Tract 24, and the
7-18 northeast corner of said Dickie Family Trust Tract:

7-19 THENCE North 89 degrees 48 minutes 05 seconds West, with the
7-20 south line of said Tracts 24 and 25, and with the North line of said
7-21 Dickie Family Trust tract, a distance of 3196.90 feet to the POINT
7-22 OF BEGINNING and containing 178.842 acres of land.

7-23 SECTION 3. (a) The legal notice of the intention to
7-24 introduce this Act, setting forth the general substance of this
7-25 Act, has been published as provided by law, and the notice and a
7-26 copy of this Act have been furnished to all persons, agencies,
7-27 officials, or entities to which they are required to be furnished
7-28 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-29 Government Code.

7-30 (b) The governor, one of the required recipients, has
7-31 submitted the notice and Act to the Texas Commission on
7-32 Environmental Quality.

7-33 (c) The Texas Commission on Environmental Quality has filed
7-34 its recommendations relating to this Act with the governor, the
7-35 lieutenant governor, and the speaker of the house of
7-36 representatives within the required time.

7-37 (d) All requirements of the constitution and laws of this
7-38 state and the rules and procedures of the legislature with respect
7-39 to the notice, introduction, and passage of this Act are fulfilled
7-40 and accomplished.

7-41 SECTION 4. (a) If this Act does not receive a two-thirds
7-42 vote of all the members elected to each house, Subchapter C, Chapter
7-43 8314, Special District Local Laws Code, as added by Section 1 of
7-44 this Act, is amended by adding Section 8314.0307 to read as follows:

7-45 Sec. 8314.0307. NO EMINENT DOMAIN POWER. The district may
7-46 not exercise the power of eminent domain.

7-47 (b) This section is not intended to be an expression of a
7-48 legislative interpretation of the requirements of Section 17(c),
7-49 Article I, Texas Constitution.

7-50 SECTION 5. This Act takes effect September 1, 2019.

7-51 * * * * *