

1-1 By: Oliverson (Senate Sponsor - Bettencourt) H.B. No. 4734  
1-2 (In the Senate - Received from the House May 13, 2019;  
1-3 May 14, 2019, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 17, 2019, reported favorably by  
1-5 the following vote: Yeas 7, Nays 0; May 17, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	Lucio	X		
1-9	Schwertner	X		
1-10	Alvarado	X		
1-11	Campbell	X		
1-12	Fallon	X		
1-13	Menéndez	X		
1-14	Nichols	X		

1-15 A BILL TO BE ENTITLED  
1-16 AN ACT

1-17 relating to the creation of the Green Tree Park Municipal Utility  
1-18 District; granting a limited power of eminent domain; providing  
1-19 authority to issue bonds; providing authority to impose  
1-20 assessments, fees, and taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-23 Code, is amended by adding Chapter 7889 to read as follows:

1-24 CHAPTER 7889. GREEN TREE PARK MUNICIPAL UTILITY DISTRICT

1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 7889.0101. DEFINITIONS. In this chapter:

1-27 (1) "Board" means the district's board of directors.

1-28 (2) "Commission" means the Texas Commission on  
1-29 Environmental Quality.

1-30 (3) "Director" means a board member.

1-31 (4) "District" means the Green Tree Park Municipal  
1-32 Utility District.

1-33 Sec. 7889.0102. NATURE OF DISTRICT. The district is a  
1-34 municipal utility district created under Section 59, Article XVI,  
1-35 Texas Constitution.

1-36 Sec. 7889.0103. CONFIRMATION AND DIRECTORS' ELECTION  
1-37 REQUIRED. The temporary directors shall hold an election to  
1-38 confirm the creation of the district and to elect five permanent  
1-39 directors as provided by Section 49.102, Water Code.

1-40 Sec. 7889.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
1-41 temporary directors may not hold an election under Section  
1-42 7889.0103 until each municipality in whose corporate limits or  
1-43 extraterritorial jurisdiction the district is located has  
1-44 consented by ordinance or resolution to the creation of the  
1-45 district and to the inclusion of land in the district.

1-46 Sec. 7889.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-47 (a) The district is created to serve a public purpose and benefit.

1-48 (b) The district is created to accomplish the purposes of:

1-49 (1) a municipal utility district as provided by  
1-50 general law and Section 59, Article XVI, Texas Constitution; and

1-51 (2) Section 52, Article III, Texas Constitution, that  
1-52 relate to the construction, acquisition, improvement, operation,  
1-53 or maintenance of macadamized, graveled, or paved roads, or  
1-54 improvements, including storm drainage, in aid of those roads.

1-55 Sec. 7889.0106. INITIAL DISTRICT TERRITORY. (a) The  
1-56 district is initially composed of the territory described by  
1-57 Section 2 of the Act enacting this chapter.

1-58 (b) The boundaries and field notes contained in Section 2 of  
1-59 the Act enacting this chapter form a closure. A mistake made in the  
1-60 field notes or in copying the field notes in the legislative process  
1-61 does not affect the district's:

- 2-1 (1) organization, existence, or validity;
- 2-2 (2) right to issue any type of bond for the purposes
- 2-3 for which the district is created or to pay the principal of and
- 2-4 interest on a bond;
- 2-5 (3) right to impose a tax; or
- 2-6 (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

2-8 Sec. 7889.0201. GOVERNING BODY; TERMS. (a) The district is

2-9 governed by a board of five elected directors.

2-10 (b) Except as provided by Section 7889.0202, directors

2-11 serve staggered four-year terms.

2-12 Sec. 7889.0202. TEMPORARY DIRECTORS. (a) On or after the

2-13 effective date of the Act enacting this chapter, the owner or owners

2-14 of a majority of the assessed value of the real property in the

2-15 district may submit a petition to the commission requesting that

2-16 the commission appoint as temporary directors the five persons

2-17 named in the petition. The commission shall appoint as temporary

2-18 directors the five persons named in the petition.

2-19 (b) Temporary directors serve until the earlier of:

2-20 (1) the date permanent directors are elected under

2-21 Section 7889.0103; or

2-22 (2) the fourth anniversary of the effective date of

2-23 the Act enacting this chapter.

2-24 (c) If permanent directors have not been elected under

2-25 Section 7889.0103 and the terms of the temporary directors have

2-26 expired, successor temporary directors shall be appointed or

2-27 reappointed as provided by Subsection (d) to serve terms that

2-28 expire on the earlier of:

2-29 (1) the date permanent directors are elected under

2-30 Section 7889.0103; or

2-31 (2) the fourth anniversary of the date of the

2-32 appointment or reappointment.

2-33 (d) If Subsection (c) applies, the owner or owners of a

2-34 majority of the assessed value of the real property in the district

2-35 may submit a petition to the commission requesting that the

2-36 commission appoint as successor temporary directors the five

2-37 persons named in the petition. The commission shall appoint as

2-38 successor temporary directors the five persons named in the

2-39 petition.

SUBCHAPTER C. POWERS AND DUTIES

2-41 Sec. 7889.0301. GENERAL POWERS AND DUTIES. The district

2-42 has the powers and duties necessary to accomplish the purposes for

2-43 which the district is created.

2-44 Sec. 7889.0302. MUNICIPAL UTILITY DISTRICT POWERS AND

2-45 DUTIES. The district has the powers and duties provided by the

2-46 general law of this state, including Chapters 49 and 54, Water Code,

2-47 applicable to municipal utility districts created under Section 59,

2-48 Article XVI, Texas Constitution.

2-49 Sec. 7889.0303. AUTHORITY FOR ROAD PROJECTS. (a) Under

2-50 Section 52, Article III, Texas Constitution, the district may

2-51 design, acquire, construct, finance, issue bonds for, improve, and

2-52 convey to this state, a county, or a municipality for operation and

2-53 maintenance macadamized, graveled, or paved roads described by

2-54 Section 54.234, Water Code, or improvements, including storm

2-55 drainage, in aid of those roads.

2-56 (b) The district may exercise the powers provided by this

2-57 section without submitting a petition to or obtaining approval from

2-58 the commission as required by Section 54.234, Water Code.

2-59 Sec. 7889.0304. APPROVAL OF ROAD PROJECT. (a) The district

2-60 may not undertake a road project authorized by Section 7889.0303

2-61 unless:

2-62 (1) each municipality or county that will operate and

2-63 maintain the road has approved the plans and specifications of the

2-64 road project, if a municipality or county will operate and maintain

2-65 the road; or

2-66 (2) the Texas Transportation Commission has approved

2-67 the plans and specifications of the road project, if the state will

2-68 operate and maintain the road.

2-69 (b) Except as provided by Subsection (a), the district is

3-1 not required to obtain approval from the Texas Transportation  
3-2 Commission to design, acquire, construct, finance, issue bonds for,  
3-3 improve, or convey a road project.

3-4 Sec. 7889.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
3-5 ORDINANCE OR RESOLUTION. The district shall comply with all  
3-6 applicable requirements of any ordinance or resolution that is  
3-7 adopted under Section 54.016 or 54.0165, Water Code, and that  
3-8 consents to the creation of the district or to the inclusion of land  
3-9 in the district.

3-10 Sec. 7889.0306. LIMITATION ON USE OF EMINENT DOMAIN. The  
3-11 district may not exercise the power of eminent domain outside the  
3-12 district to acquire a site or easement for:

- 3-13 (1) a road project authorized by Section 7889.0303; or
- 3-14 (2) a recreational facility as defined by Section  
3-15 49.462, Water Code.

3-16 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-17 Sec. 7889.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
3-18 The district may issue, without an election, bonds and other  
3-19 obligations secured by:

- 3-20 (1) revenue other than ad valorem taxes; or
- 3-21 (2) contract payments described by Section 7889.0403.

3-22 (b) The district must hold an election in the manner  
3-23 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
3-24 before the district may impose an ad valorem tax or issue bonds  
3-25 payable from ad valorem taxes.

3-26 (c) The district may not issue bonds payable from ad valorem  
3-27 taxes to finance a road project unless the issuance is approved by a  
3-28 vote of a two-thirds majority of the district voters voting at an  
3-29 election held for that purpose.

3-30 Sec. 7889.0402. OPERATION AND MAINTENANCE TAX. (a) If  
3-31 authorized at an election held under Section 7889.0401, the  
3-32 district may impose an operation and maintenance tax on taxable  
3-33 property in the district in accordance with Section 49.107, Water  
3-34 Code.

3-35 (b) The board shall determine the tax rate. The rate may not  
3-36 exceed the rate approved at the election.

3-37 Sec. 7889.0403. CONTRACT TAXES. (a) In accordance with  
3-38 Section 49.108, Water Code, the district may impose a tax other than  
3-39 an operation and maintenance tax and use the revenue derived from  
3-40 the tax to make payments under a contract after the provisions of  
3-41 the contract have been approved by a majority of the district voters  
3-42 voting at an election held for that purpose.

3-43 (b) A contract approved by the district voters may contain a  
3-44 provision stating that the contract may be modified or amended by  
3-45 the board without further voter approval.

3-46 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-47 Sec. 7889.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
3-48 OBLIGATIONS. The district may issue bonds or other obligations  
3-49 payable wholly or partly from ad valorem taxes, impact fees,  
3-50 revenue, contract payments, grants, or other district money, or any  
3-51 combination of those sources, to pay for any authorized district  
3-52 purpose.

3-53 Sec. 7889.0502. TAXES FOR BONDS. At the time the district  
3-54 issues bonds payable wholly or partly from ad valorem taxes, the  
3-55 board shall provide for the annual imposition of a continuing  
3-56 direct ad valorem tax, without limit as to rate or amount, while all  
3-57 or part of the bonds are outstanding as required and in the manner  
3-58 provided by Sections 54.601 and 54.602, Water Code.

3-59 Sec. 7889.0503. BONDS FOR ROAD PROJECTS. At the time of  
3-60 issuance, the total principal amount of bonds or other obligations  
3-61 issued or incurred to finance road projects and payable from ad  
3-62 valorem taxes may not exceed one-fourth of the assessed value of the  
3-63 real property in the district.

3-64 SECTION 2. The Green Tree Park Municipal Utility District  
3-65 initially includes all the territory contained in the following  
3-66 area:

3-67 TRACT 1: That certain tract of land situated in Harris  
3-68 County, Texas, out of the SOLOMON BROWN LEAGUE, A-5, and A-7, Harris  
3-69 County, as described in deed from F.E. Ingram et ux, to C.T.

4-1 Hackney, dated October 6, 1860, and from Oscar Hillegeist to Wm.  
 4-2 Hillegeist, recorded in the Deed of Harris County, Texas, in Volume  
 4-3 460, Page 461, and said tract being more particularly described as  
 4-4 follows, to wit:

4-5 From the Southwest corner of said Solomon Brown League, A-7,  
 4-6 Harris County, Texas, GO East a distance of 2850 feet and North,  
 4-7 crossing Waller-Tomball Road, a distance of 3403 feet to a 1 1/2  
 4-8 inch iron pipe found for the southwest corner of the tract herein  
 4-9 described and the POINT OF BEGINNING;

4-10 THENCE, on a bearing of NORTH 00 DEGREES 49 MINUTES 55 SECONDS  
 4-11 EAST, a distance of 7199.94 feet (called North 2450 varas or 6805.56  
 4-12 feet) to an old axle found for the Northwest corner of the tract  
 4-13 herein described, and from which a 1-1/2 G.I.P. was found bearing  
 4-14 East a distance of 3.06 feet;

4-15 THENCE, on a bearing of SOUTH 89 DEGREES 49 MINUTES 30 SECONDS  
 4-16 EAST, a distance of 630.40 feet (called East 220 varas or 611.11  
 4-17 feet) to a 1-1/2-inch iron rod found for the Northeast corner of the  
 4-18 tract herein described;

4-19 THENCE, on a bearing of SOUTH 00 DEGREES 22 MINUTES 00 SECONDS  
 4-20 WEST, a distance of 7200.44 feet (called South 2450 varas or 6805.56  
 4-21 feet) to a 3/4-inch iron rod found for the Southeast corner of the  
 4-22 tract herein described and from which a 1/4-inch copper rod was  
 4-23 found bearing North a distance of 2.5 feet;

4-24 THENCE, on a bearing of SOUTH 89 DEGREES 44 MINUTES 50 SECONDS  
 4-25 WEST, a distance of 688.85 feet (called West 220 varas or 611.11  
 4-26 feet) to the POINT OF BEGINNING;

4-27 SAVE AND EXCEPT all of the property located in Montgomery  
 4-28 County, Texas but including all of the property located in Harris  
 4-29 County, Texas; and

4-30 BEING a 60 foot wide road easement in the Solomon Brown  
 4-31 Survey, Abstract 7, Harris County, Texas. being out of 34.5406  
 4-32 acres recorded in Volume 8298, Page 420, Deed Records, Harris  
 4-33 County, Texas, said 60 foot wide road easement being more  
 4-34 particularly described as follows:

4-35 COMMENCING at a 5/8-inch iron rod marking the Intersection of  
 4-36 the North right-of-way line of FM Road Number 2920 (80 feet wide)  
 4-37 and the West right-of-way line of Three Pines Drive (60 feet wide),  
 4-38 said beginning point also being the Southwest corner of that  
 4-39 certain road described in deed recorded In Volume 6890, Page 620,  
 4-40 Deed Records, Harris County, Texas;

4-41 THENCE NORTH 00 DEGREES 35 MINUTES 00 SECONDS WEST, 2038.43  
 4-42 feet, with the West line of Three Pines Drive, to a point in the  
 4-43 center line of a 20 foot wide Southern Union Production Company pipe  
 4-44 line easement, recorded in Volume 1109, Page 302, Deed Records,  
 4-45 Harris County, Texas;

4-46 THENCE NORTH 80 DEGREES 07 MINUTES 42 SECONDS EAST, 238.00  
 4-47 feet with said pipe line easement centerline to a point for the most  
 4-48 Northerly Southeast corner of said 34.5406 acres;

4-49 THENCE NORTH 00 DEGREES 39 MINUTES 20 SECONDS WEST, 792.63  
 4-50 feet, with the East line of said 34.5406 acres to an angle point in  
 4-51 same;

4-52 THENCE due, NORTH, 582.84 feet, continuing in the East line  
 4-53 of said 34.5406 acres to a point for corner and PLACE OF BEGINNING;

4-54 THENCE due, WEST, 228.09 feet in the South line of said road  
 4-55 easement to a point for corner in the East right-of-way line of  
 4-56 Three Pines Drive;

4-57 THENCE NORTH 00 DEGREES 35 MINUTES 00 SECONDS WEST, 60.00  
 4-58 feet, with said Three Pines Drive right-of-way to a point for corner

4-59 THENCE due, EAST, 228.71 feet with the North line of said road  
 4-60 easement to a point for corner;

4-61 THENCE due, SOUTH, 60.00 feet with the East line of said  
 4-62 50.7971 acres to the PLACE OF BEGINNING.

4-63 TRACT 2: That certain tract of land situated in Harris  
 4-64 County, Texas, out of the SOLOMON BROWN LEAGUE, A-5, and A-7, Harris  
 4-65 County, as described in deed from F.E. Ingram et ux, to C.T.  
 4-66 Hackney, dated October 6, 1860, and from Oscar Hillegeist to Wm.  
 4-67 Hillegeist, recorded in the Deed of Harris County, Texas, in Volume  
 4-68 460, Page 461, and said tract being more particularly described as  
 4-69 follows, to wit:

5-1 From the Southwest corner of said Solomon Brown League, A-7,  
5-2 Harris County, Texas, GO East a distance of 2850 feet and North,  
5-3 crossing Waller-Tomball Road, a distance of 3403 feet to a  
5-4 1-1/2-inch iron pipe found for the Southwest corner of the tract  
5-5 herein described and the POINT OF BEGINNING;  
5-6 THENCE, on a bearing of NORTH 00 DEGREES 49 MINUTES 55 SECONDS  
5-7 EAST, a distance of 7199.94 feet (called North 2450 varas or 6805.56  
5-8 feet) to an old axle found for the Northwest corner of the tract  
5-9 herein described, and from which a 1-1/2 G.I.P. was found bearing  
5-10 East a distance of 3.06 feet;  
5-11 THENCE, on a bearing of SOUTH 89 DEGREES 49 MINUTES 30 SECONDS  
5-12 EAST, a distance of 630.40 feet (called East 220 varas or 611.11  
5-13 feet) to a 1-1/2-inch iron rod found for the Northeast corner of the  
5-14 tract herein described;  
5-15 THENCE, on a bearing of SOUTH 00 DEGREES 22 MINUTES 00 SECONDS  
5-16 WEST, a distance of 7200.44 feet (called South 2450 varas or 6805.56  
5-17 feet) to a 3/4 inch iron rod found for the Southeast corner of the  
5-18 tract herein described and from which a 1/4-inch copper rod was  
5-19 found bearing North a distance of 2.5 feet;  
5-20 THENCE, on a bearing of SOUTH 89 DEGREES 44 MINUTES 50 SECONDS  
5-21 WEST, a distance of 688.85 feet (called West 220 varas or 611.11  
5-22 feet) to the POINT OF BEGINNING;  
5-23 SAVE AND EXCEPT all of the property located in Montgomery  
5-24 County, Texas but including all of the property located in Harris  
5-25 County, Texas; and  
5-26 BEING a 60 foot wide road easement in the Solomon Brown  
5-27 Survey, Abstract 7, Harris County, Texas, being out of 34.5406  
5-28 acres recorded in Volume 8298, Page 420, Deed Records, Harris  
5-29 County, Texas said 60 foot wide road easement being more  
5-30 particularly described as follows:  
5-31 COMMENCING at a 5/8-inch iron rod marking the Intersection of  
5-32 the North right-of-way line of FM Road Number 2920 (80 feet wide)  
5-33 and the West right-of-way line of Three Pines Drive (60 feet wide),  
5-34 said beginning point also being the Southwest corner of that  
5-35 certain road described in deed recorded in Volume 6890, Page 620,  
5-36 Deed Records, Harris County, Texas;  
5-37 THENCE NORTH 00 DEGREES 35 MINUTES 00 SECONDS WEST, 2038.43  
5-38 feet, with the West line of Three Pines Drive, to a point in the  
5-39 center line of a 20 foot wide Southern Union Production Company pipe  
5-40 line easement, recorded in Volume 1109, Page 302, Deed Records,  
5-41 Harris County, Texas;  
5-42 THENCE NORTH 80 DEGREES 07 MINUTES 42 SECONDS EAST, 238.00  
5-43 feet with said pipe line easement centerline to a point for the most  
5-44 Northerly Southeast corner of said 34.5406 acres;  
5-45 THENCE NORTH 00 DEGREES 39 MINUTES 20 SECONDS WEST, 792.63  
5-46 feet, with the East line of said 34.5406 acres to an angle point in  
5-47 same;  
5-48 THENCE due, NORTH, 582.84 feet, continuing in the East line  
5-49 of said 34.5406 acres to a point for corner and PLACE OF BEGINNING;  
5-50 THENCE due, WEST, 228.09 feet in the South line of said road  
5-51 easement to a point for corner in the East right-of-way line of  
5-52 Three Pines Drive;  
5-53 THENCE NORTH 00 DEGREES 35 MINUTES 00 SECONDS WEST, 60.00  
5-54 feet, with said Three Pines Drive right-of-way to a point for  
5-55 corner;  
5-56 THENCE due, EAST, 228.71 feet with the North line of said road  
5-57 easement to a point for corner;  
5-58 THENCE due, SOUTH, 60.00 feet with the East line of said  
5-59 50.7971 acres to the PLACE OF BEGINNING.  
5-60 TRACT 3: Being a tract or parcel of land containing 9.997  
5-61 acres, more or less, located in the Solomon Brown League, A-7,  
5-62 Harris County, Texas, and being a portion of that certain call  
5-63 12.3160 acre tract conveyed to Kevin R. Kerr as recorded in File  
5-64 No. S-897817, and refiled under File No. S-910817 of the Harris  
5-65 County Official Public Records of Real Property (HCOPRRP), said  
5-66 9.997 acres being more particularly described by metes and bounds  
5-67 as follows:  
5-68 COMMENCING at a 1/2-inch iron rod found on the North  
5-69 right-of-way (ROW) line of FM-2920 (formerly Tomball-Waller. Road,



6-1 100 feet wide), said rod marking the Southwest corner of the  
 6-2 aforesaid call 12.3160 acre Kevin R. Kerr tract, said rod also being  
 6-3 the Southeast corner of a call 0.8426 acre tract conveyed to Barbara  
 6-4 Waldrop, as recorded in File No. T-884120, HCOPRRP, from which a  
 6-5 5/8-inch iron rod found marking the southwest corner of said  
 6-6 Waldrop tract, and the intersection of the North ROW line of said  
 6-7 EM-2920 with the east ROW line of Three Pine Lane (60 feet wide),  
 6-8 bears SOUTH 83 DEGREES 02 MINUTES 36 SECONDS WEST, 176.12 feet;

6-9 THENCE NORTH 01 DEGREES 32 MINUTES 36 SECONDS WEST, leaving  
 6-10 said north ROW line, and along the West line of said 12.3160 acre  
 6-11 Kerr tract, at 200.09 feet passing a 5/8-inch iron rod found (1.50  
 6-12 feet west) for Northeast corner of said Waldrop tract, same being  
 6-13 the Southeast corner of a call 1.1843 acre tract conveyed to Chad  
 6-14 Bolton, et ux, as recorded in File No. P-468635, HCOPRRP, and  
 6-15 continuing, in all, a total distance of 254.00 feet to a 5/8-inch  
 6-16 iron rod with cap set for most Westerly Southwest corner of the  
 6-17 herein described tract, the POINT OF BEGINNING;

6-18 THENCE NORTH 01 DEGREES 32 MINUTES 36 SECONDS WEST,  
 6-19 continuing along the west line of said call 12.3160 acre Kerr tract,  
 6-20 at 240.84 feet passing a 5/8-inch iron rod found (2.90 feet west)  
 6-21 for Northeast corner of said 1.1843 acre Bolton tract, same being  
 6-22 the Southeast corner of a call 0.6468 acre tract conveyed to Ben L.  
 6-23 Nicholson, et ux, and Alan Broussard, as recorded in File  
 6-24 No. T-544630, HCOPRRP, at 402.15 feet passing the Northeast corner  
 6-25 of said 0.6468 acre Nicholson et al tract, same being the Southeast  
 6-26 corner of a call 0.6026 acre tract conveyed to Alan A. Broussard as  
 6-27 recorded in File No. T-544629, HCOPRRP, at 551.47 feet passing a  
 6-28 5/8-inch iron rod found (3.92 feet west) for Northeast corner of  
 6-29 said 0.6468 Broussard tract, same being the Southeast corner of a  
 6-30 call 1.9927 acre tract conveyed to Vince Yokom, et ux, as recorded  
 6-31 in File No. T-129792, HCOPRRP, and continuing, in all, a total  
 6-32 distance of 553.28 feet to a 1-1/2-inch iron pipe found for  
 6-33 Northwest corner of the herein described tract, said pipe being the  
 6-34 Southwest corner of the residue of an original 100 acre tract  
 6-35 (called 50 acres) as conveyed to JAJO Land Company, Inc., and  
 6-36 recorded in File No. G-018758, and File No. T-738618, HCOPRRP;

6-37 THENCE NORTH 88 DEGREES 04 MINUTES 55 SECONDS EAST, along the  
 6-38 North line of said 12.3160 acre Kerr tract, same being the South  
 6-39 line of said 50 acre JAJO Land Company tract, 611.76 feet to a  
 6-40 5/8-inch iron rod with cap set for Northeast corner of the herein  
 6-41 described tract, from which a 1-inch iron rod found marking the  
 6-42 Northeast corner of said 12.3160 Kerr tract bears NORTH 88 DEGREES  
 6-43 04 MINUTES 55 SECONDS EAST, 75.90 feet;

6-44 THENCE SOUTH 01 DEGREES 54 MINUTES 00 SECONDS EAST, leaving  
 6-45 the South line of said call 50 acre JAJO Land Company tract, a  
 6-46 distance of 752.67 feet to a 5/8-inch iron rod with cap set for  
 6-47 Southeast corner of the herein described tract, said rod being on  
 6-48 the North ROW line of said FM-2920 (100 feet wide), said rod also  
 6-49 being on the arc of a curve, from which a 5/8-inch iron rod found in  
 6-50 said curve for Southeast corner of said 12.3160 acre Kerr tract  
 6-51 bears (along its long chord) NORTH 81 DEGREES 59 MINUTES 19 SECONDS  
 6-52 EAST, 76.33 feet;

6-53 THENCE along the North ROW line of said FM-2920, 180.15 feet  
 6-54 along the arc of a curve to the right, said curve having a chord  
 6-55 which bears SOUTH 82 DEGREES 37 MINUTES 57 SECONDS WEST, a chord  
 6-56 distance of 180.14 feet, a radius of 11409.30 feet and a central  
 6-57 angle of 00 DEGREES 54 MINUTES 17 SECONDS to a concrete monument  
 6-58 found for the end of said curve;

6-59 THENCE SOUTH 83 DEGREES 11 MINUTES 00 SECONDS WEST,  
 6-60 continuing along said North ROW line, a distance of 252.08 feet to a  
 6-61 5/8-inch iron rod with cap set for most Southerly Southwest corner  
 6-62 of the herein described tract;

6-63 THENCE NORTH 06 DEGREES 31 MINUTES 46 SECONDS WEST, leaving  
 6-64 said North ROW line, a distance of 247.00 feet to a 5/8-inch iron  
 6-65 rod set for interior corner;

6-66 THENCE SOUTH 85 DEGREES 14 MINUTES 32 SECONDS WEST, a  
 6-67 distance of 165.00 feet to the POINT OF BEGINNING and containing  
 6-68 9.997 acres (435,452 square feet based on mathematical closure) of  
 6-69 land, more or less.

7-1 SECTION 3. (a) The legal notice of the intention to  
7-2 introduce this Act, setting forth the general substance of this  
7-3 Act, has been published as provided by law, and the notice and a  
7-4 copy of this Act have been furnished to all persons, agencies,  
7-5 officials, or entities to which they are required to be furnished  
7-6 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
7-7 Government Code.

7-8 (b) The governor, one of the required recipients, has  
7-9 submitted the notice and Act to the Texas Commission on  
7-10 Environmental Quality.

7-11 (c) The Texas Commission on Environmental Quality has filed  
7-12 its recommendations relating to this Act with the governor, the  
7-13 lieutenant governor, and the speaker of the house of  
7-14 representatives within the required time.

7-15 (d) All requirements of the constitution and laws of this  
7-16 state and the rules and procedures of the legislature with respect  
7-17 to the notice, introduction, and passage of this Act are fulfilled  
7-18 and accomplished.

7-19 SECTION 4. (a) Section 7889.0306, Special District Local  
7-20 Laws Code, as added by Section 1 of this Act, takes effect only if  
7-21 this Act receives a two-thirds vote of all the members elected to  
7-22 each house.

7-23 (b) If this Act does not receive a two-thirds vote of all the  
7-24 members elected to each house, Subchapter C, Chapter 7889, Special  
7-25 District Local Laws Code, as added by Section 1 of this Act, is  
7-26 amended by adding Section 7889.0306 to read as follows:

7-27 Sec. 7889.0306. NO EMINENT DOMAIN POWER. The district may  
7-28 not exercise the power of eminent domain.

7-29 (c) This section is not intended to be an expression of a  
7-30 legislative interpretation of the requirements of Section 17(c),  
7-31 Article I, Texas Constitution.

7-32 SECTION 5. This Act takes effect immediately if it receives  
7-33 a vote of two-thirds of all the members elected to each house, as  
7-34 provided by Section 39, Article III, Texas Constitution. If this  
7-35 Act does not receive the vote necessary for immediate effect, this  
7-36 Act takes effect September 1, 2019.

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