

By: Kolkhorst

S.B. No. 2510

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of the Harris County Municipal Utility  
3 District No. 570; granting a limited power of eminent domain;  
4 providing authority to issue bonds; providing authority to impose  
5 assessments, fees, and taxes.

6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
8 Code, is amended by adding Chapter 7894 to read as follows:

9 CHAPTER 7894. HARRIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 570

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 7894.0101. DEFINITIONS. In this chapter:

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

13 (2) "Commission" means the Texas Commission on  
14 Environmental Quality.

15 (3) "Director" means a board member.

16 (4) "District" means the Harris County Municipal  
17 Utility District No. 570.

18 Sec. 7894.0102. NATURE OF DISTRICT. The district is a  
19 municipal utility district created under Section 59, Article XVI,  
20 Texas Constitution.

21 Sec. 7894.0103. CONFIRMATION AND DIRECTOR ELECTION  
22 REQUIRED. The temporary directors shall hold an election to  
23 confirm the creation of the district and to elect five permanent  
24 directors as provided by Section 49.102, Water Code.

1       Sec. 7894.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
2 temporary directors may not hold an election under Section  
3 7894.0103 until each municipality in whose corporate limits or  
4 extraterritorial jurisdiction the district is located has  
5 consented by ordinance or resolution to the creation of the  
6 district and to the inclusion of land in the district.

7       Sec. 7894.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

8       (a) The district is created to serve a public purpose and benefit.

9       (b) The district is created to accomplish the purposes of:

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

12           (2) Section 52, Article III, Texas Constitution, that  
13 relate to the construction, acquisition, improvement, operation,  
14 or maintenance of macadamized, graveled, or paved roads, or  
15 improvements, including storm drainage, in aid of those roads.

16       Sec. 7894.0106. INITIAL DISTRICT TERRITORY. (a) The  
17 district is initially composed of the territory described by  
18 Section 2 of the Act enacting this chapter.

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

23           (1) organization, existence, or validity;

24           (2) right to issue any type of bond for the purposes  
25 for which the district is created or to pay the principal of and  
26 interest on a bond;

27           (3) right to impose a tax; or

1           (4) legality or operation.

2                   SUBCHAPTER B. BOARD OF DIRECTORS

3           Sec. 7894.0201. GOVERNING BODY; TERMS. (a) The district is  
4 governed by a board of five elected directors.

5           (b) Except as provided by Section 7894.0202, directors  
6 serve staggered four-year terms.

7           Sec. 7894.0202. TEMPORARY DIRECTORS. (a) The temporary  
8 board consists of:

9                   (1) Susan Miller;

10                   (2) Daniel Pereyra;

11                   (3) Andrew McLoughlin;

12                   (4) Jackson Gillette; and

13                   (5) Stephanie Burns.

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

15                   (1) the date permanent directors are elected under  
16 Section 7894.0103; or

17                   (2) the fourth anniversary of the effective date of  
18 the Act enacting this chapter.

19           (c) If permanent directors have not been elected under  
20 Section 7894.0103 and the terms of the temporary directors have  
21 expired, successor temporary directors shall be appointed or  
22 reappointed as provided by Subsection (d) to serve terms that  
23 expire on the earlier of:

24                   (1) the date permanent directors are elected under  
25 Section 7894.0103; or

26                   (2) the fourth anniversary of the date of the  
27 appointment or reappointment.

1 (d) If Subsection (c) applies, the owner or owners of a  
2 majority of the assessed value of the real property in the district  
3 may submit a petition to the commission requesting that the  
4 commission appoint as successor temporary directors the five  
5 persons named in the petition. The commission shall appoint as  
6 successor temporary directors the five persons named in the  
7 petition.

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 7894.0301. GENERAL POWERS AND DUTIES. The district  
10 has the powers and duties necessary to accomplish the purposes for  
11 which the district is created.

12 Sec. 7894.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
13 DUTIES. The district has the powers and duties provided by the  
14 general law of this state, including Chapters 49 and 54, Water Code,  
15 applicable to municipal utility districts created under Section 59,  
16 Article XVI, Texas Constitution.

17 Sec. 7894.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
18 52, Article III, Texas Constitution, the district may design,  
19 acquire, construct, finance, issue bonds for, improve, operate,  
20 maintain, and convey to this state, a county, or a municipality for  
21 operation and maintenance macadamized, graveled, or paved roads, or  
22 improvements, including storm drainage, in aid of those roads.

23 Sec. 7894.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
24 road project must meet all applicable construction standards,  
25 zoning and subdivision requirements, and regulations of each  
26 municipality in whose corporate limits or extraterritorial  
27 jurisdiction the road project is located.

1       (b) If a road project is not located in the corporate limits  
2 or extraterritorial jurisdiction of a municipality, the road  
3 project must meet all applicable construction standards,  
4 subdivision requirements, and regulations of each county in which  
5 the road project is located.

6       (c) If the state will maintain and operate the road, the  
7 Texas Transportation Commission must approve the plans and  
8 specifications of the road project.

9       Sec. 7894.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
10 ORDINANCE OR RESOLUTION. The district shall comply with all  
11 applicable requirements of any ordinance or resolution that is  
12 adopted under Section 54.016 or 54.0165, Water Code, and that  
13 consents to the creation of the district or to the inclusion of land  
14 in the district.

15       Sec. 7894.0306. DIVISION OF DISTRICT. (a) The district may  
16 be divided into two or more new districts only if the district:

17               (1) has no outstanding bonded debt; and

18               (2) is not imposing ad valorem taxes.

19       (b) This chapter applies to any new district created by the  
20 division of the district, and a new district has all the powers and  
21 duties of the district.

22       (c) Any new district created by the division of the district  
23 may, at the time the new district is created, contain only:

24               (1) land within the area described by Section 2 of the  
25 Act enacting this chapter; or

26               (2) any land adjacent to the area described by Section  
27 2 of the Act enacting this chapter if that adjacent land is:

1                   (A) not within the extraterritorial jurisdiction  
2 of a city; or

3                   (B) within the extraterritorial jurisdiction of  
4 a city and that adjacent land has been approved for inclusion in the  
5 district under the consent ordinance or resolution adopted by a  
6 city under Section 7894.0104.

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

11           (e) The board may adopt an order dividing the district  
12 before or after the date the board holds an election under Section  
13 7894.0103 to confirm the district's creation.

14           (f) An order dividing the district must:

15                   (1) name each new district;

16                   (2) include the metes and bounds description of the  
17 territory of each new district;

18                   (3) appoint temporary directors for each new district;

19 and

20                   (4) provide for the division of assets and liabilities  
21 between or among the new districts.

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

26           (h) Any new district created by the division of the district  
27 shall hold a confirmation and directors' election as required by

1 Section 7894.0103.

2 (i) Municipal consent by a city is not required for the  
3 creation of any new district created under this section.

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

8 (k) If the voters of a new district do not confirm the  
9 creation of the new district, the assets, obligations, territory,  
10 and governance of the new district revert to that of the original  
11 district.

12 Sec. 7894.0307. LIMITATION ON USE OF EMINENT DOMAIN. The  
13 district may not exercise the power of eminent domain outside the  
14 district boundaries to acquire a site or easement for:

15 (1) a recreational facility, as defined by Section  
16 49.462, Water Code; or

17 (2) a road project authorized by Section 7894.0303.

18 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

19 Sec. 7894.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
20 The district may issue, without an election, bonds and other  
21 obligations secured by:

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

23 (2) contract payments described by Section 7894.0403.

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

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

5       Sec. 7894.0402. OPERATION AND MAINTENANCE TAX. (a) If  
6 authorized at an election held under Section 7894.0401, the  
7 district may impose an operation and maintenance tax on taxable  
8 property in the district in accordance with Section 49.107, Water  
9 Code.

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

12       Sec. 7894.0403. CONTRACT TAXES. (a) In accordance with  
13 Section 49.108, Water Code, the district may impose a tax other than  
14 an operation and maintenance tax and use the revenue derived from  
15 the tax to make payments under a contract after the provisions of  
16 the contract have been approved by a majority of the district voters  
17 voting at an election held for that purpose.

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

21               SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

22       Sec. 7894.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
23 OBLIGATIONS. The district may issue bonds or other obligations  
24 payable wholly or partly from ad valorem taxes, impact fees,  
25 revenue, contract payments, grants, or other district money, or any  
26 combination of those sources, to pay for any authorized district  
27 purpose.



1       Sec. 7894.0502. TAXES FOR BONDS. At the time the district  
2 issues bonds payable wholly or partly from ad valorem taxes, the  
3 board shall provide for the annual imposition of a continuing  
4 direct ad valorem tax, without limit as to rate or amount, while all  
5 or part of the bonds are outstanding as required and in the manner  
6 provided by Sections 54.601 and 54.602, Water Code.

7       Sec. 7894.0503. BONDS FOR ROAD PROJECTS. At the time of  
8 issuance, the total principal amount of bonds or other obligations  
9 issued or incurred to finance road projects and payable from ad  
10 valorem taxes may not exceed one-fourth of the assessed value of the  
11 real property in the district.

12       SECTION 2. The Harris County Municipal Utility District No.  
13 570 initially includes all the territory contained in the following  
14 area:

15 447.471 ACRES

16 BEING A 447.471 ACRE TRACT OF LAND SITUATED IN THE JAMES O'BRIEN  
17 SURVEY A-615, AND BEING A PORTION OF A CALLED 828.184 ACRE TRACT AS  
18 DESCRIBED IN VOLUME 6327 PAGE 17 HARRIS COUNTY DEED RECORDS AND  
19 BEING ALL OF A CALLED 389.083 ACRE TRACT DESCRIBED IN HARRIS COUNTY  
20 CLERKS FILE NUMBER C-705448 AND BEING ALL OF A CALLED 50 ACRE AND 10  
21 ACRE TRACT AS DESCRIBED IN HARRIS COUNTY CLERKS FILE NUMBER H864435  
22 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;

23 BEGINNING AT A POINT FOR THE COMMON CORNER OF SAID JAMES O'BRIEN  
24 SURVEY A-615, T. RANDLE SURVEY A-672, THOMAS EARLY SURVEY A-256 AND  
25 W. JONES SURVEY A-490, SAME BEING THE NORTHWEST CORNER OF SAID  
26 828.184 ACRE TRACT, FROM WHICH AN INTERSECTION OF FENCES BEARS  
27 NORTH 71 DEGREES 19 MINUTES EAST, A DISTANCE OF 3.5 FEET;

1 THENCE SOUTH 03 DEGREE 36 MINUTES 04 SECONDS EAST, ALONG THE COMMON  
2 LINE OF JAMES O'BRIEN SURVEY AND T. RANDLE SURVEY, A DISTANCE OF  
3 310.26 FEET TO A 1/2 INCH IRON ROD FOUND FOR ANGLE POINT;  
4 THENCE SOUTH 03 DEGREE 22 MINUTES 51 SECONDS EAST, CONTINUING ALONG  
5 THE COMMON LINE OF JAMES O'BRIEN SURVEY AND T. RANDLE SURVEY, A  
6 DISTANCE OF 1043.15 FEET TO A 5/8 INCH IRON ROD SET FOR THE  
7 NORTHWEST CORNER OF SAID 389.083 ACRE TRACT AND THE HEREIN  
8 DESCRIBED TRACT OF LAND;  
9 THENCE NORTH 87 DEGREE 44 MINUTES 20 SECONDS EAST, ALONG THE NORTH  
10 LINE OF SAID 389.083 ACRE TRACT A DISTANCE OF 4979.03 FEET TO A 5/8  
11 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 389.083 ACRE  
12 TRACT AND THE HEREIN DESCRIBED TRACT OF LAND;  
13 THENCE SOUTH 02 DEGREE 58 MINUTES 23 SECONDS EAST, ALONG THE EAST  
14 LINE OF SAID 389.083 ACRE TRACT A DISTANCE OF 3935.98 FEET TO A 5/8  
15 INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF SAID 389.083 ACRE  
16 TRACT AND THE HEREIN DESCRIBED TRACT OF LAND IN THE NORTH LINE OF  
17 MOUND ROAD;  
18 THENCE ALONG THE COMMON LINE OF SAID 389.083 ACRE TRACT AND MOUND  
19 ROAD THE FOLLOWING COURSES AND DISTANCES  
20 SOUTH 87 DEGREES 56 MINUTES 08 SECONDS WEST, 2185.80 FEET TO A 1/2  
21 INCH IRON ROD FOUND;  
22 SOUTH 87 DEGREES 47 MINUTES 05 SECONDS WEST, 530.76 FEET TO A 1/2  
23 INCH IRON ROD FOUND;  
24 SOUTH 87 DEGREES 56 MINUTES 17 SECONDS WEST, 1143.43 FEET TO A 1/2  
25 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 389.083 ACRE  
26 TRACT;  
27 THENCE NORTH 03 DEGREE 07 MINUTES 26 SECONDS WEST, A DISTANCE OF

1 9.45 FEET TO A 1/2 INCH IRON ROD SET FOR THE SOUTHEAST CORNER OF SAID  
2 50 ACRE TRACT;  
3 THENCE SOUTH 87 DEGREES 56 MINUTES 17 SECONDS WEST, ALONG THE SOUTH  
4 LINE OF SAID 50 ACRE TRACT, A DISTANCE OF 1368.79 FEET TO A 1/2 INCH  
5 IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 50 ACRE TRACT AND  
6 BEING IN THE COMMON LINE OF SAID JAMES O'BRIEN SURVEY AND T. RANDLE  
7 SURVEY;  
8 THENCE ALONG THE COMMON LINE OF SAID JAMES O'BRIEN AND T. RANDLE  
9 SURVEYS, SAME BEING THE WEST LINE OF SAID 50 ACRE, 10 ACRE AND  
10 389.083 ACRE TRACTS THE FOLLOWING COURSES AND DISTANCES;  
11 NORTH 02 DEGREES 44 MINUTES 34 SECONDS WEST, 1024.08 FEET TO A 1/2  
12 INCH IRON ROD FOUND;  
13 NORTH 03 DEGREES 12 MINUTES 21 SECONDS WEST, 509.51 FEET TO A 1/2  
14 INCH IRON ROD FOUND;  
15 NORTH 03 DEGREES 19 MINUTES 08 SECONDS WEST, 340.60 FEET TO A 1 AND  
16 1/4 INCH IRON PIPE FOUND;  
17 NORTH 03 DEGREES 21 MINUTES 50 SECONDS WEST, 472.28 FEET TO A 1/2  
18 INCH IRON ROD FOUND;  
19 NORTH 01 DEGREES 33 MINUTES 42 SECONDS WEST, 1564.63 FEET TO THE  
20 POINT OF BEGINNING AND CONTAINING 447.471 ACRES OF LAND.  
21 100.00 ACRES  
22 BEING A 100.00 ACRE TRACT OF LAND OUT OF 389.313 ACRE TRACT OF LAND  
23 SITUATED IN THE EDWARD GREEN SURVEY A-307, AND BEING A PORTION OF A  
24 CALLED 439.101 ACRE TRACT TO EMANUEL DENNISON, RUBY DENNISON AND  
25 BOBBY GENE DENNISON AS RECORDED IN HARRIS COUNTY FILM CODE NUMBER  
26 C-705448 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;  
27 COMMENCING AT A POINT FOR THE NORTHWEST CORNER OF SAID EDWARD GREEN

1 SURVEY, SAME BEING THE NORTHWEST CORNER OF SAID 439.101 ACRE AND  
2 389.313 ACRE TRACT IN THE SOUTH RIGHT-OF-WAY LINE OF BETKA ROAD,  
3 FROM WHICH A FOUND RAILROAD RAIL BEARS NORTH 02 DEGREES 47 MINUTES  
4 EAST, A DISTANCE OF 1.1 FEET;  
5 THENCE ALONG THE COMMON LINE OF SAID 439.101 ACRE AND 389.313 ACRE  
6 TRACTS, SAME BEING THE SOUTH RIGHT-OF-WAY LINE OF BETKA ROAD, THE  
7 FOLLOWING COURSES AND DISTANCES;  
8 NORTH 88 DEGREES 08 MINUTES 03 SECONDS EAST, 1311.19 FEET TO A 1/2  
9 INCH IRON ROD FOUND;  
10 NORTH 88 DEGREES 20 MINUTES 22 SECONDS EAST, 598.55 FEET TO A 1/2  
11 INCH IRON ROD FOUND;  
12 NORTH 88 DEGREES 08 MINUTES 19 SECONDS EAST, 989.89 FEET TO A 1/2  
13 INCH IRON ROD FOUND;  
14 NORTH 87 DEGREES 57 MINUTES 47 SECONDS EAST, 318.55 FEET TO A 1/2  
15 INCH IRON PIPE FOUND FOR THE MOST NORTHERLY NORTHEAST CORNER OF SAID  
16 439.101 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 389.313 ACRE  
17 TRACT;  
18 THENCE ALONG THE EAST LINE OF SAID 439.101 ACRE AND 389.313 ACRE  
19 TRACTS THE FOLLOWING COURSES AND DISTANCES;  
20 SOUTH 01 DEGREES 41 MINUTES 08 SECONDS EAST, 480.34 FEET TO A 5/8  
21 INCH IRON ROD FOUND;  
22 SOUTH 01 DEGREES 45 MINUTES 38 SECONDS EAST, 633.16 FEET TO A 1/2  
23 INCH IRON ROD FOUND;  
24 SOUTH 01 DEGREES 49 MINUTES 23 SECONDS EAST, 428.77 FEET TO A 1/2  
25 INCH IRON ROD FOUND;  
26 SOUTH 01 DEGREES 45 MINUTES 50 SECONDS EAST, 1055.50 FEET TO A 5/8  
27 INCH IRON ROD SET FOR THE NORTHEAST CORNER AND POINT OF BEGINNING OF

1 THE HEREIN DESCRIBED TRACT;  
2 THENCE CONTINUING ALONG THE EAST LINE OF SAID 439.101 ACRE AND  
3 389.313 ACRE TRACTS AND THE HEREIN DESCRIBED 100.00 ACRE TRACT THE  
4 FOLLOWING COURSES AND DISTANCES;  
5 SOUTH 01 DEGREES 45 MINUTES 50 SECONDS EAST, A DISTANCE OF 193.71  
6 FEET TO A 1/2 INCH IRON ROD FOUND;  
7 SOUTH 01 DEGREES 57 MINUTES 34 SECONDS EAST, 794.32 FEET TO A 1/2  
8 INCH IRON ROD FOUND;  
9 SOUTH 01 DEGREES 38 MINUTES 13 SECONDS EAST, 375.35 FEET TO A 1/2  
10 INCH IRON ROD FOUND;  
11 SOUTH 02 DEGREES 11 MINUTES 29 SECONDS EAST, 264.05 FEET TO A 1/2  
12 INCH IRON ROD FOUND FOR AN INTERIOR ANGLE POINT OF SAID 439.101 ACRE  
13 TRACT, AND NORTHWEST CORNER OF A CALLED 39.365 ACRE TRACT AS  
14 RECORDED IN HARRIS COUNTY CLERK'S FILE NO. C705448;  
15 THENCE SOUTH 01 DEGREES 48 MINUTES 44 SECONDS EAST, WITH THE EAST  
16 LINE OF SAID 389.313 ACRE TRACT, SAME BEING ALONG THE WEST LINE OF  
17 SAID 39.365 ACRE TRACT, A DISTANCE OF 1046.77 FEET TO A SET 5/8 INCH  
18 IRON ROD FOR THE SOUTHEAST CORNER OF SAID 389.313 ACRE TRACT, BEING  
19 IN THE SOUTH LINE OF SAID 439.101 ACRE TRACT FOR THE SOUTHWEST  
20 CORNER OF SAID 39.365 ACRE TRACT AND THE HEREIN DESCRIBED TRACT AND  
21 BEING IN THE SOUTH LINE OF SAID EDWARD GREEN SURVEY;  
22 THENCE SOUTH 88 DEGREES 01 MINUTES 30 SECONDS WEST, ALONG THE SOUTH  
23 LINE OF SAID 439.101 ACRE AND 389.313 ACRE TRACTS AND EDWARD GREEN  
24 SURVEY A DISTANCE OF 1628.68 FEET TO A 5/8 INCH IRON ROD SET FOR THE  
25 SOUTHWEST CORNER OF THE HEREIN DESCRIBED TRACT;  
26 THENCE NORTH 01 DEGREES 48 MINUTES 45 SECONDS WEST, A DISTANCE OF  
27 2677.93 FEET TO A 5/8 INCH IRON ROD SET FOR THE NORTHWEST CORNER OF

1 THE HEREIN DESCRIBED 100.00 ACRE TRACT OF LAND;  
2 THENCE NORTH 88 DEGREES 09 MINUTES 24 SECONDS EAST, A DISTANCE OF  
3 1626.21 FEET TO THE POINT OF BEGINNING AND CONTAINING 100.00 ACRES  
4 OF LAND.  
5 97.00 ACRES  
6 BEING A 97.00 ACRE TRACT OUT OF A 389.313 ACRE TRACT OF LAND  
7 SITUATED IN THE EDWARD GREEN SURVEY A-307, AND BEING A PORTION OF A  
8 CALLED 439.101 ACRE TRACT TO EMANUEL DENNISON, RUBY DENNISON AND  
9 BOBBY GENE DENNISON AS RECORDED IN HARRIS COUNTY FILM CODE NUMBER  
10 C-705448 AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS;  
11 COMMENCING AT A POINT FOR THE NORTHWEST CORNER OF SAID EDWARD GREEN  
12 SURVEY, SAME BEING THE NORTHWEST CORNER OF SAID 439.101 ACRE TRACT  
13 AND THE 389.313 ACRE TRACT, IN THE SOUTH RIGHT-OF-WAY LINE OF BETKA  
14 ROAD, FROM WHICH A FOUND RAILROAD RAIL BEARS NORTH 02 DEGREES 47  
15 MINUTES EAST, A DISTANCE OF 1.1 FEET;  
16 THENCE ALONG THE NORTH LINE OF SAID 439.101 ACRE AND 389.313 ACRE  
17 TRACTS, SAME BEING THE SOUTH RIGHT-OF-WAY LINE OF BETKA ROAD, THE  
18 FOLLOWING COURSES AND DISTANCES;  
19 NORTH 88 DEGREES 08 MINUTES 03 SECONDS EAST, 1311.19 FEET TO A 1/2  
20 INCH IRON ROD FOUND;  
21 NORTH 88 DEGREES 20 MINUTES 22 SECONDS EAST, 278.32 FEET TO A 5/8  
22 INCH IRON ROD SET FOR THE NORTHWEST CORNER AND POINT OF BEGINNING OF  
23 THE HEREIN DESCRIBED 97.00 ACRE TRACT OF LAND;  
24 THENCE CONTINUING ALONG THE NORTH LINE OF SAID 439.101 ACRE AND  
25 389.313 ACRE TRACTS, SAME BEING THE SOUTH RIGHT-OF-WAY LINE OF  
26 BETKA ROAD, SAME BEING THE NORTH LINE OF THE HEREIN DESCRIBED TRACT,  
27 THE FOLLOWING COURSES AND DISTANCES;

1 THENCE NORTH 88 DEGREES 20 MINUTES 22 SECONDS EAST 320.23 FEET TO A  
2 1/2 INCH IRON ROD FOUND;  
3 NORTH 88 DEGREES 08 MINUTES 19 SECONDS EAST, 989.89 FEET TO A 1/2  
4 INCH IRON ROD FOUND;  
5 NORTH 87 DEGREES 57 MINUTES 47 SECONDS EAST, 318.55 FEET TO A 1/2  
6 INCH IRON PIPE FOUND FOR THE MOST NORTHERLY NORTHEAST CORNER OF SAID  
7 439.101 ACRE TRACT AND NORTHEAST CORNER OF SAID 389.313 ACRE TRACT  
8 AND THE HEREIN DESCRIBED 97.00 ACRE TRACT;  
9 THENCE ALONG THE EAST LINE OF SAID 439.101 ACRE AND 389.313 ACRE  
10 TRACTS, SAME BEING THE EAST LINE OF THE HEREIN DESCRIBED 97.00 ACRE  
11 TRACT THE FOLLOWING COURSES AND DISTANCES;  
12 SOUTH 01 DEGREES 41 MINUTES 08 SECONDS EAST, 480.34 FEET TO A 5/8  
13 INCH IRON ROD FOUND;  
14 SOUTH 01 DEGREES 45 MINUTES 38 SECONDS EAST, 633.16 FEET TO A 1/2  
15 INCH IRON ROD FOUND;  
16 SOUTH 01 DEGREES 49 MINUTES 23 SECONDS EAST, 428.77 FEET TO A 1/2  
17 INCH IRON ROD FOUND; SOUTH 01 DEGREES 45 MINUTES 50 SECONDS EAST,  
18 1055.50 FEET TO A 5/8 INCH IRON ROD SET IN THE EAST LINE OF THE SAID  
19 439.101 ACRE AND 389.313 ACRE TRACTS AND BEING THE SOUTHEAST CORNER  
20 OF THE HEREIN DESCRIBED 97.00 ACRE TRACT  
21 THENCE SOUTH 88 DEGREES 09 MINUTES 24 SECONDS WEST, A DISTANCE OF  
22 1626.21 FEET TO A 5/8 INCH IRON ROD SET FOR THE SOUTHWEST CORNER OF  
23 THE HEREIN DESCRIBED 97.00 ACRE TRACT OF LAND;  
24 THENCE NORTH 01 DEGREES 48 MINUTES 45 SECONDS WEST, A DISTANCE OF  
25 2597.40 FEET TO THE POINT OF BEGINNING AND CONTAINING 97.00 ACRES OF  
26 LAND, MORE OR LESS.

27 SECTION 3. (a) The legal notice of the intention to

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

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

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

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

18 SECTION 4. (a) Section 7894.0307, Special District Local  
19 Laws Code, as added by Section 1 of this Act, takes effect only if  
20 this Act receives a two-thirds vote of all the members elected to  
21 each house.

22 (b) If this Act does not receive a two-thirds vote of all the  
23 members elected to each house, Subchapter C, Chapter 7894, Special  
24 District Local Laws Code, as added by Section 1 of this Act, is  
25 amended by adding Section 7894.0307 to read as follows:

26 Sec. 7894.0307. NO EMINENT DOMAIN POWER. The district may  
27 not exercise the power of eminent domain.



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

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