By:  Eckhardt S.B. No. 2214

(In the Senate - Filed April 15, 2021; April 19, 2021, read first time and referred to Committee on Local Government; May 13, 2021, reported adversely, with favorable Committee Substitute by the following vote: Yeas 9, Nays 0; May 13, 2021, sent to printer.)

COMMITTEE VOTE

                 Yea Nay Absent  PNV

Bettencourt       X

Menéndez          X

Eckhardt          X

Gutierrez         X

Hall              X

Nichols           X

Paxton            X

Springer          X

Zaffirini         X

COMMITTEE SUBSTITUTE FOR S.B. No. 2214 By:  Eckhardt

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Moore's Crossing Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1.  Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3999 to read as follows:

CHAPTER 3999. MOORE'S CROSSING MUNICIPAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3999.0101.  DEFINITIONS. In this chapter:

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

(2)  "City" means the City of Austin.

(3)  "Commission" means the Texas Commission on Environmental Quality.

(4)  "Director" means a board member.

(5)  "District" means the Moore's Crossing Municipal Management District.

(6)  "Exempt property" means property owned by a governmental entity, including the city, a county, or the Moore's Crossing MUD.

Sec. 3999.0102.  NATURE OF DISTRICT. The Moore's Crossing Municipal Management District is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3999.0103.  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, Texas Constitution, and other public purposes stated in this chapter.

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

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

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

Sec. 3999.0104.  FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

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

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

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

(2)  eliminating unemployment and underemployment; and

(3)  developing or expanding transportation and commerce.

(d)  The district will:

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

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

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

(4)  provide for drainage, road, and recreational facilities for the district.

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

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

Sec. 3999.0105.  INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

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

(1)  organization, existence, or validity;

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

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

(4)  legality or operation.

Sec. 3999.0106.  ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

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

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

Sec. 3999.0107.  APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3999.0108.  CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B.  BOARD OF DIRECTORS

Sec. 3999.0201.  GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors who serve staggered terms of four years.

(b)  Directors are elected in the manner provided by Subchapter D, Chapter 49, Water Code.

(c)  The board may not create an executive committee to exercise the powers of the board.

Sec. 3999.0202.  MEETINGS; NOTICE. (a) The board shall hold meetings at a place accessible to the public.

(b)  The board must post notice of each meeting with the city secretary not later than 72 hours before the scheduled time of the meeting.

Sec. 3999.0203.  COMPENSATION; EXPENSES. The district may compensate each director in an amount not to exceed $150 for each board meeting. The total amount of compensation for each director in one year may not exceed $7,200.

Sec. 3999.0204.  TEMPORARY DIRECTORS. (a) On or after the effective date of the Act creating this chapter, the owner or owners of a majority of the assessed value of the real property in the district according to the most recent certified tax appraisal roll for the county may submit a petition to the commission requesting that the commission appoint as temporary directors the five persons named in the petition. The commission shall appoint as temporary directors the five persons named in the petition.

(b)  The temporary or successor temporary directors shall hold an election to elect five permanent directors as provided by Section 49.102, Water Code.

(c)  Temporary directors serve until the earlier of:

(1)  the date permanent directors are elected under Subsection (b); or

(2)  the fourth anniversary of the effective date of the Act creating this chapter.

(d)  If permanent directors have not been elected under Subsection (b) and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (e) to serve terms that expire on the earlier of:

(1)  the date permanent directors are elected under Subsection (b); or

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

(e)  If Subsection (d) applies, the owner or owners of a majority of the assessed value of the real property in the district according to the most recent certified tax appraisal roll for the county may submit a petition to the commission requesting that the commission appoint as successor temporary directors the five persons named in the petition. The commission shall appoint as successor temporary directors the five persons named in the petition.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3999.0301.  GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3999.0302.  IMPROVEMENT PROJECTS AND SERVICES. (a) The district, using any money available to the district for the purpose, may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

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

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

Sec. 3999.0303.  AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads or improvements, including storm drainage, in aid of those roads.

Sec. 3999.0304.  ROAD STANDARDS AND REQUIREMENTS. (a)  A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

Sec. 3999.0305.  PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

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

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

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

Sec. 3999.0306.  ADDING OR EXCLUDING LAND. The district may add or exclude land in the manner provided by Subchapter J, Chapter 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

Sec. 3999.0307.  DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. 3999.0308.  EXEMPT PROPERTY. The district may not impose an assessment, fee, tax, or other charge on an exempt property.

Sec. 3999.0309.  NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. ASSESSMENTS

Sec. 3999.0401.  PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

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

Sec. 3999.0402.  ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

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

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

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

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

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

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

SUBCHAPTER E. TAXES AND BONDS

Sec. 3999.0501.  TAX ELECTION REQUIRED. The district must hold an election in the manner provided by Chapter 49, Water Code, or, if applicable, Chapter 375, Local Government Code, to obtain voter approval before the district may impose an ad valorem tax.

Sec. 3999.0502.  OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election under Section 3999.0501, the district may impose an operation and maintenance tax on taxable property in the district in the manner provided by Section 49.107, Water Code, for any district purpose, including to:

(1)  maintain and operate the district;

(2)  construct or acquire improvements; or

(3)  provide a service.

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

Sec. 3999.0503.  AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board.

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

Sec. 3999.0504.  BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds secured by:

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

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

Sec. 3999.0505.  BONDS SECURED BY AD VALOREM TAXES; ELECTIONS. (a) If authorized at an election under Section 3999.0501, the district may issue bonds payable from ad valorem taxes.

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

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

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

Sec. 3999.0506.  CONSENT OF MUNICIPALITY REQUIRED. (a) The board may not issue bonds until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

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

SECTION 2.  The Moore's Crossing Municipal Management District initially includes all territory contained in the following area:

TRACT 1

A 162.83 ACRE TRACT OF LAND, SITUATED IN THE NOEL M. BAIN SURVEY, SECTION NO. 1, ABSTRACT NO. 61, BEING OUT OF THE REMNANT PORTION OF A CALLED 1.425 ACRE TRACT, CONVEYED TO SR DEVELOPMENT, INC., RECORDED IN DOCUMENT NO. 2006151559 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 1.075 ACRE TRACT OF LAND CONVEYED TO SR DEVELOPMENT, INC, RECORDED IN DOCUMENT NO. 2007087977 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING THE REMNANT PORTION OF A CALLED 61.300 ACRE TRACT CONVEYED TO SR DEVELOPMENT, INC., RECORDED IN DOCUMENT NO. 2004106868 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING OUT OF THE REMNANT PORTION OF A CALLED 406.804 ACRE TRACT CONVEYED TO SR DEVELOPMENT INC, RECORDED IN VOLUME 11921, PAGE 585 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 3.03 ACRE TRACT CONVEYED TO TSWG 130, LLC IN DOCUMENT NO. 2009091036 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AS DESCRIBED IN DOCUMENT NO. 2003205235 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF LOTS 1-46, LINDA VISTA, A SUBDIVISION ACCORDING TO THE PLAT RECORDED IN VOLUME 57, PAGE 91 OF THE PLAT RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO TSWG 130, LLC IN DOCUMENT NO. 2009091036 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 16.00 ACRE TRACT CONVEYED TO KELLER ROAD INVESTMENTS, LTD., RECORDED IN DOCUMENT NO. 2020018595 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 33.315 ACRE TRACT (PART 1) CONVEYED TO TSWG 130, LLC RECORDED IN DOCUMENT NO. 2008010971 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS. SAID 162.83 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

BEGINNING at a calculated point on the southeast right-of-way line of F.M. 973, a variable width right-of-way, said point being in the southwest right-of-way line of Elroy Road, a variable width right-of-way, said point being the north corner of said 1.425-acre tract for the northernmost corner and POINT OF BEGINNING hereof;

THENCE with the southwest right-of-way line of said Elroy Road, same being the northeast boundary line of said 1.425-acre tract, and, in part, with the northeast boundary line of said 61.300-acre tract the following nine (9) courses and distances:

1.  S 69°53'40" E, a distance of 74.75 feet to a calculated angle point hereof,

2.  S 39°57'21" E, a distance of 173.48 feet to a calculated angle point hereof,

3.  S 32°23'35" E, a distance of 156.65 feet to a calculated point of non-tangent curvature hereof,

4.  along the arc of a curve to the left, having a radius of 1071.64 feet, a central angle of 16°33'52", a chord bearing and distance of S 40°44'06" E, 308.74 feet, for an arc length of 309.82 feet to a calculated point of non-tangency hereof,

5.  S 62°15'32" E, a distance of 92.50 feet to a calculated point of non-tangent curvature hereof,

6.  along the arc of a curve to the left, having a radius of 1070.09 feet, a central angle of 01°07'36", a chord bearing and distance of S 57°04'52" E, 21.04 feet, for an arc length of 21.04 feet to a calculated point of non-tangency hereof,

7.  S 62°15'32" E, a distance of 195.70 feet to a calculated angle point hereof,

8.  S 60°51'45" E, a distance of 246.75 feet to a calculated angle point hereof, and

9.  S 52°58'17" E, a distance of 999.95 feet to a calculated point on the southwest right-of-way line of said Elroy Road, same being a point in the northwest right-of-way line of Texas Toll Road 130, a variable width right-of-way recorded in Document No. 2006139920 of the Official Public Records of Travis County, Texas, said point being the easternmost corner of said 61.300-acre tract for the easternmost northeast corner hereof;

THENCE S 27°46'44" W, with the northwest right-of-way line of said Texas Toll Road 130, same being the southeast boundary line of said 61.300-acre tract, a distance of 378.98 feet to a calculated point in the northwest right-of-way line of said Texas Toll Road 130, said point being the southeast corner of the Remnant Portion of said 61.300-acre tract, same being the east corner of a Remnant Portion of said 406.804-acre tract for an angle point hereof;

THENCE S 10°06'56" W, continuing with the northwest right-of-way line of said Texas Toll Road 130, same being the southeast boundary line of a Remnant Portion of said 406.804-acre tract, a distance of 232.06 feet to a calculated angle point hereof;

THENCE S 19°25'15" W, continuing with the northwest right-of-way line of said Texas Toll Road 130, same being the southeast boundary line of a Remnant Portion of said 406.804-acre tract, a distance of 1953.51 feet to a calculated point in the northwest right-of-way line of said Texas Toll Road 130, said point being a south corner of the Remnant Portion of said 406.804-acre tract, same being the east corner of said 33.315-acre tract for an angle point hereof;

THENCE S 20°12'48" W, continuing with the northwest right-of-way line of said Texas Toll Road 130, same being the southeast boundary line of said 33.315-acre tract, a distance of 2591.47 feet to a calculated point on the northwest right-of-way line of said Texas Toll Road 130, said point being on the northeast right-of-way line of McAngus Road, a variable width right-of-way, said point being the southeast corner of said 33.315-acre tract for the easternmost southeast corner hereof;

THENCE departing the northwest right-of-way of said Texas Toll Road 130, with the northerly right-of-way line of said McAngus Road, same being the southerly boundary line of said 33.315-acre tract the following three (3) courses and distances:

1.  N 75°16'47" W, a distance of 362.93 feet to a calculated angle point hereof,

2.  S 28°09'48" W, a distance of 85.27 feet to a calculated point for the southernmost southeast corner hereof, and

3.  N 61°55'51" W, a distance of 370.76 feet to a calculated point in the northeast right-of-way line of said McAngus Road, said point being the southwest corner of said 33.315-acre tract, same being the south corner of a called 3.100-acre tract recorded in Document No. 2009003712 of the Official Public Records of Travis County, Texas for the southernmost southwest corner hereof;

THENCE N 28°30'03" E, with a northwest boundary line of said 33.315-acre tract, same being the southeast boundary line of said 3.100-acre tract, and, in part, with the southeast boundary line of a called 12.000-acre tract recorded in Document No. 2009003712 of the Official Public Records of Travis County, Texas, a distance of 1456.72 feet to a calculated point in the northwest boundary line of said 33.315-acre tract, said point being the east corner of said 12.000-acre tract, same being the south corner of Ferguson Bain Subdivision, a subdivision according to the plat recorded in Document No. 201600012 of the Official Public Records of Travis County, Texas for an angle point hereof;

THENCE N 28°39'27" E, continuing with a northwest boundary line of said 33.315-acre tract, same being the southeast boundary line of said Ferguson Bain Subdivision, and, in part, with the southeast boundary line of a called 5.00-acre tract (Tract 2), and, in part, with the southeast boundary line of a called 3.0-acre tract, both recorded in Document No. 2018189524 of the Official Public Records of Travis County, Texas, a distance of 1273.46 feet to a calculated point at the east corner of said 3.0-acre tract, same being the north corner of said 33.315-acre tract, same being a west corner of the Remnant Portion of said 406.804-acre tract, also being the south corner of said 16.00-acre tract a southwest ell corner hereof;

THENCE N 61°41'07" W, with the southwest boundary line of said 16.00-acre tract, same being the northeast boundary line of said 3.0-acre tract, and, in part, with the northeast boundary line of a called 3.0-acre tract recorded in Document No. 2018046769 of the Official Public Records of Travis County, Texas, a distance of 856.25 feet to a calculated point at the west corner of said 16.00-acre tract, same being a point in the northeast boundary line of said 3.0-acre tract, also being the south corner of the Remnant Portion of a called 41.79-acre tract recorded in Document No. 2010133616 of the Official Public Records of Travis County, Texas for a southwest corner hereof;

THENCE N 28°30'25" E, departing the northeast boundary line of said 3.0-acre tract, with the northwest boundary line of said 16.00-acre tract, same being the southeast boundary line of the Remnant Portion of said 41.79-acre tract, a distance of 808.54 feet to a calculated point in the southwest boundary line of said Linda Vista Subdivision, said point being the north corner of said 16.00-acre tract, same being the east corner of the Remnant Portion of said 41.79-acre tract for a southwest ell corner hereof;

THENCE N 62°25'23" W, with the southwest boundary line of said Linda Vista Subdivision, same being the northeast boundary line of said 41.79-acre tract, a distance of 1227.54 feet to a calculated point in the southeast boundary line of said 3.03-acre tract, said point being in the southwest boundary line of said Linda Vista Subdivision, also being the northwest corner of said 41.79-acre tract for a southeast ell corner hereof;

THENCE S 27°24'37" W, with the southeast boundary line of said 3.03-acre tract, same being the northwest boundary line of said 41.79-acre tract, a distance of 324.05 feet to a calculated point on the north ell corner of said 41.79-acre tract, same being the south corner of said 3.03-acre tract for a south corner hereof;

THENCE N 63°31'23" W, with a northeast boundary line of said 41.79-acre tract, same being the southwest boundary line of said 3.03-acre tract, a distance of 278.80 feet to a calculated point in the southeast right-of-way line of said F.M. 973, said point being a northwest corner of said 41.79-acre tract, same being the west corner of said 3.03-acre tract for the westernmost corner hereof;

THENCE N 27°29'55" E, with the southeast right-of-way line of said F.M. 973, same being the northwest boundary line of said 3.03-acre tract, a distance of 473.60 feet to a calculated point in the southeast right-of-way line of said F.M. 973, said point being the north corner of said 3.03-acre tract, same being the west corner of said Linda Vista Subdivision for an angle point hereof;

THENCE N 27°21'34" E, continuing with the southeast right-of-way line of said F.M. 973,same being the northwest boundary line of said Linda Vista Subdivision, a distance of 409.78 feet to a calculated point in the southeast right-of-way line of said F.M. 973, said point being the north corner of said Linda Vista Subdivision, same being the west corner of the Remnant Portion of said 61.300-acre tract for an angle point hereof;

THENCE continuing with the southeast right-of-way line of said F.M. 973, same being the northwest boundary line of the Remnant Portion of said 61.300-acre tract the following four (4) courses and distances:

1.  N 26°52'18" E, a distance of 809.68 feet to a calculated point of non-tangent curvature hereof,

2.  along the arc of a curve to the right, having a radius of 1748.80 feet, a central angle of 17°04'21", a chord bearing and distance of N 35°19'01" E, 519.17 feet, for an arc length of 521.10 feet to a calculated point of non-tangency hereof,

3.  N 45°47'30" E, a distance of 160.07 feet to a calculated angle point hereof, and

4.  N 48°19'35" E, a distance of 118.16 feet to the POINT OF BEGINNING and containing 162.83 acres in Travis County, Texas.

TRACT 2

A 49.22 ACRE TRACT OF LAND, SITUATED IN THE NOEL M. BAIN SURVEY, SECTION NO. 1, ABSTRACT NO. 61, BEING THE REMNANT PORTION OF A CALLED 18.909 ACRE TRACT CONVEYED TO TSWG 130, LLC, RECORDED IN DOCUMENT NO. 2008010971 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING THE REMNANT PORTION OF A CALLED 22.880 ACRE TRACT CONVEYED TO M C JOINT VENTURE, RECORDED IN DOCUMENT NO. 2009193716 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 7.267 ACRE TRACT (TRACT 2) AS DESCRIBED IN CONDEMNATION CASE No. C-1-CV-10-001089 OF THE COUNTY COURT RECORDS OF TRAVIS COUNTY TEXAS, AND BEING ALL OF A CALLED 5.461 ACRE TRACT (TRACT 1) RECORDED IN CONDEMNATION CASE NO. C-1-CV-10-001090 OF THE COUNTY COURT RECORDS OF TRAVIS COUNTY TEXAS. SAID 49.22 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

BEGINNING at a calculated point in the southeast right-of-way line of Texas Toll Road 130, a variable width right-of-way, same being a point in the northeast right-of-way line of McAngus Road, a variable width right-of-way, said point being the west corner of said 7.267-acre tract for the southernmost southwest corner and POINT OF BEGINNING hereof;

THENCE N 19°53'28" E, departing the northeast right-of-way line of said McAngus Road, with the southeast right-of-way line of said Texas Toll Road 130, same being the northwest boundary line of said 7.267-acre tract, and, in part, with the northwest boundary line of said 5.461-acre tract, a distance of 2859.33 feet to a calculated angle point hereof;

THENCE N 24°10'34" E, continuing with the southeast right-of-way line of said Texas Toll Road 130, same being the northwest boundary line of said 5.461-acre tract, a distance of 1220.30 feet to a calculated point in the southeast right-of-way line of said Texas Toll Road 130, same being a point in the southwest right-of-way line of Engler Park Street, a variable width right-of-way recorded in Volume 10861, Page 173 of the Real Property Records of Travis County, Texas for the north corner hereof;

THENCE S 50°36'54" E, with the southwest right-of-way line of said Engler Park Street, same being the northeast boundary line of said 5.461-acre tract, and, in part, with the northeast boundary line of said 22.880-acre tract, a distance of 294.87 feet to a calculated point of non-tangent curvature hereof;

THENCE along the arc of a curve to the right, with the west right-of-way line of said Engler Park Street, same being an east boundary line of said 22.880-acre tract, said curve having a radius of 20.00 feet, a central angle of 89°56'32", a chord bearing and distance of S 05°36'57" E, 28.27 feet, for an arc length of 31.40 feet to a calculated point of non-tangency hereof;

THENCE S 39°24'37" W, with the northwest right-of-way line of said Engler Park Road, same being a southeast boundary line of said 22.880-acre tract, a distance of 48.56 feet to a calculated point at the west terminus of said Engler Park Street, said point being an east ell corner of said 22.880-acre tract for an east ell corner hereof;

THENCE S 50°35'34" E, with the southwest terminus of said Engler Park Street, same being a northeast boundary line of said 22.880-acre tract, a distance of 69.97 feet to a calculated point at the south terminus of said Engler Park Road, said point being in the northeast boundary line of said 22.880-acre tract, same being the west corner of a called 4.010-acre tract recorded in Document No. 2003100667 of the Official Public Records of Travis County, Texas for an angle point in the northeast boundary line hereof;

THENCE with a northeast boundary line of said 22.880-acre tract, same being the southwest boundary line of said 4.010-acre tract the following three (3) courses and distances:

1.  S 50°18'48" E, a distance of 310.59 feet to a calculated angle point hereof,

2.  S 30°06'51" E, a distance of 358.67 feet to a calculated angle point hereof, and

3.  S 54°54'46" E, a distance of 84.04 feet to a calculated point at a north ell corner of said 22.880-acre tract, same being the south corner of said 4.010-acre tract for a north ell corner hereof;

THENCE N 48°26'18" E, with a northwest boundary line of said 22.880-acre tract, same being the southeast boundary line of said 4.010-acre tract, a distance of 52.17 feet to a calculated angle point hereof;

THENCE N 44°04'10" E, continuing with a northwest boundary line of said 22.880-acre tract, same being the southeast boundary line of said 4.010-acre tract, a distance of 122.72 feet to a calculated point for a west ell corner of said 22.880-acre tract, same being the east corner of said 4.010-acre tract for a west ell corner hereof;

THENCE with a southwest boundary line of said 22.880-acre tract, same being the northeast boundary line of said 4.010-acre tract the following three (3) courses and distances:

1.  N 25°44'58" W, a distance of 189.43 feet to a calculated point hereof,

2.  N 26°57'56" W, a distance of 303.72 feet to a calculated point hereof, and

3.  N 56°07'21" W, a distance of 300.37 feet to a calculated point in the southeast right-of-way line of said Engler Park Road, said point being a west corner of said 22.880-acre tract, same being the north corner of said 4.010-acre tract for a west corner hereof,

THENCE N 39°23'16" E, with the southeast right-of-way line of said Engler Road, same being a northwest boundary line of said 22.880-acre tract, a distance of 103.65 feet to a calculated point in the southeast right-of-way line of said Engler Park Road, said point being the north corner of said 22.880-acre tract, same being the east corner of Moores Crossing, Phase A, Section II, a subdivision according to the plat recorded in Volume 88, Page 68 of the Plat Records of Travis County, Texas for the north corner hereof;

THENCE S 53°35'59" E, with the northeast boundary line of said 22.880-acre tract, same being the southwest boundary line of said Moores Crossing, Phase A, Section II, a distance of 338.79 feet to a calculated angle point hereof;

THENCE S 39°11'19" E, continuing with the northeast boundary line of said 22.880-acre tract, same being the southwest boundary line of said Moores Crossing, Phase A, Section II, a distance of 309.50 feet to a calculated point in the northeast boundary line of said 22.880-acre tract, same being the south corner of said Moores Crossing, Phase A, Section II, also being the west corner of Moores Crossing, Phase A, Section I, a subdivision according to the plat recorded in Volume 87, Page 155 of the Plat Records of Travis County, Texas

THENCE continuing with the northeast boundary line of said 22.880-acre tract, same being the southwest boundary line of said Moores Crossing, Phase A, Section I the following three (3) courses and distances:

1.  S 25°57'12" E, a distance of 132.86 feet to a calculated angle point hereof.

2.  S 51°08'03" E, a distance of 303.13 feet to a calculated angle point hereof. and

3.  S 44°09'11" E, a distance of 67.26 feet to a calculated point at the west corner of said 22.880-acre tract, same being a southwest corner of said Moores Crossing, Phase A, Section I, also being the north corner of Stoney Ridge, Section 5-A, a subdivision according to the plat recorded in Document No. 200200132 of the Official Public Records of Travis County, Texas for the west corner hereof;

THENCE with the southeasterly boundary line of said 22.880-acre tract, same being the northwesterly boundary line of said Stoney Ridge, Phase 5-A the following (11) courses and distances:

1.  S 37°06'58" W, a distance of 87.18 feet to a calculated point of non-tangent curvature hereof,

2.  along the arc of a curve to the left, having a radius of 1032.00 feet, a central angle of 04°16'00", a chord bearing and distance of S 33°27'02" W, 76.83 feet, for an arc length of 76.85 feet to a calculated point of non-tangency hereof,

3.  N 42°50'07" W, a distance of 74.90 feet to a calculated angle point hereof,

4.  N 55°26'05" W, a distance of 297.15 feet to a calculated angle point hereof,

5.  S 44°16'47" W, a distance of 119.71 feet to a calculated angle point hereof,

6.  S 48°19'01" W, a distance of 50.48 feet to a calculated angle point hereof,

7.  S 34°40'00" W, a distance of 145.17 feet to a calculated angle point hereof,

8.  S 31°18'41" W, a distance of 267.70 feet to a calculated angle point hereof,

9.  S 27°11'50" W, a distance of 273.71 feet to a calculated angle point hereof,

10.  S 62°48'10" E, a distance of 25.00 feet to a calculated angle point hereof, and

11.  S 27°11'50" W, a distance of 117.00 feet to a calculated point in the northeast boundary line of a called 34.000-acre tract recorded in Document No. 200513348 of the Official Public Records of Travis County, Texas, said point being a south corner of said 22.880-acre tract, same being the west corner of said Stoney Ridge, Phase 5-A for a southeast corner hereof,

THENCE N 62°50'15" W, with a southeast boundary line of said 22.880-acre tract, same being the northeast boundary line of said 34.000-acre tract, and, in part, with the northeast boundary line of a called 10.136-acre tract recorded in Document No. 2004171660 of the Official Public Records of Travis County, Texas, a distance of 472.25 feet to a calculated point at a southeast ell corner of said 28.880-acre tract, same being the north corner of said 10.136-acre tract for a southeast ell corner hereof;

THENCE S 26°52'34" W, with a southeast boundary line of said 28.880-acre tract, same being the northwest boundary line of said 10.136-acre tract, a distance of 215.87 feet to a calculated angle point hereof;

THENCE S 28°09'58" W, with a southeast boundary line of said 28.880-acre tract, same being the northwest boundary line of said 10.136-acre tract, a distance of 952.60 feet to a calculated point in the southeast boundary line of said 22.880-acre tract, said point being the west corner of said 10.136-acre tract, same being the north corner of a called 0.998-acre tract recorded in Document No. 2004177205 of the Official Public Records of Travis County, Texas for an angle point hereof;

THENCE S 26°20'45" W, continuing with a southeast boundary line of said 28.880-acre tract, same being the northwest boundary line of said 0.998-acre tract, a distance of 161.85 feet to a calculated point in the southeast boundary line of said 22.880-acre tract, said point being the west corner of said 0.998-acre tract, same being the north corner of a called 1.873-acre tract recorded in Document No. 2004171660 of the Official Public Records of Travis County, Texas for an angle point hereof;

THENCE S 27°32'17" W, continuing with a southeast boundary line of said 28.880-acre tract, same being the northwest boundary line of said 1.873-acre tract, a distance of 301.85 feet to a calculated point in the southeast boundary line of said 22.880-acre tract, said point being the west corner of said 1.873-acre tract, same being the north corner of a called 0.927-acre tract recorded in Document No. 2004092946 of the Official Public Records of Travis County, Texas for an angle point hereof;

THENCE S 27°47'26" W, continuing with a southeast boundary line of said 28.880-acre tract, same being the northwest boundary line of said 2.996-acre tract, a distance of 149.81 feet to a calculated point in the southeast boundary line of said 22.880-acre tract, said point being the west corner of said 0.927-acre tract, same being the north corner of a called 2.996-acre tract recorded in Document No. 2004032363 of the Official Public Records of Travis County, Texas for an angle point hereof;

THENCE S 27°59'19" W, continuing with a southeast boundary line of said 28.880-acre tract, same being the northwest boundary line of said 2.996-acre tract, and, in part, with the northwest boundary line of a called 0.501-acre tract recorded in Document No. 2003278680 of the Official Public Records of Travis County, Texas, a distance of 567.39 feet to a calculated point in the southeast boundary line of said 22.880-acre tract, said point being the west corner of said 0.501-acre tract, same being the north corner of a called 0.369-acre tract recorded in Document No. 2004039131 of the Official Public Records of Travis County, Texas for an angle point hereof;

THENCE S 27°51'19" W, continuing with a southeast boundary line of said 28.880-acre tract, same being the northwest boundary line of said 0.369-acre tract, and, in part, with the northwest boundary line of Lot A, McAngus Road Addition, a subdivision according to the plat recorded in Volume 69, Page 28 of the Plat Records of Travis County, Texas, a distance of 534.70 feet to a calculated point in the northeast right-of-way line of said McAngus Road, said point being in the northwest boundary line of said Lot A, same being the south corner of said Lot A for the south corner hereof;

THENCE N 38°48'25" W, with the northeast right-of-way line of said McAngus Road, same being the southwest boundary line of said 22.880-acre tract, a distance of 143.07 feet to the POINT OF BEGINNING and containing 49.22 acres in Travis County, Texas.

TRACT 3

A 10.39 ACRE TRACT OF LAND, SITUATED IN THE NOEL M. BAIN SURVEY, SECTION NO. 1, ABSTRACT NO. 61, BEING OUT OF THE REMNANT PORTION OF A CALLED 406.804 ACRE TRACT CONVEYED TO M C JOINT VENTURE, RECORDED IN VOLUME 11921, PAGE 585 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING ALL OF A CALLED 5.308 ACRE TRACT (TRACT 1) AS DESCRIBED IN CASE CONDEMNATION NO. C-1-CV-10-001090 RECORDED IN THE COUNTY COURT RECORDS OF TRAVIS COUNTY, TEXAS. SAID 10.39 ACRE TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

BEGINNING at a calculated point in the southeast right-of-way line of Texas Toll Road 130, a variable width right-of-way, said point being in the southwest right-of-way line of Elroy Road, a variable width right-of-way, said point being the north corner of said 5.308-acre tract for the north corner and POINT OF BEGINNING hereof;

THENCE S 70°07'01" E, departing the southeast right-of-way of said Texas Toll Road, with the southwest right-of-way line of said Elroy Road, same being the north boundary line of said 5.308-acre tract, and, in part with the northeast boundary line of a Remnant Portion of said 406.804-acre tract, a distance of 301.64 feet to a calculated point in the southwest right-of-way line of said Elroy Road, said point being the northwest terminus of Moores Crossing Blvd., a 70-foot right-of-way recorded in Volume 10467, Page 982 of the Real Property Records of Travis County, Texas for the east corner hereof;

THENCE departing the southwest right-of-way line of said Elroy Road, with the northwest right-of-way line of said Moores Crossing Blvd., same being the southeast boundary line of the Remnant Portion of said 406.804-acre tract for the following five (5) courses and distances:

1.  S 28°06'53" W, a distance of 233.47 feet to a calculated point of non-tangent curvature hereof,

2.  along the arc of a curve to the left, said curve having a radius of 685.00 feet, a central angle of 10°33'14", a chord bearing and distance of S 22°38'56" W, 126.00 feet, for an arc length of 126.18 feet to a calculated point of non-tangency hereof,

3.  S 17°22'18" W, a distance of 463.68 feet to a calculated point of non-tangent curvature hereof,

4.  along the arc of a curve to the right, having a radius of 615.00 feet, a central angle of 22°00'22", a chord bearing and distance of S 28°22'28" W, 234.76 feet, for an arc length of 236.21 feet to a calculated point of non-tangency hereof, and

5.  S 39°25'26" W, a distance of 171.25 feet to a calculated point in the northwest right-of-way line of said Moores Crossing Blvd., said point being the northeast terminus of Engler Park Street, a variable width right-of-way recorded in Volume 10861, Page 173 of the Real Property Records of Travis County, Texas, same being the easternmost southeast corner of the Remnant Portion of said 406.804-acre tract for the easternmost southeast corner and point of non-tangent curvature hereof;

THENCE along the arc of a curve to the right, with the north right-of-way line of said Engler Park Street, same being the south boundary line of the Remnant Portion of said 406.804-acre tract, said curve having a radius of 25.00 feet, a central angle of 89°55'20", a chord bearing and distance of S 84°24'07" W, 35.33 feet, for an arc length of 39.24 feet to a calculated point in the northeast right-of-way line of said Engler Park Street, same being the southwest boundary line of the Remnant Portion of said 406.804-acre tract for the southernmost southwest corner hereof;

THENCE N 50°36'59" W, with the northeast right-of-way line of said Engler Park Street, same being the southwest boundary line of the Remnant Portion of said 406.804-acre tract, and, in part, the southwest boundary line of said 5.308-acre tract, a distance of 307.20 feet to a calculated point in the southeast right-of-way line of said Texas Toll Road 130, said point being in the northeast right-of-way line of said Engler Park Street, said point being the southernmost southwest corner of said 5.308-acre tract for the southernmost southwest corner hereof;

THENCE departing the northeast right-of-way line of said Engler Park Street, with the southeast right-of-way line of said Texas Toll Road 103, same being the northwest boundary line of said 5.308-acre tract the following four (4) courses and distances:

1.  N 24°10'34" E, a distance of 77.10 feet to a calculated angle point hereof,

2.  N 19°38'37" E, a distance of 788.67 feet to a calculated angle point hereof,

3.  N 38°57'16" E, a distance of 38.23 feet to a calculated angle point hereof, and

N 47°11'15" E, a distance of 252.87 feet to the POINT OF BEGINNING and containing 10.39 acres in Travis County, Texas.

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

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

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

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

SECTION 4.  This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2021.

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