

By: Smith

H.B. No. 4586

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the Grayson County Municipal Utility
3 District No. 8; 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 7912A to read as follows:

9 CHAPTER 7912A. GRAYSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 8

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 7912A.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 Grayson County Municipal
17 Utility District No. 8.

18 Sec. 7912A.0102. NATURE OF DISTRICT. The district is a
19 municipal utility district created under Section 59, Article XVI,
20 Texas Constitution.

21 Sec. 7912A.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. 7912A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 7912A.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. 7912A.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. 7912A.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. 7912A.0201. GOVERNING BODY; TERMS. (a) The district
4 is governed by a board of five elected directors.

5 (b) Except as provided by Section 7912A.0202, directors
6 serve staggered four-year terms.

7 Sec. 7912A.0202. TEMPORARY DIRECTORS. (a) On or after the
8 effective date of the Act enacting this chapter, the owner or owners
9 of a majority of the assessed value of the real property in the
10 district may submit a petition to the commission requesting that
11 the commission appoint as temporary directors the five persons
12 named in the petition. The commission shall appoint as temporary
13 directors the five persons named in the petition.

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

15 (1) the date permanent directors are elected under
16 Section 7912A.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 7912A.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 7912A.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. 7912A.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. 7912A.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. 7912A.0303. AUTHORITY FOR ROAD PROJECTS. Under
18 Section 52, Article III, Texas Constitution, the district may
19 design, acquire, construct, finance, issue bonds for, improve,
20 operate, maintain, and convey to this state, a county, or a
21 municipality for operation and maintenance macadamized, graveled,
22 or paved roads, or improvements, including storm drainage, in aid
23 of those roads.

24 Sec. 7912A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
25 road project must meet all applicable construction standards,
26 zoning and subdivision requirements, and regulations of each
27 municipality in whose corporate limits or extraterritorial

1 jurisdiction the road project is located.

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

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

10 Sec. 7912A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
11 ORDINANCE OR RESOLUTION. The district shall comply with all
12 applicable requirements of any ordinance or resolution that is
13 adopted under Section 54.016 or 54.0165, Water Code, and that
14 consents to the creation of the district or to the inclusion of land
15 in the district.

16 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

17 Sec. 7912A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
18 The district may issue, without an election, bonds and other
19 obligations secured by:

- 20 (1) revenue other than ad valorem taxes; or
21 (2) contract payments described by Section
22 7912A.0403.

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

27 (c) The district may not issue bonds payable from ad valorem

1 taxes to finance a road project unless the issuance is approved by a
2 vote of a two-thirds majority of the district voters voting at an
3 election held for that purpose.

4 Sec. 7912A.0402. OPERATION AND MAINTENANCE TAX. (a) If
5 authorized at an election held under Section 7912A.0401, the
6 district may impose an operation and maintenance tax on taxable
7 property in the district in accordance with Section 49.107, Water
8 Code.

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

11 Sec. 7912A.0403. CONTRACT TAXES. (a) In accordance with
12 Section 49.108, Water Code, the district may impose a tax other than
13 an operation and maintenance tax and use the revenue derived from
14 the tax to make payments under a contract after the provisions of
15 the contract have been approved by a majority of the district voters
16 voting at an election held for that purpose.

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

20 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

21 Sec. 7912A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
22 OBLIGATIONS. The district may issue bonds or other obligations
23 payable wholly or partly from ad valorem taxes, impact fees,
24 revenue, contract payments, grants, or other district money, or any
25 combination of those sources, to pay for any authorized district
26 purpose.

27 Sec. 7912A.0502. TAXES FOR BONDS. At the time the district

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

6 Sec. 7912A.0503. BONDS FOR ROAD PROJECTS. At the time of
7 issuance, the total principal amount of bonds or other obligations
8 issued or incurred to finance road projects and payable from ad
9 valorem taxes may not exceed one-fourth of the assessed value of the
10 real property in the district.

11 SECTION 2. The Grayson County Municipal Utility District
12 No. 8 initially includes all the territory contained in the
13 following area:

14 BEING A TRACT OF LAND LOCATED IN THE UEL D. FOX SURVEY,
15 ABSTRACT NO. 423 AND THE SAMUEL PRUITT SURVEY, ABSTRACT NO. 956,
16 GRAYSON COUNTY, TEXAS AND BEING ALL OF THOSE TRACTS OF LAND
17 DESCRIBED IN DEEDS TO WCH FAMILY PARTNERSHIP, LTD., RECORDED IN
18 VOLUME 5188, PAGE 153 AND VOLUME 5188, PAGE 159, DEED RECORDS,
19 GRAYSON COUNTY, TEXAS (D.R.G.C.T.) AND BEING ALL OF A TRACT OF LAND
20 DESCRIBED IN DEED TO GEORGE M. KERNS AND WIFE, DIANA SUE KERNS,
21 RECORDED IN VOLUME 1304, PAGE 793, D.R.G.C.T. AND BEING MORE
22 PARTICULARLY DESCRIBED AS FOLLOWS:

23 BEGINNING AT A 1/2-INCH IRON ROD FOUND AT THE MOST WESTERLY
24 NORTHWEST CORNER OF SAID WCH FAMILY PARTNERSHIP TRACT AND THE
25 SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO RICK
26 WALKER, RECORDED IN VOLUME 3917, PAGE 626, D.R.G.C.T., FROM WHICH A
27 1/2-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF LOT 1 OF HUNTER'S

1 CROSSING, PHASE 1, AN ADDITION TO GRAYSON COUNTY, TEXAS ACCORDING
2 TO THE PLAT THEREOF RECORDED IN VOLUME 13, PAGE 44, PLAT RECORDS,
3 GRAYSON COUNTY, TEXAS (P.R.G.C.T.) BEARS NORTH 00°21'42" WEST, A
4 DISTANCE OF 38.44 FEET;

5 THENCE NORTH 89°08'11" EAST, A DISTANCE OF 595.08 FEET TO A
6 1/2-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF A TRACT OF LAND
7 DESCRIBED IN DEED TO PAUL D. YATES AND WIFE, TINA Y. YATES, RECORDED
8 IN VOLUME 2447, PAGE 187, D.R.G.C.T.;

9 THENCE NORTH 00°53'40" WEST, A DISTANCE OF 240.03 FEET TO A
10 CALCULATED POINT IN THE SOUTH LINE OF SAID WALKER TRACT AT THE
11 NORTHEAST CORNER OF SAID YATES TRACT, FROM WHICH A 1/2-INCH IRON ROD
12 FOUND BEARS NORTH 00°53'40" WEST, A DISTANCE OF 0.40 FEET;

13 THENCE NORTH 89°08'11" EAST, ALONG THE COMMON LINE OF SAID WCH
14 FAMILY PARTNERSHIP TRACT AND SAID WALKER TRACT, PASSING A 5/8-INCH
15 IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR REFERENCE AT
16 A DISTANCE OF 1,726.26 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF
17 1,776.26 FEET TO A CALCULATED POINT FOR CORNER IN THE WEST PRONG OF
18 WHITES CREEK;

19 THENCE SOUTH 00°51'29" EAST, CONTINUING ALONG SAID COMMON
20 LINE AND SAID CREEK, A DISTANCE OF 21.30 FEET TO A CALCULATED POINT
21 AT THE MOST WESTERLY NORTHWEST CORNER OF LOT 16 OF THE REPLAT OF LOT
22 14 & PART OF LOTS 13 AND 15, HACKBERRY HEIGHTS, AN ADDITION TO
23 GRAYSON COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF RECORDED IN
24 VOLUME 11, PAGE 23, P.R.G.C.T.;

25 THENCE SOUTH 02°01'10" WEST, LEAVING SAID COMMON LINE AND
26 CONTINUING ALONG SAID CREEK AND ALONG SAID WEST LINE, A DISTANCE OF
27 76.98 FEET TO A CALCULATED POINT FOR CORNER;

1 THENCE SOUTH 17°00'08" EAST, CONTINUING ALONG SAID CREEK AND
2 SAID WEST LINE, A DISTANCE OF 147.69 FEET TO A CALCULATED POINT FOR
3 CORNER;

4 THENCE NORTH 89°08'56" EAST, LEAVING SAID CREEK AND ALONG THE
5 SOUTH LINE OF SAID LOT 16, A DISTANCE OF 219.81 FEET TO A CALCULATED
6 POINT FOR CORNER IN THE APPROXIMATE CENTER OF A BRANCH OF SAID CREEK
7 AT THE NORTH CORNER OF LOT 13 OF HACKBERRY HEIGHTS PHASE TWO, AN
8 ADDITION TO GRAYSON COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF
9 RECORDED IN VOLUME 10, PAGE 92, P.R.G.C.T.;

10 THENCE SOUTH 23°54'50" WEST, ALONG SAID BRANCH AND THE WEST
11 LINE OF SAID HACKBERRY HEIGHTS PHASE TWO, A DISTANCE OF 108.98 FEET
12 TO A CALCULATED POINT FOR CORNER IN SAID WEST PRONG OF WHITES CREEK;

13 THENCE SOUTHERLY, ALONG SAID WEST PRONG, SAME BEING THE
14 COMMON LINE OF SAID WCH FAMILY PARTNERSHIP TRACT AND SAID HACKBERRY
15 HEIGHTS PHASE TWO, THE FOLLOWING FIFTEEN (15) COURSES AND
16 DISTANCES:

17 1. SOUTH 05 °37'51" WEST, A DISTANCE OF 162.05 FEET TO A
18 CALCULATED POINT FOR CORNER;

19 2. SOUTH 17°32'07" EAST, A DISTANCE OF 134.22 FEET TO A
20 CALCULATED POINT FOR CORNER;

21 3. SOUTH 10°29'21" WEST, A DISTANCE OF 65.27 FEET TO A
22 CALCULATED POINT FOR CORNER;

23 4. SOUTH 42°00'02" EAST, A DISTANCE OF 60.19 FEET TO A
24 CALCULATED POINT FOR CORNER;

25 5. NORTH 62°06'14" EAST, A DISTANCE OF 43.26 FEET TO A
26 CALCULATED POINT FOR CORNER;

27 6. NORTH 03°18'47" EAST, A DISTANCE OF 56.58 FEET TO A

- 1 CALCULATED POINT FOR CORNER;
- 2 7. NORTH 59°29'48" EAST, A DISTANCE OF 117.66 FEET TO A
- 3 CALCULATED POINT FOR CORNER;
- 4 8. SOUTH 01°37'31" WEST, A DISTANCE OF 481.14 FEET TO A
- 5 CALCULATED POINT FOR CORNER;
- 6 9. SOUTH 53°49'07" WEST, A DISTANCE OF 198.83 FEET TO A
- 7 CALCULATED POINT FOR CORNER;
- 8 10. NORTH 69°18'14" WEST, A DISTANCE OF 113.04 FEET TO A
- 9 CALCULATED POINT FOR CORNER;
- 10 11. NORTH 29°21'52" WEST, A DISTANCE OF 124.86 FEET TO A
- 11 CALCULATED POINT FOR CORNER;
- 12 12. SOUTH 36°44'06" WEST, A DISTANCE OF 88.97 FEET TO A
- 13 CALCULATED POINT FOR CORNER;
- 14 13. SOUTH 65°01'56" EAST, A DISTANCE OF 40.98 FEET TO A
- 15 CALCULATED POINT FOR CORNER;
- 16 14. SOUTH 27°31'46" EAST, A DISTANCE OF 196.90 FEET TO A
- 17 CALCULATED POINT FOR CORNER;
- 18 15. SOUTH 41°45'29" WEST, A DISTANCE OF 127.35 FEET TO A
- 19 CALCULATED POINT AT THE MOST SOUTHERLY NORTHWEST CORNER
- 20 OF LOT 16 OF SAID HACKBERRY HEIGHTS PHASE TWO AND THE
- 21 NORTHEAST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO
- 22 BRIGGS LIVING TRUST, RECORDED IN VOLUME 3204, PAGE 646,
- 23 D.R.G.C.T.;

24 THENCE SOUTHWESTERLY, ALONG THE APPROXIMATE CENTER OF SAID

25 WEST PRONG, SAME BEING THE COMMON LINE OF SAID WCH FAMILY

26 PARTNERSHIP TRACT AND SAID BRIGGS LIVING TRUST TRACT, THE FOLLOWING

27 THIRTY- THREE (33) COURSES AND DISTANCES:

- 1 1. SOUTH 71°32'08" WEST, A DISTANCE OF 78.07 FEET TO A
2 CALCULATED POINT FOR CORNER;
- 3 2. NORTH 84°23'14" WEST, A DISTANCE OF 91.09 FEET TO A
4 CALCULATED POINT FOR CORNER;
- 5 3. SOUTH 85°15'30" WEST, A DISTANCE OF 30.10 FEET TO A
6 CALCULATED POINT FOR CORNER;
- 7 4. SOUTH 62°11'39" WEST, A DISTANCE OF 41.25 FEET TO A
8 CALCULATED POINT FOR CORNER;
- 9 5. SOUTH 04°28'27" WEST, A DISTANCE OF 34.86 FEET TO A
10 CALCULATED POINT FOR CORNER;
- 11 6. SOUTH 09°39'18" EAST, A DISTANCE OF 37.43 FEET TO A
12 CALCULATED POINT FOR CORNER;
- 13 7. SOUTH 54°53'18" EAST, A DISTANCE OF 19.07 FEET TO A
14 CALCULATED POINT FOR CORNER;
- 15 8. NORTH 66°44'16" EAST, A DISTANCE OF 15.43 FEET TO A
16 CALCULATED POINT FOR CORNER;
- 17 9. SOUTH 68°06'44" EAST, A DISTANCE OF 30.52 FEET TO A
18 CALCULATED POINT FOR CORNER;
- 19 10. SOUTH 62°01'54" EAST, A DISTANCE OF 33.64 FEET TO A
20 CALCULATED POINT FOR CORNER;
- 21 11. SOUTH 34°19'34" EAST, A DISTANCE OF 53.12 FEET TO A
22 CALCULATED POINT FOR CORNER;
- 23 12. SOUTH 02°52'27" EAST, A DISTANCE OF 28.55 FEET TO A
24 CALCULATED POINT FOR CORNER;
- 25 13. SOUTH 42°01'01" WEST, A DISTANCE OF 38.44 FEET TO A
26 CALCULATED POINT FOR CORNER;
- 27 14. SOUTH 69°56'13" WEST, A DISTANCE OF 128.54 FEET TO A

- 1 CALCULATED POINT FOR CORNER;
- 2 15. SOUTH 83°04'08" WEST, A DISTANCE OF 53.04 FEET TO A
- 3 CALCULATED POINT FOR CORNER;
- 4 16. NORTH 41°44'15" WEST, A DISTANCE OF 122.78 FEET TO A
- 5 CALCULATED POINT FOR CORNER;
- 6 17. NORTH 81°21'43" WEST, A DISTANCE OF 13.51 FEET TO A
- 7 CALCULATED POINT FOR CORNER;
- 8 18. SOUTH 76°55'42" WEST, A DISTANCE OF 11.79 FEET TO A
- 9 CALCULATED POINT FOR CORNER;
- 10 19. SOUTH 65°12'40" WEST, A DISTANCE OF 29.57 FEET TO A
- 11 CALCULATED POINT FOR CORNER;
- 12 20. SOUTH 33°03'38" WEST, A DISTANCE OF 42.81 FEET TO A
- 13 CALCULATED POINT FOR CORNER;
- 14 21. SOUTH 10°00'47" WEST, A DISTANCE OF 11.45 FEET TO A
- 15 CALCULATED POINT FOR CORNER;
- 16 22. SOUTH 16°36'13" EAST, A DISTANCE OF 12.00 FEET TO A
- 17 CALCULATED POINT FOR CORNER;
- 18 23. SOUTH 43°21'35" EAST, A DISTANCE OF 19.22 FEET TO A
- 19 CALCULATED POINT FOR CORNER;
- 20 24. SOUTH 23°19'51" EAST, A DISTANCE OF 15.43 FEET TO A
- 21 CALCULATED POINT FOR CORNER;
- 22 25. SOUTH 04°42'58" WEST, A DISTANCE OF 17.64 FEET TO A
- 23 CALCULATED POINT FOR CORNER;
- 24 26. SOUTH 22°18'01" WEST, A DISTANCE OF 25.94 FEET TO A
- 25 CALCULATED POINT FOR CORNER;
- 26 27. SOUTH 54°52'25" WEST, A DISTANCE OF 35.73 FEET TO A
- 27 CALCULATED POINT FOR CORNER;

1 28. SOUTH 62°47'42" WEST, A DISTANCE OF 33.74 FEET TO A
2 CALCULATED POINT FOR CORNER;
3 29. SOUTH 14°24'32" WEST, A DISTANCE OF 24.78 FEET TO A
4 CALCULATED POINT FOR CORNER;
5 30. SOUTH 05°50'31" EAST, A DISTANCE OF 36.58 FEET TO A
6 CALCULATED POINT FOR CORNER;
7 31. SOUTH 06°48'15" EAST, A DISTANCE OF 61.82 FEET TO A
8 CALCULATED POINT FOR CORNER;
9 32. SOUTH 44°48'52" EAST, A DISTANCE OF 37.81 FEET TO A
10 CALCULATED POINT FOR CORNER;
11 33. SOUTH 25°16'42" EAST, A DISTANCE OF 16.01 FEET TO A
12 CALCULATED POINT FOR CORNER;
13 THENCE SOUTH 88°50'56" WEST, LEAVING SAID WEST PRONG AND
14 CONTINUING ALONG THE COMMON LINE OF SAID WCH FAMILY PARTNERSHIP
15 TRACT AND SAID BRIGGS LIVING TRUST TRACT, PASSING A 5/8-INCH IRON
16 ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET FOR REFERENCE AT A
17 DISTANCE OF 50.00 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF
18 354.36 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS
19 5674" SET FOR CORNER NEAR A FENCE CORNER POST;
20 THENCE SOUTH 07°35'56" WEST, A DISTANCE OF 599.94 FEET TO A
21 DEAD BOIS D'ARC TREE FOUND FOR CORNER;
22 THENCE NORTH 80°08'23" WEST, PASSING AT A DISTANCE OF 748.66
23 FEET A 1/2-INCH IRON ROD FOUND AT THE SOUTHEAST CORNER OF A TRACT OF
24 LAND DESCRIBED IN DEED TO GEORGE M. KERNS AND WIFE, DIANA SUE KERNS,
25 RECORDED IN VOLUME 1304, PAGE 793, D.R.G.C.T., PASSING AGAIN AT A
26 DISTANCE OF 1119.45 FEET A WOOD FENCE POST FOUND AT THE CALLED
27 NORTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO RICKFORD B.

1 STILL AND MARTHA A. STILL, RECORDED IN VOLUME 3435, PAGE 152,
2 D.R.G.C.T., AND CONTINUING FOR A TOTAL DISTANCE OF 1,120.62 FEET TO
3 A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET AT THE
4 MOST SOUTHERLY SOUTHWEST CORNER OF SAID KERNS TRACT;

5 THENCE SOUTH 00°26'09" WEST, PASSING A 1/2-INCH IRON ROD FOUND
6 AT A DISTANCE OF 2.64 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF
7 469.12 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS
8 5674" SET AT THE SOUTHEAST CORNER OF SAID WCH FAMILY PARTNERSHIP
9 TRACT, FROM WHICH A 1/2- INCH IRON ROD FOUND WITH A CAP STAMPED
10 "SARTIN 3694" BEARS NORTH 83°16'09" EAST, A DISTANCE OF 3.65 FEET;

11 THENCE SOUTH 88°27'06" WEST, A DISTANCE OF 118.91 FEET TO A
12 PK-NAIL FOUND IN MAJORS ROAD AT THE SOUTH COMMON CORNER OF SAID WCH
13 FAMILY PARTNERSHIP TRACT AND A TRACT OF LAND DESCRIBED IN DEED TO
14 BILLY WAYNE TURNER, RECORDED IN INSTRUMENT NO. 2017-00006509,
15 D.R.G.C.T.;

16 THENCE NORTH 40°07'29" WEST, ALONG SAID MAJORS ROAD AND THE
17 COMMON LINE OF SAID WCH PARTNERSHIP TRACT AND SAID TURNER TRACT, A
18 DISTANCE OF 376.00 FEET TO A MAG NAIL SET FOR CORNER IN SAID MAJORS
19 ROAD;

20 THENCE NORTH 24°15'14" WEST, LEAVING THE COMMON LINE OF SAID
21 WCH FAMILY PARTNERSHIP TRACT AND SAID TURNER TRACT, A DISTANCE OF
22 215.66 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED "RPLS
23 5674" SET FOR CORNER ON THE WESTERLY SIDE OF SAID MAJORS ROAD;

24 THENCE NORTH 00°03'20" WEST, CONTINUING ALONG SAID WEST SIDE
25 OF MAJORS ROAD, A DISTANCE OF 206.05 FEET TO A 1/2-INCH IRON ROD
26 FOUND AT THE MOST WESTERLY SOUTHWEST CORNER OF SAID KERNS TRACT;

27 THENCE NORTH 01°09'57" EAST, CONTINUING ALONG SAID WEST SIDE

1 OF MAJORS ROAD AND PASSING AT A DISTANCE OF 50.95 FEET THE NORTHWEST
2 CORNER OF SAID KERNS TRACT, PASSING AGAIN AT A DISTANCE OF 170.27
3 FEET A 1/2-INCH IRON ROD FOUND AT THE EAST COMMON CORNER OF A TRACT
4 OF LAND DESCRIBED IN DEED TO LC. ACHIMON AND WIFE DONNITA ACHIMON,
5 RECORDED IN VOLUME 2697, PAGE 690, D.R.G.C.T. AND A TRACT OF LAND
6 DESCRIBED IN DEED TO DEANNA M. BUNCH, RECORDED IN VOLUME 4588, PAGE
7 799, D.R.G.C.T., AND CONTINUING ALONG THE COMMON LINE OF SAID WCH
8 FAMILY PARTNERSHIP TRACT AND SAID BUNCH TRACT FOR A TOTAL DISTANCE
9 OF 550.82 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW CAP STAMPED
10 "RPLS 5674" SET AT THE NORTHWEST CORNER OF SAID WCH FAMILY
11 PARTNERSHIP TRACT RECORDED IN VOLUME 5188, PAGE 153;

12 THENCE NORTH 89°43'01" EAST, LEAVING THE COMMON LINE OF SAID
13 WCH FAMILY PARTNERSHIP TRACT AND SAID BUNCH TRACT, A DISTANCE OF
14 22.30 FEET TO A MAG NAIL SET NEAR THE APPROXIMATE CENTERLINE OF SAID
15 MAJORS ROAD AT THE SOUTHWEST CORNER OF SAID WCH FAMILY PARTNERSHIP
16 TRACT RECORDED IN 5188, PAGE 159;

17 THENCE NORTH 00°12'54" EAST, ALONG SAID APPROXIMATE
18 CENTERLINE, A DISTANCE OF 1,312.29 FEET TO THE POINT OF BEGINNING
19 AND CONTAINING 5,517,945 SQUARE FEET OR 126.675 ACRES OF LAND, MORE
20 OR LESS.

21 SAVE AND EXCEPT:

22 BEING A TRACT OF LAND LOCATED IN THE SAMUEL PRUITT SURVEY,
23 ABSTRACT NO. 956, GRAYSON COUNTY, TEXAS AND BEING ALL OF A TRACT OF
24 LAND DESCRIBED IN DEED TO GEORGE M. KERNS AND WIFE, DIANA SUE KERNS,
25 RECORDED IN VOLUME 1304, PAGE 793, DEED RECORDS, GRAYSON COUNTY,
26 TEXAS (D.R.G.C.T.) AND BEING MORE PARTICULARLY DESCRIBED AS
27 FOLLOWS:

1 BEGINNING AT A 1/2-INCH IRON ROD FOUND ON THE WEST SIDE OF
2 MAJORS ROAD AT THE NORTHWEST CORNER OF SAID KERNS TRACT AND THE MOST
3 WESTERLY SOUTHWEST CORNER OF A TRACT OF LAND DESCRIBED IN DEED TO
4 WCH FAMILY PARTNERSHIP, LTD., RECORDED IN VOLUME 5188, PAGE 153,
5 D.R.G.C.T.;

6 THENCE SOUTH 81°42'03" EAST, ALONG THE COMMON LINE OF SAID
7 KERNS TRACT AND SAID WCH FAMILY PARTNERSHIP TRACT, A DISTANCE OF
8 864.10 FEET TO A CALCULATED POINT FOR CORNER;

9 THENCE SOUTH 09°51'07" WEST, CONTINUING ALONG SAID COMMON
10 LINE AND PASSING A 1/2-INCH IRON ROD FOUND AT A DISTANCE OF 210.52
11 FEET, AND CONTINUING FOR A TOTAL DISTANCE OF 210.88 FEET TO A
12 CALCULATED POINT AT THE SOUTH COMMON CORNER OF SAID KERNS TRACT AND
13 SAID WCH FAMILY PARTNERSHIP TRACT;

14 THENCE NORTH 80°08'23" WEST, LEAVING SAID COMMON LINE AND
15 ALONG THE SOUTH LINE OF SAID KERNS TRACT, PASSING AT A DISTANCE OF
16 370.79 FEET A WOOD FENCE POST FOUND AT THE CALLED NORTHWEST CORNER
17 OF A TRACT OF LAND DESCRIBED IN DEED TO RICKFORD B. STILL AND MARTHA
18 A. STILL, RECORDED IN VOLUME 3435, PAGE 152, D.R.G.C.T., AND
19 CONTINUING FOR A TOTAL DISTANCE OF 371.96 FEET TO A 5/8-INCH IRON
20 ROD WITH A YELLOW CAP STAMPED "RPLS 5674" SET IN THE EAST LINE OF A
21 SECOND TRACT DESCRIBED IN SAID DEED TO WCH FAMILY PARTNERSHIP TRACT
22 AT THE MOST SOUTHERLY SOUTHWEST CORNER OF SAID KERNS TRACT;

23 THENCE NORTH 01°17'18" EAST, ALONG THE COMMON LINE OF SAID
24 KERNS TRACT AND SAID WCH FAMILY PARTNERSHIP TRACT, A DISTANCE OF
25 178.17 FEET TO A CALCULATED POINT FOR CORNER;

26 THENCE NORTH 85°02'11" WEST, CONTINUING ALONG SAID COMMON
27 LINE, A DISTANCE OF 459.27 FEET TO A 1/2-INCH IRON ROD FOUND ON THE

1 WEST SIDE OF MAJORS ROAD AT THE MOST WESTERLY SOUTHWEST CORNER OF
2 SAID KERNS TRACT;

3 THENCE NORTH 01°09'57" EAST, ALONG THE WEST LINE OF SAID KERNS
4 TRACT, A DISTANCE OF 50.95 FEET TO THE POINT OF BEGINNING AND
5 CONTAINING 96,752 SQUARE FEET OR 2.221 ACRES OF LAND, MORE OR LESS.

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

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

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

20 (d) All requirements of the constitution and laws of this
21 state and the rules and procedures of the legislature with respect
22 to the notice, introduction, and passage of this Act are fulfilled
23 and accomplished.

24 SECTION 4. (a) If this Act does not receive a two-thirds
25 vote of all the members elected to each house, Subchapter C, Chapter
26 7912A, Special District Local Laws Code, as added by Section 1 of
27 this Act, is amended by adding Section 7912A.0306 to read as

1 follows:

2 Sec. 7912A.0306. NO EMINENT DOMAIN POWER. The district may
3 not exercise the power of eminent domain.

4 (b) This section is not intended to be an expression of a
5 legislative interpretation of the requirements of Section 17(c),
6 Article I, Texas Constitution.

7 SECTION 5. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2021.