

By: King of Parker

H.B. No. 4630

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Parker County Municipal Management District No. 2; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes; granting a limited power of eminent domain.

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 3996 to read as follows:

CHAPTER 3996. PARKER COUNTY MUNICIPAL MANAGEMENT DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3996.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Fort Worth.

(3) "County" means Parker County.

(4) "Director" means a board member.

(5) "District" means the Parker County Municipal Management District No. 2.

Sec. 3996.0102. NATURE OF DISTRICT. The Parker County Municipal Management District No. 2 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3996.0103. 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

1 chapter.

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

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

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

18 Sec. 3996.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

19 (a) All land and other property included in the district will
20 benefit from the improvements and services to be provided by the
21 district under powers conferred by Sections 52 and 52-a, Article
22 III, and Section 59, Article XVI, Texas Constitution, and other
23 powers granted under this chapter.

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

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

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

3 (2) eliminating unemployment and underemployment; and

4 (3) developing or expanding transportation and
5 commerce.

6 (d) The district will:

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

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

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

18 (4) provide for water, wastewater, drainage, road, and
19 recreational facilities for the district.

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

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

1 Sec. 3996.0105. INITIAL DISTRICT TERRITORY. (a) The
2 district is initially composed of the territory described by
3 Section 2 of the Act enacting this chapter.

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

8 (1) organization, existence, or validity;

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

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

13 (4) legality or operation.

14 Sec. 3996.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
15 All or any part of the area of the district is eligible to be
16 included in:

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

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

21 Sec. 3996.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
22 DISTRICTS LAW. Except as otherwise provided by this chapter,
23 Chapter 375, Local Government Code, applies to the district.

24 Sec. 3996.0108. CONSTRUCTION OF CHAPTER. This chapter
25 shall be liberally construed in conformity with the findings and
26 purposes stated in this chapter.

27 SUBCHAPTER B. BOARD OF DIRECTORS

1 Sec. 3996.0201. GOVERNING BODY; TERMS. (a) The district is
2 governed by a board of five elected directors who serve staggered
3 terms of four years.

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

6 Sec. 3996.0202. COMPENSATION; EXPENSES. (a) The district
7 may compensate each director in an amount not to exceed \$150 for
8 each board meeting. The total amount of compensation for each
9 director in one year may not exceed \$7,200.

10 (b) A director is entitled to reimbursement for necessary
11 and reasonable expenses incurred in carrying out the duties and
12 responsibilities of the board.

13 Sec. 3996.0203. INITIAL DIRECTORS. (a) The initial board
14 consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>David Mckleroy</u>
<u>2</u>	<u>Kenner Link</u>
<u>3</u>	<u>Peter Madrala</u>
<u>4</u>	<u>Ian Hall</u>
<u>5</u>	<u>Brock Babb</u>

21 (b) Of the initial directors, the terms of directors
22 appointed for positions one through three expire June 1, 2023, and
23 the terms of directors appointed for positions four and five expire
24 June 1, 2025.

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 3996.0301. GENERAL POWERS AND DUTIES. The district
27 has the powers and duties necessary to accomplish the purposes for

1 which the district is created.

2 Sec. 3996.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The
3 district, using any money available to the district for the
4 purpose, may provide, design, construct, acquire, improve,
5 relocate, operate, maintain, or finance an improvement project or
6 service authorized under this chapter or Chapter 372 or 375, Local
7 Government Code.

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

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

13 Sec. 3996.0303. NONPROFIT CORPORATION. (a) The board by
14 resolution may authorize the creation of a nonprofit corporation to
15 assist and act for the district in implementing a project or
16 providing a service authorized by this chapter.

17 (b) The nonprofit corporation:

18 (1) has each power of and is considered to be a local
19 government corporation created under Subchapter D, Chapter 431,
20 Transportation Code; and

21 (2) may implement any project and provide any service
22 authorized by this chapter.

23 (c) The board shall appoint the board of directors of the
24 nonprofit corporation. The board of directors of the nonprofit
25 corporation shall serve in the same manner as the board of directors
26 of a local government corporation created under Subchapter D,
27 Chapter 431, Transportation Code, except that a board member is not

1 required to reside in the district.

2 Sec. 3996.0304. LAW ENFORCEMENT SERVICES. To protect the
3 public interest, the district may contract with the county or the
4 city to provide additional law enforcement services in the district
5 for a fee.

6 Sec. 3996.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
7 The district may join and pay dues to a charitable or nonprofit
8 organization that performs a service or provides an activity
9 consistent with the furtherance of a district purpose.

10 Sec. 3996.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
11 district may engage in activities that accomplish the economic
12 development purposes of the district.

13 (b) The district may establish and provide for the
14 administration of one or more programs to promote state or local
15 economic development and to stimulate business and commercial
16 activity in the district, including programs to:

17 (1) make loans and grants of public money; and

18 (2) provide district personnel and services.

19 (c) The district may create economic development programs
20 and exercise the economic development powers provided to
21 municipalities by:

22 (1) Chapter 380, Local Government Code; and

23 (2) Subchapter A, Chapter 1509, Government Code.

24 Sec. 3996.0307. PARKING FACILITIES. (a) The district may
25 acquire, lease as lessor or lessee, construct, develop, own,
26 operate, and maintain parking facilities or a system of parking
27 facilities, including lots, garages, parking terminals, or other

1 structures or accommodations for parking motor vehicles off the
2 streets and related appurtenances.

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

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

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

12 Sec. 3996.0308. ADDING OR EXCLUDING LAND. The district may
13 add or exclude land in the manner provided by Subchapter J, Chapter
14 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

15 Sec. 3996.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The
16 board by resolution shall establish the number of directors'
17 signatures and the procedure required for a disbursement or
18 transfer of district money.

19 Sec. 3996.0310. LIMITED POWER OF EMINENT DOMAIN. (a) The
20 district may exercise the power of eminent domain in the manner
21 provided by Chapter 49, Water Code.

22 (b) The district may not exercise the power of eminent
23 domain outside the district to acquire a site or easement for:

24 (1) a road project; or

25 (2) a recreational facility as defined by Section
26 49.462, Water Code.

27 Sec. 3996.0311. DIVISION OF DISTRICT. (a) The district

1 may be divided into two or more new districts only if the district:

2 (1) has no outstanding bonded debt; and

3 (2) is not imposing ad valorem taxes.

4 (b) This chapter applies to any new district created by the
5 division of the district, and a new district has all the powers and
6 duties of the district.

7 (c) Any new district created by the division of the district
8 may not, at the time the new district is created, contain any land
9 outside the area described by Section 2 of the Act enacting this
10 chapter.

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

15 (e) An order dividing the district must:

16 (1) name each new district;

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

19 (3) appoint initial directors for each new district;

20 and

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

23 (f) On or before the 30th day after the date of adoption of
24 an order dividing the district, the district shall file the order
25 with the Texas Commission on Environmental Quality and record the
26 order in the real property records of each county in which the
27 district is located.

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

5 (h) Consent to the creation of the district and to the
6 inclusion of land in the district granted under Section 3996.0506
7 acts as consent to the creation of any new district created by the
8 division of the district and to the inclusion of land in the new
9 district.

10 SUBCHAPTER D. ASSESSMENTS

11 Sec. 3996.0401. PETITION REQUIRED FOR FINANCING SERVICES
12 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
13 service or improvement project with assessments under this chapter
14 unless a written petition requesting that service or improvement
15 has been filed with the board.

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

20 Sec. 3996.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
21 The board by resolution may impose and collect an assessment for any
22 purpose authorized by this chapter in all or any part of the
23 district.

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

1 fees incurred by the district:

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

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

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

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

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

18 Sec. 3996.0403. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.
19 Section 375.161, Local Government Code, does not apply to the
20 district.

21 SUBCHAPTER E. TAXES AND BONDS

22 Sec. 3996.0501. TAX ELECTION REQUIRED. (a) The district
23 must hold an election in the manner provided by Chapter 49, Water
24 Code, or, if applicable, Chapter 375, Local Government Code, to
25 obtain voter approval before the district may impose an ad valorem
26 tax.

27 (b) Section 375.243, Local Government Code, does not apply

1 to the district.

2 Sec. 3996.0502. OPERATION AND MAINTENANCE TAX. (a) If
3 authorized by a majority of the district voters voting at an
4 election under Section 3996.0501, the district may impose an
5 operation and maintenance tax on taxable property in the district
6 in the manner provided by Section 49.107, Water Code, for any
7 district purpose, including to:

8 (1) maintain and operate the district;

9 (2) construct or acquire improvements; or

10 (3) provide a service.

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

14 Sec. 3996.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE
15 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
16 terms determined by the board.

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

22 (c) The limitation on the outstanding principal amount of
23 bonds, notes, or other obligations provided by Section 49.4645,
24 Water Code, does not apply to the district.

25 (d) The district may issue, by public or private sale,
26 bonds, notes, or other obligations payable wholly or partly from
27 assessments in the manner provided by Subchapter A, Chapter 372,

1 Local Government Code, if the improvement financed by an obligation
2 issued under this section will be conveyed to or operated and
3 maintained by a municipality or other retail utility provider
4 pursuant to an agreement with the district entered into before the
5 issuance of the obligation.

6 Sec. 3996.0504. BONDS SECURED BY REVENUE OR CONTRACT
7 PAYMENTS. The district may issue, without an election, bonds
8 secured by:

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

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

13 Sec. 3996.0505. BONDS SECURED BY AD VALOREM TAXES;
14 ELECTIONS. (a) If authorized at an election under Section
15 3996.0501, the district may issue bonds payable from ad valorem
16 taxes.

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

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

27 Sec. 3996.0506. CONSENT OF MUNICIPALITY OR COUNTY REQUIRED.

1 (a) The board may not issue bonds until the governing body of a
2 county in which the district is located or of a municipality in
3 whose corporate limits or extraterritorial jurisdiction the
4 district is located has consented by ordinance or resolution to the
5 creation of the district and to the inclusion of land in the
6 district.

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

9 SUBCHAPTER I. DISSOLUTION

10 Sec. 3996.0901. DISSOLUTION. (a) The board shall dissolve
11 the district on written petition filed with the board by the owners
12 of:

13 (1) 66 percent or more of the assessed value of the
14 property subject to assessment by the district based on the most
15 recent certified county property tax rolls; or

16 (2) 66 percent or more of the surface area of the
17 district, excluding roads, streets, highways, utility
18 rights-of-way, other public areas, and other property exempt from
19 assessment by the district according to the most recent certified
20 county property tax rolls.

21 (b) The district may not be dissolved by its board under
22 Subsection (a) if the district:

23 (1) has any outstanding bonded or other indebtedness
24 until that indebtedness has been repaid or defeased in accordance
25 with the order or resolution authorizing the issuance of the bonds
26 or other indebtedness;

27 (2) has a contractual obligation to pay money until

1 that obligation has been fully paid in accordance with the
2 contract; or

3 (3) owns, operates, or maintains public works,
4 facilities, or improvements unless the district contracts with
5 another person for the ownership, operation, or maintenance of the
6 public works, facilities, or improvements.

7 (c) Section 375.262, Local Government Code, does not apply
8 to the district.

9 SECTION 2. The Parker County Municipal Management District
10 No. 2 initially includes all territory contained in the following
11 area:

12 Tract No. 1

13 Tract of land containing 1482.89 acres in the P.B. Jones
14 Survey, Abstract No. 764, the J.W. Jones Survey, Abstract No. 2394,
15 the W.A. Grady Survey, Abstract No. 537, the J.W. Jones Survey,
16 Abstract No. 2010, the P.E. Houston Survey, Abstract No. 572, the
17 L.A. McAfee Survey, Abstract No. 2028, the E. Nowland Survey,
18 Abstract No. 1005, the B.B.B. & C. Railway Survey, Abstract No. 136,
19 the W.B. Glenn Survey, Abstract No. 529, the B.B.B. & C. Railway
20 Survey, Abstract No. 135, the B.B.B. & C. Railway Survey, Abstract
21 No. 146, the Peter B. Holder Survey, Abstract No. 614, the L.A.
22 McAfee Survey, Abstract No. 2400 and the R. Matthews Survey,
23 Abstract No. 2566, Parker County, Texas, being a part of the James
24 R. Kelly, Kathleen Kelly Sneed and Jerry Kelly Reid Tract and being
25 more particularly described as follows:

26 BEGINNING at a set stone found at the north base of an old
27 cedar fence corner post being the northwest corner of the said

1 Houston Survey, an ell corner of the said Kelly Tract and the
2 southwest corner of the Rodney Brown Tract recorded in Volume 1998,
3 Page 768, Official Records of Parker County.

4 THENCE South 89 degrees 59 minutes 57 seconds East for a
5 distance of 1740.98 feet to a 2 inch cap on a 5/8 inch iron rod set
6 at the base of an old cedar fence corner being an ell corner of the
7 said Kelly Tract and the southeast corner of the said Brown Tract.

8 THENCE North 02 degrees 11 minutes 17 seconds West for a
9 distance of 318.32 feet to a 2 inch cap on a 5/8 inch iron rod set
10 being a northwest corner of the said Kelly Tract on the east line of
11 the said Brown Tract.

12 THENCE South 89 degrees 10 minutes 56 seconds East for a
13 distance of 161.00 feet to a 2 inch cap on a 5/8 inch iron rod set at
14 a fence bend on the south side of Kelly Road (paved county road).

15 THENCE along the fence on the south and west sides of the said
16 Kelly Road,

17 South 62 degrees 57 minutes 42 seconds East for a distance of 61.05
18 feet to a 2 inch cap on a 5/8 inch iron rod set,

19 South 89 degrees 05 minutes 07 seconds East for a distance of
20 1097.51 feet a 2 inch cap on a 5/8 inch iron rod set,

21 South 65 degrees 02 minutes 16 seconds East for a distance of 71.59
22 feet a 2 inch cap on a 5/8 inch iron rod set,

23 South 52 degrees 51 minutes 32 seconds East for a distance of 61.37
24 feet a 2 inch cap on a 5/8 inch iron rod set,

25 South 41 degrees 56 minutes 55 seconds East for a distance of 74.77
26 feet a 2 inch cap on a 5/8 inch iron rod set and

27 South 00 degrees 20 minutes 29 seconds East for a distance of

1 3204.30 feet to a corner which fell within a steel pipe fence corner
2 being a corner of the said Kelly Tract and the northeast corner of
3 the Margaret Elizabeth Spiegel Tract recorded in Volume 1856, Page
4 929, Official Records of Parker County.

5 THENCE leaving the said road, South 89 degrees 14 minutes 16
6 seconds West for a distance of 466.10 feet to a corner which fell
7 inside a steel pipe fence corner being a corner of the said Kelly
8 Tract and the northwest corner of the said Spiegel Tract.

9 THENCE South 00 degrees 56 minutes 41 seconds East for a
10 distance of 699.10 feet to a corner which fell inside a steel pipe
11 fence corner being a corner of the said Kelly Tract and the
12 southwest corner of the said Spiegel Tract.

13 THENCE North 89 degrees 24 minutes 17 seconds East for a
14 distance of 456.50 feet to a corner which fell inside a steel pipe
15 fence corner on the west side of the said Kelly Road being a corner
16 of the said Kelly Tract and the southeast corner of the said Spiegel
17 Tract.

18 THENCE along the west side of the said Kelly Road,
19 South 00 degrees 05 minutes 46 seconds West for a distance of
20 2506.18 feet a 2 inch cap on a 5/8 inch iron rod set at a fence bend
21 and

22 South 00 degrees 38 minutes 45 seconds East for a distance of
23 2692.40 feet to a 2 inch cap on a 5/8 inch iron rod set at a fence
24 corner on the west side of the said Kelly Road and the north side of
25 Bear Creek Road (paved county road).

26 THENCE along the fence on the north side of the said Bear
27 Creek Road,

1 South 74 degrees 34 minutes 13 seconds West for a distance of 97.19
2 feet a 2 inch cap on a 5/8 inch iron rod set,
3 North 80 degrees 22 minutes 12 seconds West for a distance of
4 1222.11 feet a 2 inch cap on a 5/8 inch iron rod set,
5 North 44 degrees 38 minutes 42 seconds West for a distance of
6 1651.35 feet a 2 inch cap on a 5/8 inch iron rod set,
7 North 73 degrees 50 minutes 37 seconds West for a distance of 908.36
8 feet a 2 inch cap on a 5/8 inch iron rod set,
9 North 88 degrees 54 minutes 17 seconds West for a distance of 323.73
10 feet a 2 inch cap on a 5/8 inch iron rod set,
11 North 89 degrees 54 minutes 03 seconds West for a distance of 565.83
12 feet a 2 inch cap on a 5/8 inch iron rod set and
13 North 55 degrees 35 minutes 21 seconds West for a distance of 169.96
14 feet a 2 inch cap on a 5/8 inch iron rod set on the east side of Bear
15 Creek.

16 THENCE crossing the said creek and continuing along the north
17 side of the said Bear Creek Road (gravel county road),
18 North 68 degrees 29 minutes 42 seconds West for a distance of 113.71
19 feet a 2 inch cap on a 5/8 inch iron rod set,
20 South 65 degrees 33 minutes 19 seconds West for a distance of 306.80
21 feet a 2 inch cap on a 5/8 inch iron rod set,
22 North 89 degrees 43 minutes 35 seconds West for a distance of 480.30
23 feet a 2 inch cap on a 5/8 inch iron rod set,
24 North 61 degrees 18 minutes 03 seconds West for a distance of 20.79
25 feet a 2 inch cap on a 5/8 inch iron rod set,
26 North 47 degrees 40 minutes 31 seconds West for a distance of
27 1501.77 feet a 2 inch cap on a 5/8 inch iron rod set,

1 North 83 degrees 05 minutes 39 seconds West for a distance of 404.87
2 feet a 2 inch cap on a 5/8 inch iron rod set,
3 North 46 degrees 12 minutes 25 seconds West for a distance of 10.74
4 feet a 2 inch cap on a 5/8 inch iron rod set,
5 North 07 degrees 18 minutes 58 seconds West for a distance of 718.13
6 feet a 2 inch cap on a 5/8 inch iron rod set and
7 North 50 degrees 49 minutes 55 seconds West for a distance of 904.20
8 feet a 2 inch cap on a 5/8 inch iron rod set at a fence corner on a
9 west line of the said Kelly Tract and an east line of the Roger
10 McFarland Dixon Trust Tract, description thereof recorded in Volume
11 100, Page 39, Deed Records of Parker County.

12 THENCE leaving the said county road, North 00 degrees 05
13 minutes 18 seconds East for a distance of 5737.53 feet to a bolt
14 found in a 3 inch pipe at a fence corner being a corner of the said
15 Kelly and McFarland Tracts.

16 THENCE North 89 degrees 39 minutes 44 seconds East for a
17 distance of 520.17 feet to a bolt found in a 3 inch pipe at a fence
18 corner being a corner of the said Kelly and McFarland Tracts.

19 THENCE North 02 degrees 25 minutes 24 seconds East for a
20 distance of 1047.28 feet to a bolt found in a 3 inch pipe at a fence
21 corner being a corner of the said Kelly Tract, the said McFarland
22 Tract and a southeast corner of the Highland Ranch Estates Addition
23 recorded in Plat Cabinet C, Sheet 378.

24 THENCE North 00 degrees 46 minutes 19 seconds East for a
25 distance of 378.24 feet to a corner which fell inside an old cedar
26 fence corner being a northwest corner of the said Kelly Tract and an
27 ell corner of the said addition.

1 THENCE South 89 degrees 51 minutes 08 seconds East for a
2 distance of 961.52 feet to a 1/2 inch iron rod found at a fence
3 corner being an ell corner of the said Kelly Tract and a southeast
4 corner of the said addition.

5 THENCE North 00 degrees 08 minutes 52 seconds East for a
6 distance of 104.30 feet to a corner which fell inside an old cedar
7 fence corner being a northwest corner of the said Kelly Tract and a
8 southwest corner of the Deer Run Addition recorded in Plat Cabinet
9 B, Sheet 90.

10 THENCE South 89 degrees 13 minutes 10 seconds East for a
11 distance of 2729.65 feet to a 2 inch cap on a 5/8 inch iron rod set
12 at an old cedar fence corner being a northeast corner of the said
13 Kelly Tract and the northwest corner of the said Brown Tract on the
14 south line of the said Deer Run Addition.

15 THENCE South 00 degrees 53 minutes 31 seconds East for a
16 distance of 2261.65 feet to the place of beginning.

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

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

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor,
2 lieutenant governor, and speaker of the house of representatives
3 within the required time.

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

8 SECTION 4. (a) Section 3996.0310, Special District Local
9 Laws Code, as added by Section 1 of this Act, takes effect only if
10 this Act receives a two-thirds vote of all the members elected to
11 each house.

12 (b) If this Act does not receive a two-thirds vote of all the
13 members elected to each house, Subchapter C, Chapter 3996, Special
14 District Local Laws Code, as added by Section 1 of this Act, is
15 amended by adding Section 3996.0310 to read as follows:

16 Sec. 3996.0310. NO EMINENT DOMAIN POWER. The district may
17 not exercise the power of eminent domain.

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

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