

By: Anderson

H.B. No. 4666

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Lorena Municipal Management District No. 1; 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 3791 to read as follows:

CHAPTER 3791. LORENA MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3791.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Lorena.

(3) "County" means McLennan County.

(4) "Director" means a board member.

(5) "District" means the Lorena Municipal Management District No. 1.

Sec. 3791.0102. NATURE OF DISTRICT. The Lorena Municipal Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3791.0103. 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.

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

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

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

17 Sec. 3791.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

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

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

27 (1) developing and diversifying the economy of the

1 state;

2 (2) eliminating unemployment and underemployment; and

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

5 (d) The district will:

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

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

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

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

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

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

27 Sec. 3791.0105. INITIAL DISTRICT TERRITORY. (a) The

1 district is initially composed of the territory described by
2 Section 2 of the Act enacting this chapter.

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

7 (1) organization, existence, or validity;

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

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

12 (4) legality or operation.

13 Sec. 3791.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

14 All or any part of the area of the district is eligible to be
15 included in:

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

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

20 Sec. 3791.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
21 DISTRICTS LAW. Except as otherwise provided by this chapter,
22 Chapter 375, Local Government Code, applies to the district.

23 Sec. 3791.0108. CONSTRUCTION OF CHAPTER. This chapter
24 shall be liberally construed in conformity with the findings and
25 purposes stated in this chapter.

26 SUBCHAPTER B. BOARD OF DIRECTORS

27 Sec. 3791.0201. GOVERNING BODY; TERMS. (a) The district is

1 governed by a board of five directors elected or appointed as
2 provided by this chapter and Subchapter D, Chapter 49, Water Code.

3 (b) Except as provided by Section 3791.0203, directors
4 serve staggered four-year terms.

5 Sec. 3791.0202. COMPENSATION. A director is entitled to
6 receive fees of office and reimbursement for actual expenses as
7 provided by Section 49.060, Water Code. Sections 375.069 and
8 375.070, Local Government Code, do not apply to the board.

9 Sec. 3791.0203. TEMPORARY DIRECTORS. (a) On or after the
10 effective date of the Act creating this chapter, the owner or owners
11 of a majority of the assessed value of the real property in the
12 district according to the most recent certified tax appraisal roll
13 for the county may submit a petition to the Texas Commission on
14 Environmental Quality requesting that the commission appoint as
15 temporary directors the five persons named in the petition. The
16 commission shall appoint as temporary directors the five persons
17 named in the petition.

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

21 (c) Temporary directors serve until the earlier of:

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

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

26 (d) If permanent directors have not been elected under
27 Subsection (b) and the terms of the temporary directors have

1 expired, successor temporary directors shall be appointed or
2 reappointed as provided by Subsection (e) to serve terms that
3 expire on the earlier of:

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

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

8 (e) If Subsection (d) applies, the owner or owners of a
9 majority of the assessed value of the real property in the district
10 according to the most recent certified tax appraisal roll for the
11 county may submit a petition to the Texas Commission on
12 Environmental Quality requesting that the commission appoint as
13 successor temporary directors the five persons named in the
14 petition. The commission shall appoint as successor temporary
15 directors the five persons named in the petition.

16 Sec. 3791.0204. NONVOTING DIRECTORS. The board may appoint
17 nonvoting directors to serve at the pleasure of the voting
18 directors.

19 Sec. 3791.0205. QUORUM. For purposes of determining the
20 requirements for a quorum of the board, the following are not
21 counted:

22 (1) a board position vacant for any reason, including
23 death, resignation, or disqualification;

24 (2) a director who is abstaining from participation in
25 a vote because of a conflict of interest; or

26 (3) a nonvoting director.

27 SUBCHAPTER C. POWERS AND DUTIES

1 Sec. 3791.0301. GENERAL POWERS AND DUTIES. The district
2 has the powers and duties necessary to accomplish the purposes for
3 which the district is created.

4 Sec. 3791.0302. IMPROVEMENT PROJECTS AND SERVICES. (a)
5 The district, using any money available to the district for the
6 purpose, may provide, design, construct, acquire, improve,
7 relocate, operate, maintain, or finance an improvement project or
8 service authorized under this chapter or Chapter 375, Local
9 Government Code.

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

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

15 Sec. 3791.0303. NONPROFIT CORPORATION. (a) The board by
16 resolution may authorize the creation of a nonprofit corporation to
17 assist and act for the district in implementing a project or
18 providing a service authorized by this chapter.

19 (b) The nonprofit corporation:

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

23 (2) may implement any project and provide any service
24 authorized by this chapter.

25 (c) The board shall appoint the board of directors of the
26 nonprofit corporation. The board of directors of the nonprofit
27 corporation shall serve in the same manner as the board of directors

1 of a local government corporation created under Subchapter D,
2 Chapter 431, Transportation Code, except that a board member is not
3 required to reside in the district.

4 Sec. 3791.0304. LAW ENFORCEMENT SERVICES. To protect the
5 public interest, the district may contract with a qualified party,
6 including the county or the city, to provide law enforcement
7 services in the district for a fee.

8 Sec. 3791.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
9 The district may join and pay dues to a charitable or nonprofit
10 organization that performs a service or provides an activity
11 consistent with the furtherance of a district purpose.

12 Sec. 3791.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
13 district may engage in activities that accomplish the economic
14 development purposes of the district.

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

- 19 (1) make loans and grants of public money; and
20 (2) provide district personnel and services.

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

- 24 (1) Chapter 380, Local Government Code; and
25 (2) Subchapter A, Chapter 1509, Government Code.

26 Sec. 3791.0307. PARKING FACILITIES. (a) The district may
27 acquire, lease as lessor or lessee, construct, develop, own,

1 operate, and maintain parking facilities or a system of parking
2 facilities, including lots, garages, parking terminals, or other
3 structures or accommodations for parking motor vehicles off the
4 streets and related appurtenances.

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

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

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

14 Sec. 3791.0308. ADDING OR EXCLUDING LAND. The district may
15 add or exclude land in the manner provided by Subchapter J, Chapter
16 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

17 Sec. 3791.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The
18 board by resolution shall establish the number of directors'
19 signatures and the procedure required for a disbursement or
20 transfer of district money.

21 Sec. 3791.0310. NO EMINENT DOMAIN POWER. The district may
22 not exercise the power of eminent domain.

23 SUBCHAPTER D. ASSESSMENTS

24 Sec. 3791.0401. PETITION REQUIRED FOR FINANCING SERVICES
25 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
26 service or improvement project with assessments under this chapter
27 unless a written petition requesting that service or improvement

1 has been filed with the board.

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

6 Sec. 3791.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
7 The board by resolution may impose and collect an assessment for any
8 purpose authorized by this chapter in all or any part of the
9 district.

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

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

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

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

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

27 (d) The board may make a correction to or deletion from the

1 assessment roll that does not increase the amount of assessment of
2 any parcel of land without providing notice and holding a hearing in
3 the manner required for additional assessments.

4 SUBCHAPTER E. TAXES AND BONDS

5 Sec. 3791.0501. TAX ELECTION REQUIRED. The district must
6 hold an election in the manner provided by Chapter 49, Water Code,
7 or, if applicable, Chapter 375, Local Government Code, to obtain
8 voter approval before the district may impose an ad valorem tax.

9 Sec. 3791.0502. OPERATION AND MAINTENANCE TAX. (a) If
10 authorized by a majority of the district voters voting at an
11 election under Section 3791.0501, the district may impose an
12 operation and maintenance tax on taxable property in the district
13 in the manner provided by Section 49.107, Water Code, for any
14 district purpose, including to:

- 15 (1) maintain and operate the district;
16 (2) construct or acquire improvements; or
17 (3) provide a service.

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

21 Sec. 3791.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE
22 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
23 terms determined by the board.

24 (b) The district may issue bonds, notes, or other
25 obligations payable wholly or partly from ad valorem taxes,
26 assessments, impact fees, revenue, contract payments, grants, or
27 other district money, or any combination of those sources of money,

1 to pay for any authorized district purpose.

2 Sec. 3791.0504. BONDS SECURED BY REVENUE OR CONTRACT
3 PAYMENTS. The district may issue, without an election, bonds
4 secured by:

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

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

9 Sec. 3791.0505. BONDS SECURED BY AD VALOREM TAXES;
10 ELECTIONS. (a) If authorized at an election under Section
11 3791.0501, the district may issue bonds payable from ad valorem
12 taxes.

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

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

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

25 Sec. 3791.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The
26 board may not issue bonds until each municipality in whose
27 corporate limits or extraterritorial jurisdiction the district is

1 located has consented by ordinance or resolution to the creation of
2 the district and to the inclusion of land in the district.

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

5 SUBCHAPTER I. DISSOLUTION

6 Sec. 3791.0901. DISSOLUTION. (a) The board shall dissolve
7 the district on written petition filed with the board by the owners
8 of at least two-thirds of the assessed value of the property subject
9 to assessment or taxation by the district based on the most recent
10 certified county property tax rolls.

11 (b) The board by majority vote may dissolve the district at
12 any time.

13 (c) The district may not be dissolved by its board under
14 Subsection (a) or (b) if the district:

15 (1) has any outstanding bonded indebtedness until that
16 bonded indebtedness has been repaid or defeased in accordance with
17 the order or resolution authorizing the issuance of the bonds;

18 (2) has a contractual obligation to pay money until
19 that obligation has been fully paid in accordance with the
20 contract; or

21 (3) owns, operates, or maintains public works,
22 facilities, or improvements unless the district contracts with
23 another person for the ownership, operation, or maintenance of the
24 public works, facilities, or improvements.

25 (d) Sections 375.261, 375.262, and 375.264, Local
26 Government Code, do not apply to the district.

27 SECTION 2. The Lorena Municipal Management District No. 1

1 initially includes all the territory contained in the following
2 area:

3 BEING A 441.17 ACRE TRACT OF LAND, SITUATED IN THE J. STEWART
4 SURVEY, ABSTRACT NO. 815, McLENNAN COUNTY, TEXAS, AND BEING THE
5 REMAINDER OF THAT CALLED 144.720 ACRE TRACT OF LAND DESCRIBED IN
6 DEED TO RKS TEXAS INVESTMENTS, LP, AS RECORDED IN McLENNAN COUNTY
7 CLERKS FILE NUMBER 2012019521 OF THE OFFICIAL PUBLIC RECORDS OF
8 McLENNAN COUNTY, TEXAS (O.P.R.M.C.T.), THE REMAINDER OF THAT CALLED
9 24.442 ACRE TRACT OF LAND DESCRIBED IN DEED TO RKS LORENA 25, LLC,
10 AS RECORDED IN McLENNAN COUNTY CLERKS FILE NUMBER 2014015394 OF
11 SAID O.P.R.M.C.T., THE REMAINDER OF THAT CALLED 107.547 ACRE TRACT
12 OF LAND DESCRIBED IN DEED TO RKS PROPERTIES LORENA, LLC, AS RECORDED
13 IN McLENNAN COUNTY CLERKS FILE NUMBER 2006041369 OF SAID
14 O.P.R.M.C.T., ALL OF THAT CALLED 0.2646 ACRE TRACT OF LAND, "TRACT
15 3" AND ALL OF THAT CALLED 1.0205 ACRE TRACT OF LAND "TRACT 1" AS
16 DESCRIBED IN AN UNRECORDED DOCUMENT KNOWN AS PART 2 AGREEMENT TO RKS
17 PROPERTIES LORENA, LLC, ALL OF THAT CALLED 65.150 ACRE TRACT OF LAND
18 DESCRIBED AS "TRACT ONE" AND ALL OF THAT CALLED 17.325 ACRE TRACT OF
19 LAND DESCRIBED AS "TRACT 2" IN DEED TO RKS PROPERTIES LORENA, LLC,
20 AS RECORDED IN McLENNAN COUNTY CLERKS FILE NUMBER 2006041363 OF
21 SAID O.P.R.M.C.T., A PORTION OF THAT CALLED 31.91 ACRE TRACT OF LAND
22 DESCRIBED IN DEED TO LORENA INDEPENDENT SCHOOL DISTRICT AS RECORDED
23 IN McLENNAN COUNTY CLERKS FILE NUMBER 2003014830 OF SAID
24 O.P.R.M.C.T., ALL OF THAT CALLED 67.477 ACRE TRACT OF LAND
25 DESCRIBED AS "TRACT 1" AND ALL OF THAT CALLED 9.607 ACRE TRACT OF
26 LAND DESCRIBED AS "TRACT 2" IN DEED TO RKS PROPERTIES LORENA, LLC,
27 AS RECORDED IN McLENNAN COUNTY CLERKS FILE NUMBER 2006041359 OF

1 SAID O.P.R.M.C.T., AND ALSO THOSE PORTIONS OF FARM TO MARKET ROAD
2 2837 AND THE UNION PACIFIC RAILROAD SITUATED BETWEEN SAID TRACTS.
3 SAID 441.17 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES
4 AND BOUNDS AS FOLLOWS:

5 BEGINNING at a 3/8 inch capped iron rod found and stamped
6 "RODEN 772-8150", being the north corner of said 144.720 acre tract
7 and lying in the east Right of Way (ROW) line of Union Pacific
8 Railroad (100' wide ROW) for the northeast corner of the herein
9 described tract;

10 THENCE along the northeast lines of said 144.720 acres, the
11 following three (3) courses and distances:

12 1) S 30° 36' 06" E, a distance of 2,484.04 feet, to a 40D nail
13 found for an angle point hereof;

14 2) S 30° 25' 29" E, a distance of 1,267.27 feet, to a 1/2 inch
15 iron rod found for an angle point hereof;

16 3) S 30° 45' 05" E, a distance of 188.59 feet, to a TXDOT Type
17 II Monument found for corner hereof, being an interior corner of
18 said 144.720 acre tract, and lying in the westerly ROW line of
19 Interstate Highway 35 (Variable width ROW);

20 THENCE along the west lines of said Interstate Highway 35,
21 the following eight (8) courses and distances:

22 1) S 31° 26' 52" E, a distance of 15.31 feet, to a TXDOT Type
23 II Monument found for corner hereof, for the easternmost corner
24 hereof;

25 2) S 19° 07' 52" W, a distance of 57.76 feet, to a point for
26 corner hereof;

27 3) S 19° 21' 11" W, passing at an approximate distance of

1 46.7 feet, the common line of said 144.720 and 24.442 acre tracts,
2 and continuing for a total distance of 512.57 feet, to a TXDOT Type
3 II Monument found for corner hereof;

4 4) S 19° 22' 29" W, a distance of 160.08 feet, to a point for
5 corner hereof;

6 5) S 25° 32' 45" W, a distance of 945.94 feet, to a point for
7 corner hereof;

8 6) S 20° 12' 44" W, a distance of 386.76 feet, to a point for
9 corner hereof;

10 7) S 20° 48' 22" W, a distance of 69.78 feet, to a point for
11 corner hereof;

12 8) S 45° 40' 04" W, a distance of 254.36 feet, to a point for
13 corner hereof, being the northeast corner of that called 3.859 acre
14 tract of land described as "Parcel 1" in deed to the State of Texas,
15 as recorded in McLennan County Clerks File Number 2014015395 of
16 said O.P.R.M.C.T., also lying in the north ROW line of Farm to
17 Market Road 2837 (FM 2837, variable width ROW);

18 THENCE N 86° 15' 06" W, leaving said Interstate Highway 35
19 ROW, along the north ROW line of said FM 2837, a distance of 141.86
20 feet, to a point for corner hereof. From which, a TXDOT Type II
21 Monument found, being the northwest corner of said 3.859 acre
22 tract, bears N 86° 15' 06" W, a distance of 474.09 feet;

23 THENCE S 03° 44' 54" W, over and across said FM 2837, a
24 distance of 166.77 feet, to a point for corner hereof, lying in the
25 south ROW line of said FM 2837;

26 THENCE along the southwest lines of said FM 2837, the
27 following two (2) courses and distances:

1 1) S 26° 28' 52" W, a distance of 256.60 feet, to a point for
2 corner hereof;

3 2) S 50° 30' 15" E, a distance of 8.77 feet, to a 5/8 inch
4 iron rod found for corner hereof, being the northerly common corner
5 of said 3.859 acre tract and said 0.2646 acre tract;

6 THENCE leaving said ROW line, with the north lines of said
7 0.2646 acre tract, the following three (3) courses and distances:

8 1) S 55° 37' 49" E, a distance of 113.33 feet, to a point for
9 corner hereof;

10 2) S 38° 17' 59" E, a distance of 50.54 feet, to a point for
11 corner hereof;

12 3) S 35° 39' 56" E, a distance of 72.50 feet, to a TXDOT Type
13 II Monument found for corner hereof, being the northeast corner of
14 said 0.2646 acre tract, also lying in the east ROW line of said FM
15 2837;

16 THENCE S 59° 11' 08" W, with the northwest line of said Lot 2
17 and the southeast line of said 0.2646 acre tract, a distance of
18 22.69 feet, to a point for corner hereof, being the southeast corner
19 of said 0.2646 acre tract, also lying in the east ROW line of said FM
20 2837;

21 THENCE leaving said ROW line, with the south lines of said
22 0.2646 acre tract, the following three (3) courses and distances:

23 1) N 30° 04' 50" W, a distance of 7.30 feet, to a point for
24 corner hereof, being the beginning of a curve to the left, having a
25 central angle of 56° 10' 45", a radius of 160.00 feet, and having a
26 chord bearing N 58° 09' 58" W, a chord distance of 150.67 feet;

27 2) Along said curve to the left, an arc distance of 156.88

1 feet, to a point for corner hereof at the end of said curve;

2 3) N 86° 15' 09" W, a distance of 281.27 feet, to a point for
3 corner hereof, being the southerly southwest corner of said 0.2646
4 acre tract, also being the south end of a southeasterly cutback in
5 the east ROW line of said FM 2837;

6 THENCE S 03° 44' 27" W, leaving said 0.2646 acre tract, a
7 distance of 80.00 feet, to a point for corner hereof, being the
8 northerly northwest corner of said 1.0205 acre tract, also being
9 the north end of a northeasterly cutback in the east ROW line of
10 said FM 2837;

11 THENCE along the north lines of said 1.0205 acre tract, the
12 following four (4) courses and distances:

13 1) S 86° 15' 09" E, a distance of 171.85 feet, to a point for
14 corner hereof;

15 2) S 41° 15' 32" E, a distance of 14.16 feet, to a point for
16 corner hereof;

17 3) S 03° 44' 30" W, a distance of 80.91 feet, to a point for
18 corner hereof, being the beginning of a non-tangent curve to the
19 left, having a central angle of 97° 27' 02", a radius of 56.00 feet,
20 and having a chord bearing S 16° 47' 50" W a chord distance of 84.17
21 feet;

22 4) Along said non-tangent curve the left, an arc distance of
23 95.25 feet, to a point for corner hereof, being the southeast corner
24 of said 1.0205 acre tract, also lying in the south ROW line of said
25 FM 2837;

26 THENCE along the southeast lines of said 1.0205 acre tract,
27 the following three (3) courses and distances:

1 1) S 59° 02' 20" W, a distance of 58.10 feet, to a point for
2 corner hereof;

3 2) S 39° 28' 58" W, a distance of 111.31 feet, to a point for
4 corner hereof;

5 3) S 59° 13' 38" W, a distance of 85.55 feet, to a TXDOT Type
6 II Monument found for corner hereof, being the south corner of said
7 1.0205 acre tract;

8 THENCE along the southwest lines of said 1.0205 acre tract,
9 the following three (3) courses and distances:

10 1) N 33° 27' 47" W, a distance of 40.93 feet, to a point for
11 corner hereof, being the beginning of a non-tangent curve to the
12 left, having a central angle of 11° 56' 58", a radius of 132.50 feet,
13 and having a chord bearing N 39° 26' 15" W a chord distance of 27.58
14 feet,

15 2) Along said non-tangent curve to the left, an arc distance
16 of 27.63 feet, to a point for corner hereof;

17 3) N 11° 43' 31" W, a distance of 28.45 feet, to a point for
18 corner hereof, being the southwest corner of said 1.0205 acre tract
19 and lying in the southeast line of said 3.859 acre tract;

20 THENCE N 62° 54' 54" W, over and across said 3.859 acre tract,
21 a distance of 100.01 feet, to a point for corner hereof, lying in
22 the west line of said 3.859 acre tract, being the west ROW line of
23 said FM 2837, being the beginning of a non-tangent curve to the
24 right, having a central angle of 24° 00' 58", a radius of 500.00
25 feet, and having a chord bearing S 39° 05' 35" W, a chord distance of
26 208.05 feet;

27 THENCE along said non-tangent curve to the right, an arc

1 distance of 209.58 feet, to a TXDOT Type II Monument found for
2 corner hereof, being the southerly common corner of said 107.547
3 acre and 3.859 acre tracts, also being the beginning of a
4 non-tangent curve to the right, having a central angle of 15° 20'
5 28", a radius of 894.93 feet, and having a chord bearing S 66° 07'
6 01" W a chord distance of 238.91 feet;

7 THENCE Along said non-tangent curve to the right, with the
8 common line of said 107.547 acre tract and FM 2837 ROW, an arc
9 distance of 239.62 feet, to a 1/2 inch iron rod found for corner
10 hereof, being the southerly common corner of said 107.547 acres and
11 that called 1.75 acre tract of land described in deed to Lorena
12 Lodge 594 A.F. & A.M., as recorded in Volume 1543, Page 814, of the
13 Deed Records of McLennan County, Texas (D.R.M.C.T.);

14 THENCE leaving said ROW line, along the common lines of said
15 107.547 acre and 1.75 acre tracts, the following two (2) courses and
16 distances:

17 1) N 12° 55' 40" E, a distance of 300.04 feet, to a 1/2 inch
18 iron rod found for corner hereof, being the northeasterly common
19 corner of said 107.547 acre and 1.75 acre tracts;

20 2) S 85° 15' 44" W, a distance of 272.77 feet, to a 1/2 inch
21 iron rod found for corner hereof, being the northerly common corner
22 of said 107.547 acre and 1.75 acre tracts, and lying in the east
23 line of that called 1.12 acre tract of land described in deed to
24 Lorena Church of Christ, as recorded in McLennan County Clerks File
25 Number 2004009723 of said O.P.R.M.C.T.,

26 THENCE along the common lines of said 107.547 acre and said
27 1.12 acre tracts, the following three (3) courses and distances:

1 1) N 09° 25' 45" E, a distance of 94.99 feet, to a 3/8 inch
2 capped iron rod found and stamped "RODEN 772-8150" for corner
3 hereof, being the northeasterly common corner of said 107.547 acre
4 and 1.12 acre tracts;

5 2) N 83° 25' 07" W, a distance of 219.90 feet, to a 3/8 inch
6 capped iron rod found and stamped "RODEN 772-8150" for corner
7 hereof, being the northwesterly common corner of said 107.547 acre
8 and 1.12 acre tracts;

9 3) S 10° 46' 15" W, a distance of 408.55 feet, to a 3/8 inch
10 capped iron rod found and stamped "RODEN 772-8150" for corner
11 hereof, being the southerly common corner of said 107.547 acre and
12 1.12 acre tracts, also lying in the north ROW line of said FM 2837;

13 THENCE N 79° 11' 23" W, along the common line of said 107.547
14 acre tract and FM 2837 ROW, a distance of 370.51 feet, to a 3/8 inch
15 capped iron rod found and stamped "RODEN 772-8150" for corner
16 hereof, being the southerly common corner of said 107.547 acre and
17 144.720 acre tracts;

18 THENCE N 79° 42' 25" W, along the common line of said 144.720
19 acre tract and FM 2837 ROW, a distance of 100.06 feet, to a 3/8 inch
20 capped iron rod found and stamped "RODEN 772-8150" for corner
21 hereof, being the southwest corner of said 144.720 acre tract and
22 lying in the east ROW line of said Union Pacific Railroad;

23 THENCE N 78° 26' 04" W, leaving said 144.720 acre tract, over
24 and across said railroad, a distance of 100.00 feet, to a 1/2 inch
25 capped iron rod found and stamped "Walker Partners" for corner
26 hereof, being the southeast corner of said 65.150 acre tract, being
27 the beginning of a non-tangent curve to the left, having a central

1 angle of $09^{\circ} 25' 43''$, a radius of 2914.79 feet, and having a chord
2 bearing $S 7^{\circ} 12' 10'' W$, a chord distance of 479.12 feet;

3 THENCE Along said non-tangent curve to the left, passing at
4 an approximate distance of 120 feet, the south ROW line of said FM
5 2837 and the northeast corner of said 17.325 acre tract, and
6 continuing for a total arc distance of 479.66 feet, to a 1/2 inch
7 capped iron rod found and stamped "G. E. Walker" for corner hereof,
8 being the southeast corner of said 17.325 acre tract;

9 THENCE $S 60^{\circ} 52' 47'' W$, along the southeast line of said 17.325
10 acre tract, a distance of 744.49 feet, to a point for corner hereof,
11 being the south corner of said 17.325 acres, also lying in the
12 northeast ROW line of Houston Street (Variable width ROW);

13 THENCE along the southwest lines of said 17.325 acre tract,
14 the following four (4) courses and distances:

15 1) $N 30^{\circ} 28' 33'' W$, a distance of 542.38 feet, to a 3/8 inch
16 iron rod found for corner hereof, also lying in the northeast ROW
17 line of said Houston Street;

18 2) $N 63^{\circ} 10' 56'' E$, a distance of 151.88 feet, to a point for
19 corner hereof;

20 3) $N 22^{\circ} 53' 34'' W$, a distance of 907.25 feet, to a point for
21 corner hereof, also lying in the east ROW line of Williams Road (80'
22 wide ROW);

23 4) $N 66^{\circ} 38' 13'' E$, along the east ROW of said Williams Road,
24 a distance of 149.47 feet, to a point for corner hereof, being the
25 northwest corner of said 17.325 acre tract, also lying at the
26 beginning of a cutback of said FM 2837 south ROW line;

27 THENCE $N 61^{\circ} 36' 59'' E$, over and across said FM 2837, a

1 distance of 169.86 feet, to a point for corner hereof, lying in
2 common line of said 65.150 acre tract and FM 2837 ROW, being the
3 beginning of a non-tangent curve to the right, having a central
4 angle of 05° 41' 41", a radius of 1,372.40 feet, and having a chord
5 bearing N 26° 19' 32" W, a chord distance of 136.35 feet;

6 THENCE along the common line of said FM 2837 and said 65.150
7 acre tract, the following two (2) courses and distances:

8 1) Along said non-tangent curve to the right, an arc
9 distance of 136.40 feet, to a TXDOT Type II Monument found at the
10 end of said curve for corner hereof;

11 2) N 23° 28' 30" W, a distance of 982.67 feet, to a 3/8 inch
12 iron rod found for corner hereof, being the southerly common corner
13 of said 65.150 acre and 31.91 acre tracts;

14 THENCE N 59° 06' 45" E, along the common line of said 65.150
15 acre and 31.91 acre tracts, a distance of 1,360.66 feet, to a 1/2
16 inch capped iron rod found and stamped "1519" for corner hereof;

17 THENCE N 50° 11' 21" W, leaving said common line, over and
18 across said 31.91 acre tract, a distance of 649.11 feet, to a 1/2
19 inch capped iron rod found and stamped "1519" for corner hereof,
20 lying in the common line of said 31.91 acre and 67.477 acre tracts;

21 THENCE S 59° 05' 23" W, along said common line, passing at a
22 distance of 1,066.46 feet, a 1/2 inch iron rod found for corner
23 hereof, being the southerly common corner of said 31.91 and 67.477
24 acre tracts, also lying in the north ROW line of said FM 2837,
25 continuing over and across said FM 2837, passing at an approximate
26 distance of 121 feet, the east corner of said 9.607 acre tract, also
27 lying in the south ROW line of said FM 2837, continuing along the

1 southeast line of said 9.607 acre tract, for a total distance of
2 1,620.59 feet, to a 5/8 inch iron rod found with a damaged cap for
3 corner hereof, being the south corner of said 9.607 acre tract, also
4 lying in the northeast ROW line of said Houston Street;

5 THENCE N 22° 18' 00" W, along the southwest line of said 9.607
6 acre tract, a distance of 1,077.22 feet, to a 5/8 inch iron rod
7 found with a damaged cap for corner hereof, being the west corner of
8 said 9.607 acre tract, also lying in the northeast ROW line of said
9 Houston Street;

10 THENCE N 57° 53' 00" E, along the northwest line of said 9.607
11 acre tract, passing at an approximate distance of 316.6 feet, the
12 north corner of said 9.607 acre tract, also lying in the south ROW
13 line of said FM 2837, continuing over and across said FM 2837, for a
14 total distance of 436.66 feet, to a 1/2 inch iron rod found for
15 corner hereof, being the southwest corner of said 67.477 acre
16 tract;

17 THENCE along the northwest line of said 67.477 acre tract,
18 the following three (3) courses and distances:

19 1) N 58° 24' 35" E, a distance of 667.90 feet, to a 1/2 inch
20 iron rod found with a damaged cap for corner hereof;

21 2) N 59° 04' 47" E, a distance of 1,012.75 feet, to a 3/8 inch
22 iron rod found for corner hereof;

23 3) N 58° 24' 19" E, a distance of 1,131.68 feet, to an 8 inch
24 wood corner post found for corner hereof, being the northwest
25 corner of said 67.477 acre tract;

26 THENCE S 37° 19' 56" E, along the northeast line of said 67.477
27 acre tract, a distance of 431.30 feet, to a 1/2 inch iron rod found

1 for corner hereof, being the northeast corner of said 67.477 acre
2 tract, also lying in the west ROW line of said Union Pacific
3 Railroad;

4 THENCE leaving said 67.477 acre tract, along the west ROW
5 line of said railroad, the following three (3) courses and
6 distances:

7 1) N 03°50'13" E, a distance of 141.26 feet, to a point for
8 corner hereof, being the beginning of a non-tangent curve to the
9 right, having a central angle of 11° 51' 41", a radius of 5779.58
10 feet, and having a chord bearing N 09° 41' 11" E a chord distance of
11 1,194.35 feet;

12 2) Along said non-tangent curve to the right, an arc
13 distance of 1,196.48 feet, to a point at the end of said curve for
14 corner hereof;

15 3) N 15° 40' 18" E, a distance of 887.46 feet, to a point for
16 the northwest corner hereof;

17 THENCE S 74° 19'42" E, over and across said railroad ROW, a
18 distance of 100.00 feet, to the POINT OF BEGINNING, and containing
19 441.17 acres, more or less.

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

27 (b) The governor, one of the required recipients, has

1 submitted the notice and Act to the Texas Commission on
2 Environmental Quality.

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

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

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