

By: Campbell

S.B. No. 1167

A BILL TO BE ENTITLED

AN ACT

relating to boundaries of the Anthem Municipal Utility District;  
affecting the authority to issue bonds.

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

SECTION 1. Subchapter A, Chapter 7979, Special District  
Local Laws Code, is amended by adding Section 7979.004 to read as  
follows:

Sec. 7979.004. DISTRICT TERRITORY. (a) The district is  
composed of the territory described by Section 3 of the Act enacting  
this section.

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

(1) organization, existence, or validity;

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

(3) right to impose a tax; or

(4) legality or operation.

SECTION 2. Section 7979.101, Special District Local Laws  
Code, is amended by adding Subsection (d) to read as follows:

(d) Section 49.303(d), Water Code, does not apply to the  
district. The district may rely on a previously held election for

1 the approval to issue bonds payable in whole or in part from taxes  
2 after the exclusion of territory described by the Act enacting this  
3 section.

4 SECTION 3. The Anthem Municipal Utility District includes  
5 all the territory contained in the following area:

6 BEING 422.996 ACRES OF LAND LOCATED IN THE ANDREW DUNN LEAGUE,  
7 ABSTRACT NO. 4, THE JOHN COOPER SURVEY NO. 13, ABSTRACT NO. 100 AND  
8 THE JESSE DAY SURVEY, ABSTRACT 152 IN HAYS COUNTY, TEXAS AND BEING A  
9 PORTION OF THE SAME LAND CONVEYED TO MOUNTAIN CITY-150, L.P.,  
10 CALLED TRACT 1, A 599.25 ACRE TRACT AND TRACT 2 A CALLED 73.693 ACRE  
11 TRACT AS DESCRIBED IN VOLUME 5272, PAGE 475 AND A CALLED 857 SQUARE  
12 FOOT TRACT 3 AND A 0.308 ACRE TRACT 4 AS DESCRIBED IN VOLUME 5272,  
13 PAGE 490 OF THE OFFICIAL PUBLIC RECORDS OF HAYS COUNTY, TEXAS; SAID  
14 422.996 ACRES OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES  
15 AND BOUNDS AS FOLLOWS:

16 BEGINNING at a 1/2-inch iron rod located on the northwesterly right  
17 of way line of RM 150, an 80 foot wide public right of way, for the  
18 southwest corner of said 73.693 acre Tract 2, same being the  
19 northwest corner of a called 17.95 acre tract described in a deed to  
20 Robert and Linda Rosebrock recorded in Volume 1126, Page 236 of the  
21 Hays County Deed Records;

22 THENCE, with the northwest right of way line of said RM 150 the  
23 following courses and distances:

24 (1) N45°54'47"W, 312.73 feet with the westerly line of said  
25 73.693 acre tract to a Texas Department of Transportation Type 1  
26 Concrete Monument;

27 (2) N44°00'03"W, 1476.41 feet tract to a Texas Department of

1 Transportation Type 1 Concrete Monument found at the beginning of a  
2 curve to the left;

3 (3) with the arc of said curve to the left, passing the most  
4 southerly southwest corner of said 599.25 acre tract, a found  
5 3/8-inch iron rod at an arc distance of 39.42 feet, passing the  
6 southerly corner of a 875 square foot and 0.308 acre tract described  
7 in a deed to Mountain City - 150, L.P. in Volume 5272, Page 490 and  
8 continuing for an arc distance of 568.29 feet, having a radius of  
9 1185.90 feet, a central angle of 27°27'23" and a chord bearing and  
10 distance of N57°43'45"W, 562.87 feet to a 1/2-inch iron rod with cap  
11 stamped "AST" set for corner on said northwesterly right of way  
12 line, same being on the southerly line of a called 581.00 acre tract  
13 described in a deed to M I W L S, LP and being a re-entrant corner  
14 and most westerly south corner of the herein described tract;

15 THENCE, leaving the northwesterly right of way line of RM 150 and  
16 with the common line of said 581.00 acre tract and said 599.25 acre  
17 tract the following courses and distances:

18 (1) N88°36'39"E, 1422.09 feet to a 1/2-inch iron pipe found  
19 for an angle point in said line;

20 (2) N88°38'02"E, 25.14 feet to a Mag Nail in concrete for an  
21 interior ell corner of the herein described tract;

22 (3) N01°42'12"W, 2818.15 feet to a found 8-inch diameter  
23 Cedar Fence Post for an interior ell corner of the herein described  
24 tract;

25 (4) S87°57'12"W, 2442.13 feet to a found 8-inch diameter  
26 Cedar Fence Post for an exterior ell corner of the herein described  
27 tract, same being the southeast corner of said 752.05 acre tract;

1 THENCE, with the westerly line of said 599.25 acre tract, same being  
2 the easterly line of said 752.05 acre tract the following courses  
3 and distances:

4 (1) N01°27'27"E, 1085.94 feet to a 1/2-inch iron rod with cap  
5 stamped "AST" found;

6 THENCE, leaving said westerly line and crossing said 599.25 acre  
7 tract the following courses and distances;

8 (2) N42°57'57"E, 440.38 feet to a 1/2-inch iron rod with cap  
9 stamped "AST" found for corner;

10 (3) N20°52'40"E, 1067.39 feet to a 1/2-inch iron rod with cap  
11 stamped "AST" found for corner;

12 (4) N37°09'29"E, 492.15 feet to a 1/2-inch iron rod with cap  
13 stamped "AST" found for corner;

14 (5) S85°09'20"E, 319.53 feet to a 1/2-inch iron rod with cap  
15 stamped "AST" found for corner;

16 (6) N84°25'47"E, 294.59 feet to a 1/2-inch iron rod with cap  
17 stamped "AST" found for corner to the beginning of a curve to the  
18 left;

19 (7) with the arc of a non-tangent curve to the left, 511.24  
20 feet, having a radius of 871.82 feet, a central angle of 33°35'56"  
21 and a chord bearing and distance of N68°19'13"E, 503.95 feet to a  
22 1/2-inch iron rod with cap stamped "AST" found for corner and a  
23 point of compound curvature;

24 (8) with a compound curve to the left, 763.84 feet, having a  
25 radius of 1431.82 feet, a central angle of 30°33'56" and a chord  
26 bearing and distance of N32°21'48"E, 754.81 feet to a 1/2-inch iron  
27 rod with cap stamped "AST" found for corner;

1 (9) N08°59'58"E, 277.34 feet to a 1/2-inch iron rod with cap  
2 stamped "AST" found for corner;

3 (10) N09°56'17"E, 409.55 feet to a 1/2-inch iron rod with cap  
4 stamped "AST" found for corner;

5 (11) with the arc of a non-tangent curve to the left, 835.46  
6 feet, having a radius of 2082.16 feet, a central angle of 22°59'23"  
7 and a chord bearing and distance of N48°50'55"E, 829.87 feet to a  
8 1/2-inch iron rod with cap stamped "AST" found for corner;

9 (12) N37°50'06"E, 277.44 feet to a 1/2-inch iron rod with cap  
10 stamped "AST" found for corner;

11 (13) N45°32'16"E, 192.35 feet to a 1/2-inch iron rod with cap  
12 stamped "AST" found for corner on the southwesterly line of a called  
13 1974.77 acre tract described in a deed as Tract 6, and recorded in  
14 Volume 3533, Page 150 of said deed records and being on the  
15 northeasterly line of said 599.25 acre tract;

16 THENCE, with said southwesterly line, same being the northeasterly  
17 line of said 599.25 acre tract, S47°09'20"E, 189.32 feet to a 5-inch  
18 diameter Cedar fence post found with 3 mag nails and shiner at the  
19 north corner of Tract 4, Indian Creek Ranch Subdivision as recorded  
20 in Volume 6, Page 59 of the Hays County Plat Records;

21 THENCE, leaving the southwesterly line of said 1974.77 acre tract,  
22 and with easterly line of said 599.25 acre tract the following  
23 courses and distances

24 (1) With the westerly line of said Indian Creek Ranch Tract  
25 4, S06°08'47"W, 1374.75 feet to a 1/2-inch iron pipe found at the  
26 southwest corner of said tract 4, same being the northwest corner of  
27 Tract 2 of said Indian Creek Ranch and angle point in said easterly

1 line;

2 (2) With the westerly line of said Tract 2, S06°09'17"W,  
3 3133.57 feet to a 6-inch diameter fence post at the southwest corner  
4 of said Tract 2 and an angle point in said easterly line;

5 (3) With the southerly line of said Tract 2, N89°16'58"E,  
6 1309.43 feet to a 1/2-inch iron pipe found at the southeast corner  
7 of said Tract 2, same being on the westerly line of Tract 1 of said  
8 Indian Creek Ranch and an angle point in said easterly line;

9 (4) With the westerly line of said Tract 1, S00°29'12"E,  
10 431.49 feet to a 1/2-inch iron pipe found for an angle point in said  
11 line;

12 (5) S29°40'46"W, 298.05 feet to a 1/2-inch iron pipe for  
13 angle point in said line;

14 (6) S34°36'44"W, 477.34 feet to an iron rod found with cap  
15 stamped RPLS 4542 at the southwest corner of said Tract 1, same  
16 being on the northerly line of a tract conveyed to the Hays  
17 Consolidated Independent School District (deed recital unkown);

18 (7) S87°30'03"W, 5.50 feet to an iron rod with cap stamped  
19 "McMillan" for the northwest corner of said School District Tract;

20 (8) S11°36'28"W, 614.17 feet to an iron rod with cap stamped  
21 "McMillan" for an angle point in said line;

22 (9) S10°09'51"W, 395.16 feet to an iron rod with cap stamped  
23 "McMillan" for an angle point in said line;

24 (10) S10°11'50"W, 101.83 feet to an iron rod with cap stamped  
25 "McMillan" for an angle point in said line;

26 (11) S10°09'55"W, 625.50 feet to an iron rod with cap stamped  
27 "McMillan" for an angle point in said line;

1           (12) S12°41'22"W, 447.62 feet to a Nail in a 6-inch fence  
2 corner post for an angle point in said line;

3           (13) S42°49'53"W, 93.56 feet to a 30-inch Live Oak tree for  
4 an angle point in said line;

5           (14) S00°59'19"W, 13.67 feet to an iron rod with cap stamped  
6 RPLS 4542 at the southwest corner of said School District tract and  
7 the southeast corner of said 599.25 acre tract and being a point on  
8 the northerly line of said 73.693 acre Tract 2;

9 THENCE, with the northerly line of said 73.693 acre tract,  
10 N88°39'49"E, passing a 1/2-inch iron rod at 243.73 feet and  
11 continuing for a total distance of 325.41 feet to a 1/2-inch iron  
12 rod on the southerly line of said School District tract and being  
13 the northwest corner of Lot 6, Century Acres, a subdivision of  
14 record in Volume 6, Page 53 of the Hays County Plat Records;

15 THENCE, with said easterly line of said 73.693 acre tract and with  
16 the westerly line of said Lot 6 and 7 of said Century Acres and the  
17 easterly line of said Lot 2B and 2C Resubdivision of Lot 2B of the  
18 Resubdivision of Lot 2 Century Acres of record in Document  
19 No. 17040812 of the Hays County Official Public Records,  
20 S13°28'59"E, 1658.91 feet to a 1/2-inch iron pipe found for the  
21 southeast corner of said 73.693 acre tract, same being the  
22 southwest corner of said Lot 2B and the common northerly corner of  
23 Lots 8 and 9 of Meadow Woods Section Two, a subdivision of record in  
24 Volume 3, Page 188 of said Plat Records, same being the northeast  
25 corner of said 17.95 acre tract;

26 THENCE, with the northerly line of said 17.95 acre tract, same being  
27 the southerly line of said 599.25 acre tract, S88°38'38"W, passing

1 an iron rod with cap stamped "McMillan" at 103.02 feet and  
2 continuing for a total distance of 1505.09 feet to the POINT OF  
3 BEGINNING and containing, 422.996 acres of land, more or less.

4 SECTION 4. The Anthem Municipal Utility District retains  
5 all the rights, powers, privileges, authority, duties, and  
6 functions that it had before the effective date of this Act.

7 SECTION 5. (a) The legislature validates and confirms all  
8 governmental acts, elections, and proceedings of the Anthem  
9 Municipal Utility District that were taken before the effective  
10 date of this Act.

11 (b) This section does not apply to any matter that on the  
12 effective date of this Act:

13 (1) is involved in litigation if the litigation  
14 ultimately results in the matter being held invalid by a final court  
15 judgment; or

16 (2) has been held invalid by a final court judgment.

17 SECTION 6. (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, the  
2 lieutenant governor, and the speaker of the house of  
3 representatives 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 are fulfilled  
7 and accomplished.

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