

By: Kolkhorst

S.B. No. 2170

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Fort Bend County Municipal Utility District No. 249; granting a limited power of eminent domain; 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 F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7904A to read as follows:

CHAPTER 7904A. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT

NO. 249

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7904A.0101. DEFINITIONS. In this chapter:

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

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

(3) "Director" means a board member.

(4) "District" means the Fort Bend County Municipal Utility District No. 249.

Sec. 7904A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7904A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 7904A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
3 temporary directors may not hold an election under Section
4 7904A.0103 until each municipality in whose corporate limits or
5 extraterritorial jurisdiction the district is located has
6 consented by ordinance or resolution to the creation of the
7 district and to the inclusion of land in the district.

8 Sec. 7904A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

9 (a) The district is created to serve a public purpose and benefit.

10 (b) The district is created to accomplish the purposes of:

11 (1) a municipal utility district as provided by
12 general law and Section 59, Article XVI, Texas Constitution; and

13 (2) Section 52, Article III, Texas Constitution, that
14 relate to the construction, acquisition, improvement, operation,
15 or maintenance of macadamized, graveled, or paved roads, or
16 improvements, including storm drainage, in aid of those roads.

17 Sec. 7904A.0106. INITIAL DISTRICT TERRITORY. (a) The
18 district is initially composed of the territory described by
19 Section 2 of the Act enacting this chapter.

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

24 (1) organization, existence, or validity;

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

1 (3) right to impose a tax; or

2 (4) legality or operation.

3 SUBCHAPTER B. BOARD OF DIRECTORS

4 Sec. 7904A.0201. GOVERNING BODY; TERMS. (a) The district
5 is governed by a board of five elected directors.

6 (b) Except as provided by Section 7904A.0202, directors
7 serve staggered four-year terms.

8 Sec. 7904A.0202. TEMPORARY DIRECTORS. (a) On or after the
9 effective date of the Act enacting this chapter, the owner or owners
10 of a majority of the assessed value of the real property in the
11 district may submit a petition to the commission requesting that
12 the commission appoint as temporary directors the five persons
13 named in the petition. The commission shall appoint as temporary
14 directors the five persons named in the petition.

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

16 (1) the date permanent directors are elected under
17 Section 7904A.0103; or

18 (2) the fourth anniversary of the effective date of
19 the Act enacting this chapter.

20 (c) If permanent directors have not been elected under
21 Section 7904A.0103 and the terms of the temporary directors have
22 expired, successor temporary directors shall be appointed or
23 reappointed as provided by Subsection (d) to serve terms that
24 expire on the earlier of:

25 (1) the date permanent directors are elected under
26 Section 7904A.0103; or

27 (2) the fourth anniversary of the date of the

1 appointment or reappointment.

2 (d) If Subsection (c) applies, the owner or owners of a
3 majority of the assessed value of the real property in the district
4 may submit a petition to the commission requesting that the
5 commission appoint as successor temporary directors the five
6 persons named in the petition. The commission shall appoint as
7 successor temporary directors the five persons named in the
8 petition.

9 Sec. 7904A.0203. DESIGNATED BOARD MEETING LOCATION. (a)
10 The board shall designate a meeting place inside the district for
11 conducting the meetings of the board. The meeting place designated
12 may be a private residence or office, provided that, in the order
13 designating the meeting place, the board declares the place where
14 the meeting is held to be a public place and invites the public to
15 attend any meeting of the board held in that place.

16 (b) If the board establishes that no suitable place exists
17 for meeting inside the district, the board may designate a meeting
18 place outside the district. The board shall give notice of the
19 location of a meeting place outside the district by:

20 (1) filing a copy of the resolution designating the
21 location and a justification of why the meeting will not be held in
22 the district or within 10 miles of the boundary of the district, if
23 applicable, with the commission; and

24 (2) publishing notice of the location in a newspaper
25 of general circulation in the district.

26 (c) If the board changes the location of a meeting place
27 outside the district, the board shall give notice of the change in

1 the manner described by Subsection (b).

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 7904A.0301. GENERAL POWERS AND DUTIES. The district
4 has the powers and duties necessary to accomplish the purposes for
5 which the district is created.

6 Sec. 7904A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
7 DUTIES. The district has the powers and duties provided by the
8 general law of this state, including Chapters 49 and 54, Water Code,
9 applicable to municipal utility districts created under Section 59,
10 Article XVI, Texas Constitution.

11 Sec. 7904A.0303. AUTHORITY FOR ROAD PROJECTS. Under
12 Section 52, Article III, Texas Constitution, the district may
13 design, acquire, construct, finance, issue bonds for, improve,
14 operate, maintain, and convey to this state, a county, or a
15 municipality for operation and maintenance macadamized, graveled,
16 or paved roads, or improvements, including storm drainage, in aid
17 of those roads.

18 Sec. 7904A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
19 road project must meet all applicable construction standards,
20 zoning and subdivision requirements, and regulations of each
21 municipality in whose corporate limits or extraterritorial
22 jurisdiction the road project is located.

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

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

4 Sec. 7904A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
5 ORDINANCE OR RESOLUTION. The district shall comply with all
6 applicable requirements of any ordinance or resolution that is
7 adopted under Section 54.016 or 54.0165, Water Code, and that
8 consents to the creation of the district or to the inclusion of land
9 in the district.

10 SUBCHAPTER D. BONDS AND OTHER OBLIGATIONS

11 Sec. 7904A.0401. AUTHORITY TO ISSUE BONDS AND OTHER
12 OBLIGATIONS. The district may issue bonds or other obligations
13 payable wholly or partly from ad valorem taxes, impact fees,
14 revenue, contract payments, grants, or other district money, or any
15 combination of those sources, to pay for any authorized district
16 purpose.

17 Sec. 7904A.0402. TAXES FOR BONDS. At the time the district
18 issues bonds payable wholly or partly from ad valorem taxes, the
19 board shall provide for the annual imposition of a continuing
20 direct ad valorem tax, without limit as to rate or amount, while all
21 or part of the bonds are outstanding as required and in the manner
22 provided by Sections 54.601 and 54.602, Water Code.

23 Sec. 7904A.0403. BONDS FOR ROAD PROJECTS. At the time of
24 issuance, the total principal amount of bonds or other obligations
25 issued or incurred to finance road projects and payable from ad
26 valorem taxes may not exceed one-fourth of the assessed value of the
27 real property in the district.

1 SECTION 2. The Fort Bend County Municipal Utility District
2 No. 249 initially includes all the territory contained in the
3 following area:

4 Tract 1

5 Being a tract containing 58.07 acres of land located in the William
6 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said
7 58.07 acres being a call 58.09 acre tract of land recorded in the
8 name of HVM Partners, L.P. under Fort Bend County Clerk's File
9 No. 2006046902. Said 58.07 acres of land being more particularly
10 described by metes and bounds as follows (Bearings are referenced
11 to the Texas Coordinate System of 1983, South Central Zone, as
12 derived from GPS observations):

13 BEGINNING at a 1 inch iron pipe found at the northeast corner of
14 said 58.09 acre tract, the southeast corner of a call 12.525 acre
15 tract of land recorded in the name of Mason Briscoe III and Dee
16 Briscoe under Volume 609, Page 690 of the Fort Bend County Deed
17 Records (F.B.C.D.R.) and being on the west right-of-way (R.O.W.)
18 line of F.M. Highway 723 (call 120-foot wide; occupied width
19 varies), from which a 1/2 inch iron pipe found at the northeast
20 corner of said 12.525 acre tract and intersection of said west
21 R.O.W. with the south R.O.W. line of Beadle Road (occupied width
22 varies) bears North 02 degrees 20 minutes 36 seconds West, a
23 distance of 627.92 feet;

24 THENCE, with said west R.O.W. line, South 02 degrees 20 minutes 36
25 seconds East (call South 00 degrees 16 minutes 50 seconds West), a
26 distance of 1,564.34 feet (call 1,563.07 feet) to a 1/2 inch iron
27 rod found at the common east corner of said 58.09 acre tract and a

1 call 57.34 acre tract of land recorded in the name of Evelyn
2 Huntington under F.B.C.C.F. No. 2014103478 from which a concrete
3 monument found at an angle point in said west R.O.W. line bears
4 South 02 degrees 20 minutes 36 seconds East, a distance of 359.15
5 feet;

6 THENCE, with the common line between said 58.09 acre and 57.34 acre
7 tracts, South 87 degrees 54 minutes 04 seconds West (call North 89
8 degrees 28 minutes 30 seconds West), a distance of 1,618.39 feet
9 (call 1,620.07 feet) to the common west corner of said 58.09 acre
10 and 57.34 acre tracts, being on the east line of a call 1,410.69
11 acre tract of land, styled as "Second Tract", recorded in the name
12 of Foster Farms, Inc. under Volume 362, Page 549 of the F.B.C.D.R.,
13 and the common line between said Andrews League and the John Foster
14 2-1/2 League Grant, A-26, Fort Bend County, Texas, from which point
15 a 1/2 inch iron pipe found bears South 87 degrees 54 minutes 04
16 seconds West, a distance of 0.45 feet;

17 THENCE, with said east line and said common league line, North 02
18 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes
19 00 seconds East), a distance of 1,562.53 feet (call 1,563.05 feet)
20 to a 1/2 inch iron pipe found at the common west corner of said 58.09
21 acre tract and a call 12.525 acre tract of land recorded in the name
22 of Mason Briscoe III and Dee Briscoe under Volume 1118, Page 817 of
23 the F.B.C.D.R.;

24 THENCE, with the common line between said 58.09 acre and 12.525 acre
25 tracts and the south line of the aforesaid 12.525 acre tract, North
26 87 degrees 50 minutes 13 seconds East (call South 89 degrees 28
27 minutes 30 seconds East), a distance of 1,617.56 feet (call

1 1,617.72 feet) to the POINT OF BEGINNING and containing 58.07 acres
2 of land.

3 Tract 2

4 Being a tract containing 57.22 acres of land located in the William
5 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said
6 57.22 acres being a call 57.34 acre tract of land recorded in the
7 name of Evelyn Huntington under Fort Bend County Clerk's File
8 No. 2014103478. Said 57.22 acres of land being more particularly
9 described by metes and bounds as follows (Bearings are referenced
10 to the Texas Coordinate System of 1983, South Central Zone, as
11 derived from GPS observations):

12 BEGINNING at a 1/2 inch iron pipe found at the northeast corner of
13 said 57.34 acre tract, the southeast corner of a call 58.09 acre
14 tract of land recorded in the name of HVM Partners, L.P. under
15 F.B.C.C.F. No. 2006046902 and being on the west right-of-way
16 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied
17 width varies), from which a 1 inch iron pipe found at the northeast
18 corner of said 58.09 acre tract and the southeast corner of a call
19 12.525 acre tract of land recorded in the name of Mason Briscoe III
20 and Dee Briscoe under Volume 609, Page 690 of the Fort Bend County
21 Deed Records (F.B.C.D.R.) bears North 02 degrees 20 minutes 36
22 seconds West, a distance of 1,564.34 feet;

23 THENCE, with said west R.O.W. line, the following two (2) courses:

24 1.) South 02 degrees 20 minutes 36 seconds East (call South 00
25 degrees 16 minutes 50 seconds East), a distance of 359.15 feet to a
26 concrete monument found;

27 2.) South 02 degrees 19 minutes 49 seconds East (call South 00

1 degrees 14 minutes 10 seconds West), a distance of 308.87 feet to a
2 1/2 inch iron rod found at the most easterly northeast corner of a
3 call 0.7397 acre tract of land recorded in the name of Mary Claire
4 Huntington in Volume 2271, Page 469 of the F.B.C.D.R.;

5 THENCE, with the north, west and south lines of said 0.7397 acre
6 tract, the following nine (9) courses:

7 1.) South 87 degrees 44 minutes 59 seconds West (call North 89
8 degrees 45 minutes 50 seconds West), a distance of 227.58 feet (call
9 227.60 feet) to a 1/2 inch iron pipe found;

10 2.) North 09 degrees 20 minutes 20 seconds West (call North 06
11 degrees 45 minutes 50 seconds West), a distance of 73.12 feet (call
12 73.48 feet) to a 1/2 inch iron pipe found;

13 3.) South 63 degrees 43 minutes 26 seconds West (call South 65
14 degrees 45 minutes West), a distance of 140.27 feet (call 140.05
15 feet) to a 5/8 inch capped iron rod stamped "GBI Partners" set;

16 4.) South 17 degrees 42 minutes 21 seconds West (call South 20
17 degrees 31 minutes 10 seconds West), a distance of 110.75 feet to a
18 1/2 inch iron pipe found;

19 5.) South 10 degrees 07 minutes 39 seconds East (call South 07
20 degrees 18 minutes 15 seconds East), a distance of 59.05 feet (call
21 59.0 feet) to a 1/2 inch iron pipe found;

22 6.) North 85 degrees 33 minutes 05 seconds East (call North 88
23 degrees East), a distance of 81.73 feet (call 82.32 feet) to a 1/2
24 inch iron pipe found;

25 7.) North 65 degrees 13 minutes 35 seconds East (call North 67
26 degrees 24 minutes 10 seconds East), a distance of 105.65 feet (call
27 105.75 feet) to a 1/2 inch iron pipe found;

1 8.) North 09 degrees 08 minutes 49 seconds West (call North 06
2 degrees 45 minutes 50 seconds West), a distance of 89.33 feet (call
3 88.89 feet) to a 1/2 inch iron pipe found;

4 9.) North 87 degrees 42 minutes 39 seconds East (call South 89
5 degrees 45 minutes 50 seconds West), a distance of 225.90 feet (call
6 225.76 feet) to a 1/2 inch iron pipe found at the most easterly
7 southeast corner of said 0.7397 acre tract and being on the
8 aforesaid west R.O.W. line of F.M. Highway 723;

9 THENCE, with said west R.O.W. line, South 02 degrees 19 minutes 49
10 seconds East (call South 00 degrees 14 minutes 10 seconds West), a
11 distance of 877.24 feet to a 1/2 inch iron rod found at the common
12 east corner of said 57.34 acre tract and a call 30.00 acre tract of
13 land recorded in the name of Evelyn Huntington under F.B.C.C.F.
14 No. 2014103447;

15 THENCE, with the common line between said 57.34 acre and 30.00 acre
16 tracts, South 87 degrees 54 minutes 34 seconds West (call North 89
17 degrees 28 minutes 30 seconds West), a distance of 1,618.94 feet
18 (call 1,623.30 feet) to a 1/2 inch iron pipe found at the common
19 west corner of said 57.34 acre and 30.00 acre tracts, being on the
20 east line of a call 1,410.69 acre tract of land, styled as "Second
21 Tract", recorded in the name of Foster Farms, Inc. under Volume 362,
22 Page 549 of the F.B.C.D.R., and the common line between said Andrews
23 League and the John Foster 2-1/2 League Grant, A-26, Fort Bend
24 County, Texas, from which a 1/2 inch iron pipe found at the
25 southwest corner of said 30.00 acre tract bears South 02 degrees 18
26 minutes 47 seconds East, a distance of 805.73 feet;

27 THENCE, with said east line and said common league line, North 02

1 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes
2 00 seconds East), a distance of 1,559.73 feet (call 1,560.41 feet)
3 to a 1/2 inch iron pipe found at the common west corner of said 57.34
4 acre and aforesaid 58.09 acre tract from which point a 1/2 inch iron
5 pipe found bears South 87 degrees 54 minutes 04 seconds West, a
6 distance of 0.45 feet;
7 THENCE, with the common line between said 57.34 acre and 58.09 acre
8 tracts, North 87 degrees 54 minutes 04 seconds East (call South 89
9 degrees 28 minutes 30 seconds East), a distance of 1,618.39 feet
10 (call 1,620.07 feet) to the POINT OF BEGINNING and containing 57.22
11 acres of land.

12 Tract 3

13 Being a tract containing 0.739 acres of land located in the William
14 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said
15 0.739 acres being a call 0.7397 acre tract of land recorded in the
16 name of Mary Claire Huntington under Volume 2271, Page 469 of the
17 Fort Bend County Deed Records (F.B.C.D.R.). Said 0.739 acres of
18 land being more particularly described by metes and bounds as
19 follows (Bearings are referenced to the Texas Coordinate System of
20 1983, South Central Zone, as derived from GPS observations):

21 BEGINNING at a 1/2 inch iron pipe found at most easterly southeast
22 corner of said 0.7397 acre tract and being on the west right-of-way
23 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied
24 width varies), from which a 1/2 inch iron pipe found on said west
25 R.O.W. line and at the common east corner of call 30.00 acre and
26 57.34 acre tracts of land recorded in the name of Evelyn Huntington
27 under Fort Bend County Clerk's File No. 2014103477 and 2014103478,

1 respectively, bears South 02 degrees 19 minutes 49 seconds East, a
2 distance of 877.24 feet;
3 THENCE, with the south, west and north lines of said 0.7397 acre
4 tract, the following nine (9) courses:
5 1.) South 87 degrees 42 minutes 39 seconds West (call North 89
6 degrees 45 minutes 50 seconds West), a distance of 225.90 feet (call
7 225.76 feet) to a 1/2 inch iron pipe found;
8 2.) South 09 degrees 08 minutes 49 seconds East (call South 09
9 degrees 08 minutes 49 seconds East), a distance of 89.33 feet (call
10 89.89 feet) to a 1/2 inch iron pipe found;
11 3.) South 65 degrees 13 minutes 35 seconds West (call South 67
12 degrees 24 minutes 10 seconds West), a distance of 105.65 feet (call
13 105.75 feet) to a 1/2 inch iron pipe found;
14 4.) South 85 degrees 33 minutes 05 seconds West (call South 88
15 degrees West), a distance of 81.73 feet (call 82.32 feet) to a 1/2
16 inch iron pipe found;
17 5.) North 10 degrees 07 minutes 39 seconds West (call North 07
18 degrees 18 minutes 15 seconds West), a distance of 59.05 feet (call
19 59.0 feet) to a 1/2 inch iron pipe found;
20 6.) North 17 degrees 42 minutes 21 seconds East (call North 20
21 degrees 31 minutes 10 seconds East), a distance of 110.75 feet to a
22 5/8 inch capped iron rod stamped "GBI Partners" set;
23 7.) North 63 degrees 43 minutes 26 seconds East (call North 65
24 degrees 45 minutes East), a distance of 140.27 feet (call 140.05
25 feet) to a 1/2 inch iron pipe found;
26 8.) South 09 degrees 20 minutes 20 seconds East (call South 06
27 degrees 45 minutes 50 seconds East), a distance of 73.12 feet (call

1 73.48 feet) to a 1/2 inch iron pipe found;
2 9.) North 87 degrees 44 minutes 59 seconds East (call South 89
3 degrees 45 minutes 50 seconds East), a distance of 227.58 feet (call
4 227.60 feet) to a 1/2 inch iron pipe found at the most easterly
5 northeast corner of said 0.7397 acre tract and being on the
6 aforesaid west R.O.W. line of F.M. Highway 723 from which a concrete
7 monument found on said west R.O.W. line bears North 02 degrees 19
8 minutes 49 seconds West, a distance of 308.87 feet;
9 THENCE, with said west R.O.W. line, South 02 degrees 19 minutes 49
10 seconds East (call South 00 degrees 14 minutes 10 seconds West), a
11 distance of 14.71 feet (call 15.0 feet) to the POINT OF BEGINNING
12 and containing 0.739 acres of land.

13 Tract 4

14 Being a tract containing 29.93 acres of land located in the William
15 Andrews League, Abstract No. 3, in Fort Bend County, Texas. Said
16 29.93 acres being a call 30.00 acre tract of land recorded in the
17 name of Evelyn Huntington under Fort Bend County Clerk's File
18 No. 2014103477. Said 29.93 acres of land being more particularly
19 described by metes and bounds as follows (Bearings are referenced
20 to the Texas Coordinate System of 1983, South Central Zone, as
21 derived from GPS observations):

22 BEGINNING at a 1/2 inch iron pipe found at the northeast corner of
23 said 30.00 acre tract, the southeast corner of a call 57.34 acre
24 tract of land recorded in the name of Evelyn Huntington under
25 F.B.C.C.F. No. 2014103478 and being on the west right-of-way
26 (R.O.W.) line of F.M. Highway 723 (call 120-foot wide; occupied
27 width varies), from which a 1/2 inch iron pipe found on said west

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1 R.O.W. line and at the most easterly southeast corner of a call
2 0.7397 acre tract of land recorded in the name of Mary Claire
3 Huntington in Volume 2271, Page 469 of the Fort Bend County Deed
4 Records (F.B.C.D.R.) bears North 02 degrees 19 minutes 49 seconds
5 West, a distance of 877.24 feet;

6 THENCE, with said west R.O.W. line, the following two (2) courses:

7 1.) South 02 degrees 19 minutes 49 seconds East (call South 00
8 degrees 14 minutes 10 seconds West), a distance of 785.48 feet (call
9 785.45 feet) to a 5/8 inch capped iron rod stamped "GBI Partners"
10 set;

11 2.) South 02 degrees 44 minutes 20 seconds East (call South 00
12 degrees 14 minutes 40 seconds West), a distance of 19.25 feet (call
13 19.14 feet) to a 1/2 inch iron rod found at common east corner of
14 said 30.00 acre tract and a call 6.5331 acre tract of land recorded
15 in the name of Denise K. Heibel under F.B.C.C.F. No. 9818471 from
16 which a 1/2 inch iron pipe found on said west R.O.W. line bears
17 South 02 degrees 44 minutes 20 seconds East, a distance of 59.79
18 feet;

19 THENCE, with the common line between said 30.00 acre and 6.5331 acre
20 tracts, South 87 degrees 52 minutes 26 seconds West (call North 89
21 degrees 28 minutes 30 seconds West), a distance of 1,619.31 feet
22 (call 1,625.13 feet) to a 1/2 inch iron pipe found at the common
23 west corner of said 30.00 acre and 6.5331 acre tracts, being on the
24 east line of a call 1,410.69 acre tract of land, styled as "Second
25 Tract", recorded in the name of Foster Farms, Inc. under Volume 362,
26 Page 549 of the F.B.C.D.R., and the common line between said Andrews
27 League and the John Foster 2-1/2 League Grant, A-26, Fort Bend

1 County, Texas;

2 THENCE, with said east line and said common league line, North 02
3 degrees 18 minutes 47 seconds West (call North 00 degrees 22 minutes
4 00 seconds East), a distance of 805.73 feet (call 804.58 feet) to a
5 1/2 inch iron pipe found at the common west corner of said 30.00
6 acre and aforesaid 57.34 acre tract;

7 THENCE, with the common line between said 30.00 acre and 57.34 acre
8 tracts, North 87 degrees 54 minutes 34 seconds East (call South 89
9 degrees 28 minutes 30 seconds East), a distance of 1,618.94 feet
10 (call 1,623.30 feet) to the POINT OF BEGINNING and containing 29.93
11 acres of land.

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

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

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

26 (d) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

1 to the notice, introduction, and passage of this Act are fulfilled
2 and accomplished.

3 SECTION 4. (a) If this Act does not receive a two-thirds
4 vote of all the members elected to each house, Subchapter C, Chapter
5 7904A, Special District Local Laws Code, as added by Section 1 of
6 this Act, is amended by adding Section 7904A.0306 to read as
7 follows:

8 Sec. 7904A.0306. NO EMINENT DOMAIN POWER. The district may
9 not exercise the power of eminent domain.

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

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