

1-1 By: Buckingham S.B. No. 2193  
 1-2 (In the Senate - Filed April 8, 2021; April 12, 2021, read  
 1-3 first time and referred to Committee on Local Government;  
 1-4 May 11, 2021, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; May 11, 2021,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 2193 By: Nichols

1-19 A BILL TO BE ENTITLED  
 1-20 AN ACT

1-21 relating to the creation of the Matthews Ranch Water Control and  
 1-22 Improvement District No. 1 of Blanco County; granting a limited  
 1-23 power of eminent domain; providing authority to issue bonds;  
 1-24 providing authority to impose assessments, fees, and taxes.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. Subtitle I, Title 6, Special District Local Laws  
 1-27 Code, is amended by adding Chapter 9091 to read as follows:

1-28 CHAPTER 9091. MATTHEWS RANCH WATER CONTROL AND IMPROVEMENT

1-29 DISTRICT NO. 1 OF BLANCO COUNTY

1-30 SUBCHAPTER A. GENERAL PROVISIONS

1-31 Sec. 9091.0101. DEFINITIONS. In this chapter:

1-32 (1) "Board" means the district's board of directors.

1-33 (2) "Commission" means the Texas Commission on  
 1-34 Environmental Quality.

1-35 (3) "Director" means a board member.

1-36 (4) "District" means the Matthews Ranch Water Control  
 1-37 and Improvement District No. 1 of Blanco County.

1-38 Sec. 9091.0102. NATURE OF DISTRICT. The district is a water  
 1-39 control and improvement district created under Section 52, Article  
 1-40 III, and Section 59, Article XVI, Texas Constitution.

1-41 Sec. 9091.0103. CONFIRMATION AND DIRECTORS' ELECTION  
 1-42 REQUIRED. The temporary directors shall hold an election to  
 1-43 confirm the creation of the district and to elect five permanent  
 1-44 directors as provided by Section 49.102, Water Code.

1-45 Sec. 9091.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
 1-46 temporary directors may not hold an election under Section  
 1-47 9091.0103 until each municipality in whose corporate limits or  
 1-48 extraterritorial jurisdiction the district is located has  
 1-49 consented by ordinance or resolution to the creation of the  
 1-50 district and to the inclusion of land in the district.

1-51 Sec. 9091.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-52 (a) The district is created to serve a public purpose and benefit.

1-53 (b) The district is created to accomplish the purposes of:

1-54 (1) a water control and improvement district as  
 1-55 provided by general law and Section 59, Article XVI, Texas  
 1-56 Constitution; and

1-57 (2) Section 52, Article III, Texas Constitution, that  
 1-58 relate to the construction, acquisition, improvement, operation,  
 1-59 or maintenance of macadamized, graveled, or paved roads, or  
 1-60 improvements, including storm drainage, in aid of those roads.

2-1 Sec. 9091.0106. INITIAL DISTRICT TERRITORY. (a) The  
2-2 district is initially composed of the territory described by  
2-3 Section 2 of the Act enacting this chapter.

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

2-8 (1) organization, existence, or validity;

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

2-12 (3) right to impose a tax; or

2-13 (4) legality or operation.

2-14 SUBCHAPTER B. BOARD OF DIRECTORS

2-15 Sec. 9091.0201. GOVERNING BODY; TERMS. (a) The district is  
2-16 governed by a board of five elected directors.

2-17 (b) Except as provided by Section 9091.0202, directors  
2-18 serve staggered four-year terms.

2-19 Sec. 9091.0202. TEMPORARY DIRECTORS. (a) On or after the  
2-20 effective date of the Act enacting this chapter, the owner or owners  
2-21 of a majority of the assessed value of the real property in the  
2-22 district may submit a petition to the commission requesting that  
2-23 the commission appoint as temporary directors the five persons  
2-24 named in the petition. The commission shall appoint as temporary  
2-25 directors the five persons named in the petition.

2-26 (b) Temporary directors serve until the earlier of:

2-27 (1) the date permanent directors are elected under  
2-28 Section 9091.0103; or

2-29 (2) the fourth anniversary of the effective date of  
2-30 the Act enacting this chapter.

2-31 (c) If permanent directors have not been elected under  
2-32 Section 9091.0103 and the terms of the temporary directors have  
2-33 expired, successor temporary directors shall be appointed or  
2-34 reappointed as provided by Subsection (d) to serve terms that  
2-35 expire on the earlier of:

2-36 (1) the date permanent directors are elected under  
2-37 Section 9091.0103; or

2-38 (2) the fourth anniversary of the date of the  
2-39 appointment or reappointment.

2-40 (d) If Subsection (c) applies, the owner or owners of a  
2-41 majority of the assessed value of the real property in the district  
2-42 may submit a petition to the commission requesting that the  
2-43 commission appoint as successor temporary directors the five  
2-44 persons named in the petition. The commission shall appoint as  
2-45 successor temporary directors the five persons named in the  
2-46 petition.

2-47 SUBCHAPTER C. POWERS AND DUTIES

2-48 Sec. 9091.0301. GENERAL POWERS AND DUTIES. (a) The  
2-49 district has the powers and duties necessary to accomplish the  
2-50 purposes for which the district is created.

2-51 (b) The district has the powers and duties provided by the  
2-52 general law of this state, including Chapters 49 and 51, Water Code,  
2-53 applicable to water control and improvement districts created under  
2-54 Section 59, Article XVI, Texas Constitution.

2-55 Sec. 9091.0302. AUTHORITY FOR ROAD PROJECTS. Under Section  
2-56 52, Article III, Texas Constitution, and if approved at an election  
2-57 held under Section 53.029(c), Water Code, the district may design,  
2-58 acquire, construct, finance, issue bonds for, improve, operate,  
2-59 maintain, and convey to this state, a county, or a municipality for  
2-60 operation and maintenance macadamized, graveled, or paved roads, or  
2-61 improvements, including storm drainage, in aid of those roads  
2-62 inside or outside the district.

2-63 Sec. 9091.0303. ROAD STANDARDS AND REQUIREMENTS. (a) A  
2-64 road project must meet all applicable construction standards,  
2-65 zoning and subdivision requirements, and regulations of each  
2-66 municipality in whose corporate limits or extraterritorial  
2-67 jurisdiction the road project is located.

2-68 (b) If a road project is not located in the corporate limits  
2-69 or extraterritorial jurisdiction of a municipality, the road

3-1 project must meet all applicable construction standards,  
3-2 subdivision requirements, and regulations of each county in which  
3-3 the road project is located.  
3-4 (c) If the state will maintain and operate the road, the  
3-5 Texas Transportation Commission must approve the plans and  
3-6 specifications of the road project.  
3-7 Sec. 9091.0304. COMPLIANCE WITH MUNICIPAL CONSENT  
3-8 ORDINANCE OR RESOLUTION. The district shall comply with all  
3-9 applicable requirements of any ordinance or resolution that is  
3-10 adopted under Section 42.042 or 42.0425, Local Government Code, and  
3-11 consents to the creation of the district or to the inclusion of land  
3-12 in the district.  
3-13 Sec. 9091.0305. DIVISION OF DISTRICT. (a) The district may  
3-14 be divided into two or more new districts only if the district:  
3-15 (1) has no outstanding bonded debt; and  
3-16 (2) is not imposing ad valorem taxes.  
3-17 (b) This chapter applies to any new district created by the  
3-18 division of the district, and a new district has all the powers and  
3-19 duties of the district.  
3-20 (c) Any new district created by the division of the district  
3-21 may, at the time the new district is created, contain only land  
3-22 within the area described by Section 2 of the Act enacting this  
3-23 chapter.  
3-24 (d) The board, on its own motion or on receipt of a petition  
3-25 signed by the owner or owners of a majority of the assessed value of  
3-26 the real property in the district, may adopt an order dividing the  
3-27 district.  
3-28 (e) The board may adopt an order dividing the district  
3-29 before or after the date the board holds an election under Section  
3-30 9091.0103 to elect the district's permanent directors.  
3-31 (f) An order dividing the district must:  
3-32 (1) name each new district;  
3-33 (2) include the metes and bounds description of the  
3-34 territory of each new district;  
3-35 (3) appoint temporary directors for each new district;  
3-36 and  
3-37 (4) provide for the division of assets and liabilities  
3-38 between or among the new districts.  
3-39 (g) On or before the 30th day after the date of adoption of  
3-40 an order dividing the district, the district shall file the order  
3-41 with the commission and record the order in the real property  
3-42 records of each county in which the district is located.  
3-43 (h) Any new district created by the division of the district  
3-44 shall hold a permanent directors' election as required by Section  
3-45 9091.0103.  
3-46 (i) If the creation of the new district is confirmed, the  
3-47 new district shall provide the election date and results to the  
3-48 commission.  
3-49 (j) Any new district created by the division of the district  
3-50 must hold an election as required by this chapter to obtain voter  
3-51 approval before the district may impose a maintenance tax or issue  
3-52 bonds payable wholly or partly from ad valorem taxes or sales and  
3-53 use taxes.  
3-54 (k) Municipal consent to the creation of the district and to  
3-55 the inclusion of land in the district granted under Section  
3-56 9091.0104 acts as municipal consent to the creation of any new  
3-57 district created by the division of the district and to the  
3-58 inclusion of land in the new district.  
3-59 Sec. 9091.0306. AUTHORITY TO ESTABLISH DEFINED AREAS OR  
3-60 DESIGNATED PROPERTY. The district may define areas or designate  
3-61 certain property of the district to pay for improvements,  
3-62 facilities, or services that primarily benefit that area or  
3-63 property and do not generally and directly benefit the district as a  
3-64 whole.  
3-65 Sec. 9091.0307. PROCEDURE FOR ELECTION. (a) Before the  
3-66 district may impose an ad valorem tax or issue bonds payable from ad  
3-67 valorem taxes of the defined area or designated property, the board  
3-68 shall hold an election in the defined area or in the designated  
3-69 property only.

4-1 (b) The board may submit the issues to the voters on the same  
 4-2 ballot to be used in another election.

4-3 Sec. 9091.0308. DECLARING RESULT AND ISSUING ORDER. (a) If  
 4-4 a majority of the voters voting at the election approve the  
 4-5 proposition or propositions, the board shall declare the results  
 4-6 and, by order, shall establish the defined area and describe it by  
 4-7 metes and bounds or designate the specific property.

4-8 (b) A court may not review the board's order except on the  
 4-9 ground of fraud, palpable error, or arbitrary and confiscatory  
 4-10 abuse of discretion.

4-11 Sec. 9091.0309. TAXES FOR SERVICES, IMPROVEMENTS, AND  
 4-12 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter  
 4-13 approval and adoption of the order described by Section 9091.0308,  
 4-14 the district may apply separately, differently, equitably, and  
 4-15 specifically its taxing power and lien authority to the defined  
 4-16 area or designated property to provide money to construct,  
 4-17 administer, maintain, and operate services, improvements, and  
 4-18 facilities that primarily benefit the defined area or designated  
 4-19 property.

4-20 Sec. 9091.0310. ISSUANCE OF BONDS FOR DEFINED AREA OR  
 4-21 DESIGNATED PROPERTY. After the order under Section 9091.0308 is  
 4-22 adopted, the district may issue bonds to provide for any land,  
 4-23 improvements, facilities, plants, equipment, and appliances for  
 4-24 the defined area or designated property.

4-25 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4-26 Sec. 9091.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
 4-27 The district may issue, without an election, bonds and other  
 4-28 obligations secured by:

4-29 (1) revenue other than ad valorem taxes; or

4-30 (2) contract payments described by Section 9091.0403.

4-31 (b) The district must hold an election in the manner  
 4-32 provided by Chapters 49 and 51, Water Code, to obtain voter approval  
 4-33 before the district may impose an ad valorem tax or issue bonds  
 4-34 payable from ad valorem taxes.

4-35 (c) The district may not issue bonds payable from ad valorem  
 4-36 taxes to finance a road project unless the issuance is approved by a  
 4-37 vote of a two-thirds majority of the district voters voting at an  
 4-38 election held for that purpose.

4-39 Sec. 9091.0402. OPERATION AND MAINTENANCE TAX. (a) If  
 4-40 authorized at an election held under Section 9091.0401, the  
 4-41 district may impose an operation and maintenance tax on taxable  
 4-42 property in the district in accordance with Section 49.107, Water  
 4-43 Code.

4-44 (b) The board shall determine the tax rate. The rate may not  
 4-45 exceed the rate approved at the election.

4-46 Sec. 9091.0403. CONTRACT TAXES. (a) In accordance with  
 4-47 Section 49.108, Water Code, the district may impose a tax other than  
 4-48 an operation and maintenance tax and use the revenue derived from  
 4-49 the tax to make payments under a contract after the provisions of  
 4-50 the contract have been approved by a majority of the district voters  
 4-51 voting at an election held for that purpose.

4-52 (b) A contract approved by the district voters may contain a  
 4-53 provision stating that the contract may be modified or amended by  
 4-54 the board without further voter approval.

4-55 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-56 Sec. 9091.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
 4-57 OBLIGATIONS. The district may issue bonds or other obligations  
 4-58 payable wholly or partly from ad valorem taxes, impact fees,  
 4-59 revenue, contract payments, grants, or other district money, or any  
 4-60 combination of those sources, to pay for any authorized district  
 4-61 purpose.

4-62 Sec. 9091.0502. TAXES FOR BONDS. At the time the district  
 4-63 issues bonds payable wholly or partly from ad valorem taxes, the  
 4-64 board shall provide for the annual imposition of a continuing  
 4-65 direct ad valorem tax, without limit as to rate or amount, while all  
 4-66 or part of the bonds are outstanding as required and in the manner  
 4-67 provided by Chapter 51, Water Code.

4-68 Sec. 9091.0503. BONDS FOR ROAD PROJECTS. At the time of  
 4-69 issuance, the total principal amount of bonds or other obligations

5-1 issued or incurred to finance road projects and payable from ad  
 5-2 valorem taxes may not exceed one-fourth of the assessed value of the  
 5-3 real property in the district.

5-4 SECTION 2. The Matthews Ranch Water Control and Improvement  
 5-5 District No. 1 of Blanco County initially includes all the  
 5-6 territory contained in the following area:  
 5-7 Being all of that certain 745.87 acre tract of land described in  
 5-8 Volume 171, Page 912 et seq. of the Official Public Records of said  
 5-9 County and all of that certain 55.82 acre tract of land described in  
 5-10 Volume 173, Page 242 et seq. of the said Official Public Records;  
 5-11 said 801.73 acre tract being more particularly described as  
 5-12 follows:

5-13 BEGINNING at a 3/8 inch iron rod found at the base of a fence post at  
 5-14 the northerly northeast corner of the said 745.87 acre tract, being  
 5-15 on the south line of that certain 881.7 acre tract described in  
 5-16 Volume 62, Page 434 et seq. of the Deed Records of said County and  
 5-17 being at the northwest corner of that certain tract described in  
 5-18 Volume 98, Page 604 et seq. of the said Deed Records, for the  
 5-19 northerly northeast corner hereof;

5-20 THENCE with the north line of the said 745.87 acre tract, S 88° 38'  
 5-21 58" W, a distance of 3390.70 feet along a fence line to a 3/8 inch  
 5-22 iron rod found at the base of a fence post at the northwest corner  
 5-23 thereof, being at the southwest corner of the said 881.7 acre tract  
 5-24 and being on the east line of that certain 990.36 acre tract  
 5-25 described in Volume 71, Page 308 et seq. of the said Deed Records,  
 5-26 for the northerly northwest corner hereof;

5-27 THENCE with the westerly line of the said 745.87 acre tract, as  
 5-28 fenced, the following four (4) courses:

5-29 1. S 00° 40' 25" E, a distance of 1881.93 feet to a 3/8 inch  
 5-30 iron rod found at the base of a fence post at the southeast corner of  
 5-31 the said 990.36 acre tract,

5-32 2. S 88° 01' 06" W, a distance of 452.73 feet to a 3/8 inch  
 5-33 iron rod found at the base of a fence post at the northeast corner of  
 5-34 that certain 1332.28 acre tract described in Volume 169, Page 746  
 5-35 et seq. of the Official Public Records of said County,

5-36 3. S 01° 08' 57" E, a distance of 4321.19 feet to a 3/8 inch  
 5-37 iron rod found at the base of a fence post at the westerly southwest  
 5-38 corner of the said 745.87 acre tract, being at the northwest corner  
 5-39 of the said 55.82 acre tract, and

5-40 4. S 01° 07' 44" E, a distance of 1491.94 feet to a 3/8 inch  
 5-41 iron rod found at the southwest corner of the said 55.82 acre tract,  
 5-42 being at the northwest corner of that certain 86.67 acre tract  
 5-43 described in Volume 173, Page 245 et seq. of the said Official  
 5-44 Public Records, for the southwest corner hereof;

5-45 THENCE with the south line of the said 55.82 acre tract and north  
 5-46 line of the said 86.67 acre tract, S 88° 06' 16" E, a distance of  
 5-47 2400.94 feet to a 5/8 inch iron rod found at the southwest corner of  
 5-48 the said 55.82 acre tract and northeast corner of the said 86.67  
 5-49 acre tract, being at a southerly southwest corner of the said 745.87  
 5-50 acre tract and at a westerly corner of that certain 153.233 acre  
 5-51 tract described in Volume 108, Page 40 et seq. of the Deed Records  
 5-52 of said County, for a southerly corner hereof;

5-53 THENCE with the southerly line of the said 745.87 acre tract, as  
 5-54 fenced, the following four (4) courses:

5-55 1. N 46° 34' 07" E, a distance of 690.01 feet to a 4-1/2 inch  
 5-56 iron pipe found,

5-57 2. S 47° 25' 43" E, a distance of 2755.11 feet to a 5/8 inch  
 5-58 iron rod found at the base of a fence post,

5-59 3. N 88° 58' 06" E, a distance of 146.36 feet to a 5/8 inch  
 5-60 iron rod found at the base of a fence post at the northeast corner of  
 5-61 the said 153.233 acre tract and northwest corner of that certain  
 5-62 186.0 acre tract described in Volume 84, Page 296 et seq. of the  
 5-63 said Deed Records, and

5-64 4. N 88° 40' 10" E, a distance of 26.28 feet to a 60d nail  
 5-65 found on the centerline of Blanco County Road 202 at the southeast  
 5-66 corner of the said 745.87 acre tract, being at the southwest corner  
 5-67 of that certain 82.18 acre tract described in said Volume 171, Page  
 5-68 912 et seq., for the southeast corner hereof;

5-69 THENCE with the lower east line of the said 745.87 acre tract and

6-1 said centerline of Blanco County Road 202, the following two (2)  
6-2 courses:  
6-3 1. N 12° 42' 36" E, a distance of 62.29 feet to a PK nail set,  
6-4 and  
6-5 2. N 50° 44' 45" E, a distance of 74.44 feet to a PK nail set  
6-6 at a southeasterly corner of the said 745.87 acre tract, being on  
6-7 the southerly line of that certain 89.95 acre tract described in  
6-8 Volume 174, Page 912 et seq. of the said Official Public Records,  
6-9 for a southeasterly corner hereof;  
6-10 THENCE departing from the said centerline of Blanco County Road 202  
6-11 with the lower east line of the said 745.87 acre tract, the  
6-12 following four (4) courses:  
6-13 1. N 40° 26' 05" W, a distance of 48.85 feet to a 2-7/8 inch  
6-14 iron pipe found,  
6-15 2. N 90° 00' 00" W, a distance of 136.99 feet to a 2-7/8 inch  
6-16 iron pipe found,  
6-17 3. N 26° 54' 46" E, a distance of 2779.27 feet to a 3/8 inch  
6-18 iron rod set, and  
6-19 4. N 10° 38' 07" E, a distance of 316.20 feet to an 8 inch  
6-20 diameter Cedar post found at the most easterly northeast corner of  
6-21 the said 745.87 acre tract, being at the southwest corner of that  
6-22 certain 153.94 acre tract described in Volume 149, Page 679 et seq.  
6-23 of the said Deed Records and being at the southeast corner of that  
6-24 certain tract described in Volume 141, Page 52 et seq. of the said  
6-25 Deed Records, for the most easterly northeast corner hereof;  
6-26 THENCE with an easterly north line of the said 745.87 acre tract, S  
6-27 89° 03' 35" W, a distance of 1520.80 feet along a fence line to a  
6-28 2-7/8 inch diameter iron pipe fence post found at a reentrant corner  
6-29 thereof, being at a southwest corner of the said tract in Volume  
6-30 141, Page 52 et seq., for a reentrant corner hereof;  
6-31 THENCE with a lower east line of the said 745.87 acre tract, N 01°  
6-32 10' 48" E, a distance of 1222.95 feet along a fence line to a 2-7/8  
6-33 inch iron pipe fence post found at a northeast corner thereof, being  
6-34 a reentrant corner of the said tract in Volume 141, Page 52 et seq.,  
6-35 for a northeast corner hereof;  
6-36 THENCE with a lower north line of the said 745.87 acre tract, N 89°  
6-37 44' 58" W, a distance of 1054.68 feet along a fence line to a 3/8  
6-38 inch iron rod found at the base of a fence post at a reentrant corner  
6-39 thereof, being at the westerly southwest corner of the said tract in  
6-40 Volume 141, Page 52 et seq., for a reentrant corner hereof;  
6-41 THENCE with the upper east line of the said 745.87 acre tract, as  
6-42 fenced, the following two (2) courses:  
6-43 1. N 01° 33' 44" W, a distance of 2185.92 feet to a 10 inch  
6-44 diameter Cedar post found at the northwest corner of the said tract  
6-45 in Volume 141, Page 52 et seq., being at the southwest corner of the  
6-46 said tract described in Volume 98, Page 604 et seq., and  
6-47 2. N 00° 08' 53" W, a distance of 2933.48 feet to the POINT OF  
6-48 BEGINNING, containing 801.73 acres of land, more or less.  
6-49 BEGINNING at a 5/8 inch iron rod found at the northeast corner of  
6-50 the said 86.67 acre tract, being at a southerly corner of that  
6-51 certain 745.87 acre tract described in Volume 171, Page 912 et seq.  
6-52 of the said Official Public Records and being at a westerly corner  
6-53 of that certain 153.2233 acre tract described in Volume 108, Page 41  
6-54 et seq. of the Deed Records of said County, for the northeast corner  
6-55 hereof;  
6-56 THENCE with the east line of the said 86.67 acre tract, as fenced,  
6-57 the following nine (9) courses:  
6-58 1. S 22° 55' 39" E, a distance of 249.50 feet to a 4-1/2 inch  
6-59 diameter iron pipe fence post found,  
6-60 2. S 20° 09' 25" E, a distance of 52.02 feet to a 4-1/2 inch  
6-61 diameter iron pipe fence post found,  
6-62 3. S 22° 38' 55" E, a distance of 85.81 feet to a 4-1/2 inch  
6-63 diameter iron pipe fence post found,  
6-64 4. S 14° 18' 46" W, a distance of 170.20 feet to a 4-1/2 inch  
6-65 diameter iron pipe fence post found,  
6-66 5. S 16° 42' 28" W, a distance of 309.70 feet to a 5/8 inch  
6-67 iron rod found at a fence post,  
6-68 6. S 40° 16' 31" W, a distance of 279.85 feet to a 5/8 inch  
6-69 iron rod found at a fence post, and

7-1           7. S 57° 23' 37" W, a distance of 214.03 feet to a 4-1/2 inch  
7-2 diameter iron pipe fence post found at the southwest corner of the  
7-3 said 153.233 acre tract and northeast corner of that certain 446.8  
7-4 acre tract described in Volume 108, Page 40 et seq. of the said Deed  
7-5 Records,  
7-6           8. S 56° 50' 18" W, a distance of 1250.73 feet to a 4-1/2 inch  
7-7 diameter iron pipe fence post found, and  
7-8           9. S 70° 07' 05" W, a distance of 90.35 feet to a 4-1/2 inch  
7-9 diameter iron pipe fence post found at the southerly southeast  
7-10 corner of the said 86.67 acre tract, for the southerly southeast  
7-11 corner hereof;  
7-12 THENCE with the south line of the said 86.67 acre tract, as fenced,  
7-13 the following two (2) courses:  
7-14           1. N 70° 46' 14" W, a distance of 288.82 feet to a 4-1/2 inch  
7-15 diameter iron pipe fence post found, and  
7-16           2. N 71° 25' 20" W, a distance of 651.41 feet to a 3/8 inch  
7-17 iron rod found at the southwest corner of the said 86.67 acre tract,  
7-18 for the southwest corner hereof;  
7-19 THENCE with the west line of the said 86.67 acre tract, N 01° 09' 49"  
7-20 W, a distance of 1640.18 feet to a 3/8 inch iron rod found at the  
7-21 northwest corner thereof, being at the southwest corner of the said  
7-22 55.82 acre tract, for the northwest corner hereof;  
7-23 THENCE with the north line of the said 86.67 acre tract and south  
7-24 line of the said 55.82 acre tract, S 88° 06' 16" E, a distance of  
7-25 2400.94 feet to the POINT OF BEGINNING, containing 86.69 acres of  
7-26 land, more or less.  
7-27 BEGINNING at an iron pipe fence post found at the southwest corner  
7-28 of said Tract 3, being at a reentrant corner of that certain 745.87  
7-29 acre tract described in Volume 172, Page 1 et seq. of the said  
7-30 Official Public Records, for the southwest corner hereof;  
7-31 THENCE with the south line of said Tract 3, N 89° 23' 29" E, a  
7-32 distance of 1267.45 feet to a 3/8 inch iron rod set for the  
7-33 southerly southwest corner of a 141.98 acre tract this day surveyed  
7-34 and the southeast corner hereof;  
7-35 THENCE departing from said south line and passing over and across  
7-36 said Tract 3 and Tract 2 with the general course of an existing  
7-37 fence line, the following twelve (12) courses:  
7-38           1. N 18° 38' 15" W, a distance of 418.56 feet to an iron pipe  
7-39 fence post found,  
7-40           2. N 66° 45' 42" E, a distance of 62.33 feet to an iron pipe  
7-41 fence post found,  
7-42           3. N 06° 41' 05" W, a distance of 128.36 feet to an iron pipe  
7-43 fence post found,  
7-44           4. N 87° 55' 15" W, a distance of 1001.89 feet to an iron pipe  
7-45 fence post found,  
7-46           5. N 01° 33' 43" E, a distance of 512.41 feet to an iron pipe  
7-47 fence post found,  
7-48           6. N 89° 38' 26" W, a distance of 621.05 feet to an iron pipe  
7-49 fence post found,  
7-50           7. N 70° 37' 36" E, a distance of 18.44 feet to an iron pipe  
7-51 fence post found,  
7-52           8. N 07° 01' 56" W, a distance of 822.37 feet to an iron pipe  
7-53 fence post found,  
7-54           9. N 76° 11' 49" W, a distance of 1181.91 feet to an iron pipe  
7-55 fence post found,  
7-56           10. N 06° 51' 58" E, a distance of 617.55 feet to an iron pipe  
7-57 fence post found,  
7-58           11. S 77° 48' 22" E, a distance of 325.37 feet to an iron pipe  
7-59 fence post found, and  
7-60           12. N 00° 27' 02" W, a distance of 663.37 feet to a 60d nail  
7-61 found at the base of a fence post at the southwest corner of said  
7-62 Tract 1, being at the southeast corner of that certain 39.77 acre  
7-63 tract described in Volume 158, Page 510 et seq. of the said Official  
7-64 Public Records, for a reentrant corner of the said 222.24 acre tract  
7-65 and the northeast corner hereof;  
7-66 THENCE with the north line of said Tract 2 and south line of the said  
7-67 39.77 acre tract, S 89° 34' 42" W, a distance of 1033.67 feet along  
7-68 an existing fence line to a 10 inch diameter Cedar post found at the  
7-69 northwest corner of said Tract 2, being at the southwest corner of

8-1 the said 39.77 acre tract and being on the east line of the said  
8-2 745.87 acre tract, for the northwest corner hereof;  
8-3 THENCE with the west line of said Tract 2 and continuing with the  
8-4 west line of said Tract 3, same being the east line of the said  
8-5 745.87 acre tract, and generally along an existing fence line, the  
8-6 following three (3) courses:

8-7 1. S 01° 12' 33" E, a distance of 2186.06 feet to a 1/2 inch  
8-8 iron rod found at the base of a fence post,

8-9 2. S 89° 23' 36" E, a distance of 1055.19 feet to a 3/8 inch  
8-10 iron rod found at the base of a fence post, and

8-11 3. S 01° 32' 33" E, a distance of 1222.74 feet to the POINT OF  
8-12 BEGINNING, containing 80.26 acres of land, more or less.

8-13 SECTION 3. (a) The legal notice of the intention to  
8-14 introduce this Act, setting forth the general substance of this  
8-15 Act, has been published as provided by law, and the notice and a  
8-16 copy of this Act have been furnished to all persons, agencies,  
8-17 officials, or entities to which they are required to be furnished  
8-18 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
8-19 Government Code.

8-20 (b) The governor, one of the required recipients, has  
8-21 submitted the notice and Act to the Texas Commission on  
8-22 Environmental Quality.

8-23 (c) The Texas Commission on Environmental Quality has filed  
8-24 its recommendations relating to this Act with the governor, the  
8-25 lieutenant governor, and the speaker of the house of  
8-26 representatives within the required time.

8-27 (d) All requirements of the constitution and laws of this  
8-28 state and the rules and procedures of the legislature with respect  
8-29 to the notice, introduction, and passage of this Act are fulfilled  
8-30 and accomplished.

8-31 SECTION 4. (a) If this Act does not receive a two-thirds  
8-32 vote of all the members elected to each house, Subchapter C, Chapter  
8-33 9091, Special District Local Laws Code, as added by Section 1 of  
8-34 this Act, is amended by adding Section 9091.0311 to read as follows:

8-35 Sec. 9091.0311. NO EMINENT DOMAIN POWER. The district may  
8-36 not exercise the power of eminent domain.

8-37 (b) This section is not intended to be an expression of a  
8-38 legislative interpretation of the requirements of Section 17(c),  
8-39 Article I, Texas Constitution.

8-40 SECTION 5. This Act takes effect immediately if it receives  
8-41 a vote of two-thirds of all the members elected to each house, as  
8-42 provided by Section 39, Article III, Texas Constitution. If this  
8-43 Act does not receive the vote necessary for immediate effect, this  
8-44 Act takes effect September 1, 2021.

8-45 \* \* \* \* \*