

By: Eckhardt

S.B. No. 2214

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of the Moore's Crossing Municipal  
3 Management District; providing authority to issue bonds; providing  
4 authority to impose assessments, fees, and taxes.

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

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws  
7 Code, is amended by adding Chapter 3999 to read as follows:

8 CHAPTER 3999. MOORE'S CROSSING MUNICIPAL MANAGEMENT DISTRICT

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3999.0101. DEFINITIONS. In this chapter:

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

12 (2) "City" means the City of Austin.

13 (3) "Commission" means the Texas Commission on  
14 Environmental Quality.

15 (4) "Director" means a board member.

16 (5) "District" means the Moore's Crossing Municipal  
17 Management District.

18 (6) "Exempt property" means property owned by a  
19 governmental entity, including the city, a county, or the Moore's  
20 Crossing MUD.

21 Sec. 3999.0102. NATURE OF DISTRICT. The Moore's Crossing  
22 Municipal Management District is a special district created under  
23 Section 59, Article XVI, Texas Constitution.

24 Sec. 3999.0103. PURPOSE; DECLARATION OF INTENT. (a) The

1 creation of the district is essential to accomplish the purposes of  
2 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
3 Texas Constitution, and other public purposes stated in this  
4 chapter.

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

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

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

20 Sec. 3999.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

26 (b) The district is created to serve a public use and  
27 benefit.

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

3           (1) developing and diversifying the economy of the  
4 state;

5           (2) eliminating unemployment and underemployment; and

6           (3) developing or expanding transportation and  
7 commerce.

8       (d) The district will:

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

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

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

20           (4) provide for drainage, road, and recreational  
21 facilities for the district.

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

27       (f) The district will not act as the agent or

1 instrumentality of any private interest even though the district  
2 will benefit many private interests as well as the public.

3 Sec. 3999.0105. INITIAL DISTRICT TERRITORY. (a) The  
4 district is initially composed of the territory described by  
5 Section 2 of the Act enacting this chapter.

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

10 (1) organization, existence, or validity;

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

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

15 (4) legality or operation.

16 Sec. 3999.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.  
17 All or any part of the area of the district is eligible to be  
18 included in:

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

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

23 Sec. 3999.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT  
24 DISTRICTS LAW. Except as otherwise provided by this chapter,  
25 Chapter 375, Local Government Code, applies to the district.

26 Sec. 3999.0108. CONSTRUCTION OF CHAPTER. This chapter  
27 shall be liberally construed in conformity with the findings and

1 purposes stated in this chapter.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 3999.0201. GOVERNING BODY; TERMS. (a) The district is  
4 governed by a board of five elected directors who serve staggered  
5 terms of four years.

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

8 (c) The board may not create an executive committee to  
9 exercise the powers of the board.

10 Sec. 3999.0202. MEETINGS; NOTICE. (a) The board shall hold  
11 meetings at a place accessible to the public.

12 (b) The board must post notice of each meeting with the city  
13 secretary not later than 72 hours before the scheduled time of the  
14 meeting.

15 Sec. 3999.0203. COMPENSATION; EXPENSES. The district may  
16 compensate each director in an amount not to exceed \$150 for each  
17 board meeting. The total amount of compensation for each director  
18 in one year may not exceed \$7,200.

19 Sec. 3999.0204. TEMPORARY DIRECTORS. (a) On or after the  
20 effective date of the Act creating this chapter, the owner or owners  
21 of a majority of the assessed value of the real property in the  
22 district according to the most recent certified tax appraisal roll  
23 for the county may submit a petition to the commission requesting  
24 that the commission appoint as temporary directors the five persons  
25 named in the petition. The commission shall appoint as temporary  
26 directors the five persons named in the petition.

27 (b) The temporary or successor temporary directors shall

1 hold an election to elect five permanent directors as provided by  
2 Section 49.102, Water Code.

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

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

6 (2) the fourth anniversary of the effective date of  
7 the Act creating this chapter.

8 (d) If permanent directors have not been elected under  
9 Subsection (b) and the terms of the temporary directors have  
10 expired, successor temporary directors shall be appointed or  
11 reappointed as provided by Subsection (e) to serve terms that  
12 expire on the earlier of:

13 (1) the date permanent directors are elected under  
14 Subsection (b); or

15 (2) the fourth anniversary of the date of the  
16 appointment or reappointment.

17 (e) If Subsection (d) applies, the owner or owners of a  
18 majority of the assessed value of the real property in the district  
19 according to the most recent certified tax appraisal roll for the  
20 county may submit a petition to the commission requesting that the  
21 commission appoint as successor temporary directors the five  
22 persons named in the petition. The commission shall appoint as  
23 successor temporary directors the five persons named in the  
24 petition.

25 SUBCHAPTER C. POWERS AND DUTIES

26 Sec. 3999.0301. GENERAL POWERS AND DUTIES. The district  
27 has the powers and duties necessary to accomplish the purposes for

1 which the district is created.

2 Sec. 3999.0302. IMPROVEMENT PROJECTS AND SERVICES. (a)

3 The district, using any money available to the district for the  
4 purpose, may provide, design, construct, acquire, improve,  
5 relocate, operate, maintain, or finance an improvement project or  
6 service authorized under this chapter or Chapter 375, Local  
7 Government Code.

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

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

13 Sec. 3999.0303. AUTHORITY FOR ROAD PROJECTS. Under Section  
14 52, Article III, Texas Constitution, the district may design,  
15 acquire, construct, finance, issue bonds for, improve, operate,  
16 maintain, and convey to this state, a county, or a municipality for  
17 operation and maintenance macadamized, graveled, or paved roads or  
18 improvements, including storm drainage, in aid of those roads.

19 Sec. 3999.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
20 road project must meet all applicable construction standards,  
21 zoning and subdivision requirements, and regulations of each  
22 municipality in whose corporate limits or extraterritorial  
23 jurisdiction the road project is located.

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

1 the road project is located.

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

5 Sec. 3999.0305. PARKING FACILITIES. (a) The district may  
6 acquire, lease as lessor or lessee, construct, develop, own,  
7 operate, and maintain parking facilities or a system of parking  
8 facilities, including lots, garages, parking terminals, or other  
9 structures or accommodations for parking motor vehicles off the  
10 streets and related appurtenances.

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

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

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

20 Sec. 3999.0306. ADDING OR EXCLUDING LAND. The district may  
21 add or exclude land in the manner provided by Subchapter J, Chapter  
22 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

23 Sec. 3999.0307. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
24 board by resolution shall establish the number of directors'  
25 signatures and the procedure required for a disbursement or  
26 transfer of district money.

27 Sec. 3999.0308. EXEMPT PROPERTY. The district may not



1 impose an assessment, fee, tax, or other charge on an exempt  
2 property.

3 Sec. 3999.0309. NO EMINENT DOMAIN POWER. The district may  
4 not exercise the power of eminent domain.

5 SUBCHAPTER D. ASSESSMENTS

6 Sec. 3999.0401. PETITION REQUIRED FOR FINANCING SERVICES  
7 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
8 service or improvement project with assessments under this chapter  
9 unless a written petition requesting that service or improvement  
10 has been filed with the board.

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

15 Sec. 3999.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
16 The board by resolution may impose and collect an assessment for any  
17 purpose authorized by this chapter in all or any part of the  
18 district.

19 (b) An assessment, a reassessment, or an assessment  
20 resulting from an addition to or correction of the assessment roll  
21 by the district, penalties and interest on an assessment or  
22 reassessment, an expense of collection, and reasonable attorney's  
23 fees incurred by the district:

24 (1) are a first and prior lien against the property  
25 assessed;

26 (2) are superior to any other lien or claim other than  
27 a lien or claim for county, school district, or municipal ad valorem

1 taxes; and

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

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

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

13 SUBCHAPTER E. TAXES AND BONDS

14 Sec. 3999.0501. TAX ELECTION REQUIRED. The district must  
15 hold an election in the manner provided by Chapter 49, Water Code,  
16 or, if applicable, Chapter 375, Local Government Code, to obtain  
17 voter approval before the district may impose an ad valorem tax.

18 Sec. 3999.0502. OPERATION AND MAINTENANCE TAX. (a) If  
19 authorized by a majority of the district voters voting at an  
20 election under Section 3999.0501, the district may impose an  
21 operation and maintenance tax on taxable property in the district  
22 in the manner provided by Section 49.107, Water Code, for any  
23 district purpose, including to:

24 (1) maintain and operate the district;

25 (2) construct or acquire improvements; or

26 (3) provide a service.

27 (b) The board shall determine the operation and maintenance

1 tax rate. The rate may not exceed the rate approved at the  
2 election.

3 Sec. 3999.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE  
4 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on  
5 terms determined by the board.

6 (b) The district may issue bonds, notes, or other  
7 obligations payable wholly or partly from ad valorem taxes,  
8 assessments, impact fees, revenue, contract payments, grants, or  
9 other district money, or any combination of those sources of money,  
10 to pay for any authorized district purpose.

11 Sec. 3999.0504. BONDS SECURED BY REVENUE OR CONTRACT  
12 PAYMENTS. The district may issue, without an election, bonds  
13 secured by:

14 (1) revenue other than ad valorem taxes, including  
15 contract revenues; or

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

18 Sec. 3999.0505. BONDS SECURED BY AD VALOREM TAXES;  
19 ELECTIONS. (a) If authorized at an election under Section  
20 3999.0501, the district may issue bonds payable from ad valorem  
21 taxes.

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

24 (c) At the time the district issues bonds payable wholly or  
25 partly from ad valorem taxes, the board shall provide for the annual  
26 imposition of a continuing direct annual ad valorem tax, without  
27 limit as to rate or amount, for each year that all or part of the

1 bonds are outstanding as required and in the manner provided by  
2 Sections 54.601 and 54.602, Water Code.

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

7 Sec. 3999.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The  
8 board may not issue bonds until each municipality in whose  
9 corporate limits or extraterritorial jurisdiction the district is  
10 located has consented by ordinance or resolution to the creation of  
11 the district and to the inclusion of land in the district.

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

14 SECTION 2. The Moore's Crossing Municipal Management  
15 District initially includes all territory contained in the  
16 following area:

17 TRACT 1

18 A 162.83 ACRE TRACT OF LAND, SITUATED IN THE NOEL M. BAIN SURVEY,  
19 SECTION NO. 1, ABSTRACT NO. 61, BEING OUT OF THE REMNANT PORTION OF  
20 A CALLED 1.425 ACRE TRACT, CONVEYED TO SR DEVELOPMENT, INC.,  
21 RECORDED IN DOCUMENT NO. 2006151559 OF THE OFFICIAL PUBLIC RECORDS  
22 OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 1.075 ACRE TRACT OF  
23 LAND CONVEYED TO SR DEVELOPMENT, INC, RECORDED IN DOCUMENT NO.  
24 2007087977 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS,  
25 BEING THE REMNANT PORTION OF A CALLED 61.300 ACRE TRACT CONVEYED TO  
26 SR DEVELOPMENT, INC., RECORDED IN DOCUMENT NO. 2004106868 OF THE  
27 OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING OUT OF THE

1 REMNANT PORTION OF A CALLED 406.804 ACRE TRACT CONVEYED TO SR  
2 DEVELOPMENT INC, RECORDED IN VOLUME 11921, PAGE 585 OF THE REAL  
3 PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 3.03  
4 ACRE TRACT CONVEYED TO TSWG 130, LLC IN DOCUMENT NO. 2009091036 OF  
5 THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AS DESCRIBED  
6 IN DOCUMENT NO. 2003205235 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS  
7 COUNTY, TEXAS, BEING ALL OF LOTS 1-46, LINDA VISTA, A SUBDIVISION  
8 ACCORDING TO THE PLAT RECORDED IN VOLUME 57, PAGE 91 OF THE PLAT  
9 RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO TSWG 130, LLC IN  
10 DOCUMENT NO. 2009091036 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS  
11 COUNTY, TEXAS, BEING ALL OF A CALLED 16.00 ACRE TRACT CONVEYED TO  
12 KELLER ROAD INVESTMENTS, LTD., RECORDED IN DOCUMENT NO. 2020018595  
13 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING  
14 ALL OF A CALLED 33.315 ACRE TRACT (PART 1) CONVEYED TO TSWG 130, LLC  
15 RECORDED IN DOCUMENT NO. 2008010971 OF THE OFFICIAL PUBLIC RECORDS  
16 OF TRAVIS COUNTY, TEXAS. SAID 162.83 ACRE TRACT BEING MORE FULLY  
17 DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN  
18 DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE  
19 SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

20 BEGINNING at a calculated point on the southeast right-of-way line  
21 of F.M. 973, a variable width right-of-way, said point being in the  
22 southwest right-of-way line of Elroy Road, a variable width  
23 right-of-way, said point being the north corner of said 1.425-acre  
24 tract for the northernmost corner and POINT OF BEGINNING hereof;  
25 THENCE with the southwest right-of-way line of said Elroy Road,  
26 same being the northeast boundary line of said 1.425-acre tract,  
27 and, in part, with the northeast boundary line of said 61.300-acre

1 tract the following nine (9) courses and distances:

2 1. S 69°53'40" E, a distance of 74.75 feet to a calculated  
3 angle point hereof,

4 2. S 39°57'21" E, a distance of 173.48 feet to a calculated  
5 angle point hereof,

6 3. S 32°23'35" E, a distance of 156.65 feet to a calculated  
7 point of non-tangent curvature hereof,

8 4. along the arc of a curve to the left, having a radius of  
9 1071.64 feet, a central angle of 16°33'52", a chord bearing and  
10 distance of S 40°44'06" E, 308.74 feet, for an arc length of 309.82  
11 feet to a calculated point of non-tangency hereof,

12 5. S 62°15'32" E, a distance of 92.50 feet to a calculated  
13 point of non-tangent curvature hereof,

14 6. along the arc of a curve to the left, having a radius of  
15 1070.09 feet, a central angle of 01°07'36", a chord bearing and  
16 distance of S 57°04'52" E, 21.04 feet, for an arc length of 21.04  
17 feet to a calculated point of non-tangency hereof,

18 7. S 62°15'32" E, a distance of 195.70 feet to a calculated  
19 angle point hereof,

20 8. S 60°51'45" E, a distance of 246.75 feet to a calculated  
21 angle point hereof, and

22 9. S 52°58'17" E, a distance of 999.95 feet to a calculated  
23 point on the southwest right-of-way line of said Elroy Road, same  
24 being a point in the northwest right-of-way line of Texas Toll Road  
25 130, a variable width right-of-way recorded in Document  
26 No. 2006139920 of the Official Public Records of Travis County,  
27 Texas, said point being the easternmost corner of said 61.300-acre

1 tract for the easternmost northeast corner hereof;  
2 THENCE S 27°46'44" W, with the northwest right-of-way line of said  
3 Texas Toll Road 130, same being the southeast boundary line of said  
4 61.300-acre tract, a distance of 378.98 feet to a calculated point  
5 in the northwest right-of-way line of said Texas Toll Road 130, said  
6 point being the southeast corner of the Remnant Portion of said  
7 61.300-acre tract, same being the east corner of a Remnant Portion  
8 of said 406.804-acre tract for an angle point hereof;  
9 THENCE S 10°06'56" W, continuing with the northwest right-of-way  
10 line of said Texas Toll Road 130, same being the southeast boundary  
11 line of a Remnant Portion of said 406.804-acre tract, a distance of  
12 232.06 feet to a calculated angle point hereof;  
13 THENCE S 19°25'15" W, continuing with the northwest right-of-way  
14 line of said Texas Toll Road 130, same being the southeast boundary  
15 line of a Remnant Portion of said 406.804-acre tract, a distance of  
16 1953.51 feet to a calculated point in the northwest right-of-way  
17 line of said Texas Toll Road 130, said point being a south corner of  
18 the Remnant Portion of said 406.804-acre tract, same being the east  
19 corner of said 33.315-acre tract for an angle point hereof;  
20 THENCE S 20°12'48" W, continuing with the northwest right-of-way  
21 line of said Texas Toll Road 130, same being the southeast boundary  
22 line of said 33.315-acre tract, a distance of 2591.47 feet to a  
23 calculated point on the northwest right-of-way line of said Texas  
24 Toll Road 130, said point being on the northeast right-of-way line  
25 of McAngus Road, a variable width right-of-way, said point being  
26 the southeast corner of said 33.315-acre tract for the easternmost  
27 southeast corner hereof;

1 THENCE departing the northwest right-of-way of said Texas Toll Road  
2 130, with the northerly right-of-way line of said McAngus Road,  
3 same being the southerly boundary line of said 33.315-acre tract  
4 the following three (3) courses and distances:

5       1. N 75°16'47" W, a distance of 362.93 feet to a calculated  
6 angle point hereof,

7       2. S 28°09'48" W, a distance of 85.27 feet to a calculated  
8 point for the southernmost southeast corner hereof, and

9       3. N 61°55'51" W, a distance of 370.76 feet to a calculated  
10 point in the northeast right-of-way line of said McAngus Road, said  
11 point being the southwest corner of said 33.315-acre tract, same  
12 being the south corner of a called 3.100-acre tract recorded in  
13 Document No. 2009003712 of the Official Public Records of Travis  
14 County, Texas for the southernmost southwest corner hereof;

15 THENCE N 28°30'03" E, with a northwest boundary line of said  
16 33.315-acre tract, same being the southeast boundary line of said  
17 3.100-acre tract, and, in part, with the southeast boundary line of  
18 a called 12.000-acre tract recorded in Document No. 2009003712 of  
19 the Official Public Records of Travis County, Texas, a distance of  
20 1456.72 feet to a calculated point in the northwest boundary line of  
21 said 33.315-acre tract, said point being the east corner of said  
22 12.000-acre tract, same being the south corner of Ferguson Bain  
23 Subdivision, a subdivision according to the plat recorded in  
24 Document No. 201600012 of the Official Public Records of Travis  
25 County, Texas for an angle point hereof;

26 THENCE N 28°39'27" E, continuing with a northwest boundary line of  
27 said 33.315-acre tract, same being the southeast boundary line of



1 said Ferguson Bain Subdivision, and, in part, with the southeast  
2 boundary line of a called 5.00-acre tract (Tract 2), and, in part,  
3 with the southeast boundary line of a called 3.0-acre tract, both  
4 recorded in Document No. 2018189524 of the Official Public Records  
5 of Travis County, Texas, a distance of 1273.46 feet to a calculated  
6 point at the east corner of said 3.0-acre tract, same being the  
7 north corner of said 33.315-acre tract, same being a west corner of  
8 the Remnant Portion of said 406.804-acre tract, also being the  
9 south corner of said 16.00-acre tract a southwest ell corner  
10 hereof;

11 THENCE N 61°41'07" W, with the southwest boundary line of said  
12 16.00-acre tract, same being the northeast boundary line of said  
13 3.0-acre tract, and, in part, with the northeast boundary line of a  
14 called 3.0-acre tract recorded in Document No. 2018046769 of the  
15 Official Public Records of Travis County, Texas, a distance of  
16 856.25 feet to a calculated point at the west corner of said  
17 16.00-acre tract, same being a point in the northeast boundary line  
18 of said 3.0-acre tract, also being the south corner of the Remnant  
19 Portion of a called 41.79-acre tract recorded in Document  
20 No. 2010133616 of the Official Public Records of Travis County,  
21 Texas for a southwest corner hereof;

22 THENCE N 28°30'25" E, departing the northeast boundary line of said  
23 3.0-acre tract, with the northwest boundary line of said 16.00-acre  
24 tract, same being the southeast boundary line of the Remnant  
25 Portion of said 41.79-acre tract, a distance of 808.54 feet to a  
26 calculated point in the southwest boundary line of said Linda Vista  
27 Subdivision, said point being the north corner of said 16.00-acre

1 tract, same being the east corner of the Remnant Portion of said  
2 41.79-acre tract for a southwest ell corner hereof;  
3 THENCE N 62°25'23" W, with the southwest boundary line of said Linda  
4 Vista Subdivision, same being the northeast boundary line of said  
5 41.79-acre tract, a distance of 1227.54 feet to a calculated point  
6 in the southeast boundary line of said 3.03-acre tract, said point  
7 being in the southwest boundary line of said Linda Vista  
8 Subdivision, also being the northwest corner of said 41.79-acre  
9 tract for a southeast ell corner hereof;  
10 THENCE S 27°24'37" W, with the southeast boundary line of said  
11 3.03-acre tract, same being the northwest boundary line of said  
12 41.79-acre tract, a distance of 324.05 feet to a calculated point on  
13 the north ell corner of said 41.79-acre tract, same being the south  
14 corner of said 3.03-acre tract for a south corner hereof;  
15 THENCE N 63°31'23" W, with a northeast boundary line of said  
16 41.79-acre tract, same being the southwest boundary line of said  
17 3.03-acre tract, a distance of 278.80 feet to a calculated point in  
18 the southeast right-of-way line of said F.M. 973, said point being a  
19 northwest corner of said 41.79-acre tract, same being the west  
20 corner of said 3.03-acre tract for the westernmost corner hereof;  
21 THENCE N 27°29'55" E, with the southeast right-of-way line of said  
22 F.M. 973, same being the northwest boundary line of said 3.03-acre  
23 tract, a distance of 473.60 feet to a calculated point in the  
24 southeast right-of-way line of said F.M. 973, said point being the  
25 north corner of said 3.03-acre tract, same being the west corner of  
26 said Linda Vista Subdivision for an angle point hereof;  
27 THENCE N 27°21'34" E, continuing with the southeast right-of-way

1 line of said F.M. 973, same being the northwest boundary line of said  
2 Linda Vista Subdivision, a distance of 409.78 feet to a calculated  
3 point in the southeast right-of-way line of said F.M. 973, said  
4 point being the north corner of said Linda Vista Subdivision, same  
5 being the west corner of the Remnant Portion of said 61.300-acre  
6 tract for an angle point hereof;

7 THENCE continuing with the southeast right-of-way line of said F.M.  
8 973, same being the northwest boundary line of the Remnant Portion  
9 of said 61.300-acre tract the following four (4) courses and  
10 distances:

11 1. N 26°52'18" E, a distance of 809.68 feet to a calculated  
12 point of non-tangent curvature hereof,

13 2. along the arc of a curve to the right, having a radius of  
14 1748.80 feet, a central angle of 17°04'21", a chord bearing and  
15 distance of N 35°19'01" E, 519.17 feet, for an arc length of 521.10  
16 feet to a calculated point of non-tangency hereof,

17 3. N 45°47'30" E, a distance of 160.07 feet to a calculated  
18 angle point hereof, and

19 4. N 48°19'35" E, a distance of 118.16 feet to the POINT OF  
20 BEGINNING and containing 162.83 acres in Travis County, Texas.

21 TRACT 2

22 A 49.22 ACRE TRACT OF LAND, SITUATED IN THE NOEL M. BAIN SURVEY,  
23 SECTION NO. 1, ABSTRACT NO. 61, BEING THE REMNANT PORTION OF A  
24 CALLED 18.909 ACRE TRACT CONVEYED TO TSWG 130, LLC, RECORDED IN  
25 DOCUMENT NO. 2008010971 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS  
26 COUNTY, TEXAS, BEING THE REMNANT PORTION OF A CALLED 22.880 ACRE  
27 TRACT CONVEYED TO M C JOINT VENTURE, RECORDED IN DOCUMENT NO.

1 2009193716 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS,  
2 BEING ALL OF A CALLED 7.267 ACRE TRACT (TRACT 2) AS DESCRIBED IN  
3 CONDEMNATION CASE No. C-1-CV-10-001089 OF THE COUNTY COURT RECORDS  
4 OF TRAVIS COUNTY TEXAS, AND BEING ALL OF A CALLED 5.461 ACRE TRACT  
5 (TRACT 1) RECORDED IN CONDEMNATION CASE NO. C-1-CV-10-001090 OF THE  
6 COUNTY COURT RECORDS OF TRAVIS COUNTY TEXAS. SAID 49.22 ACRE TRACT  
7 BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE  
8 NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS  
9 COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:  
10 BEGINNING at a calculated point in the southeast right-of-way line  
11 of Texas Toll Road 130, a variable width right-of-way, same being a  
12 point in the northeast right-of-way line of McAngus Road, a  
13 variable width right-of-way, said point being the west corner of  
14 said 7.267-acre tract for the southernmost southwest corner and  
15 POINT OF BEGINNING hereof;  
16 THENCE N 19°53'28" E, departing the northeast right-of-way line of  
17 said McAngus Road, with the southeast right-of-way line of said  
18 Texas Toll Road 130, same being the northwest boundary line of said  
19 7.267-acre tract, and, in part, with the northwest boundary line of  
20 said 5.461-acre tract, a distance of 2859.33 feet to a calculated  
21 angle point hereof;  
22 THENCE N 24°10'34" E, continuing with the southeast right-of-way  
23 line of said Texas Toll Road 130, same being the northwest boundary  
24 line of said 5.461-acre tract, a distance of 1220.30 feet to a  
25 calculated point in the southeast right-of-way line of said Texas  
26 Toll Road 130, same being a point in the southwest right-of-way line  
27 of Engler Park Street, a variable width right-of-way recorded in

1 Volume 10861, Page 173 of the Real Property Records of Travis  
2 County, Texas for the north corner hereof;  
3 THENCE S 50°36'54" E, with the southwest right-of-way line of said  
4 Engler Park Street, same being the northeast boundary line of said  
5 5.461-acre tract, and, in part, with the northeast boundary line of  
6 said 22.880-acre tract, a distance of 294.87 feet to a calculated  
7 point of non-tangent curvature hereof;  
8 THENCE along the arc of a curve to the right, with the west  
9 right-of-way line of said Engler Park Street, same being an east  
10 boundary line of said 22.880-acre tract, said curve having a radius  
11 of 20.00 feet, a central angle of 89°56'32", a chord bearing and  
12 distance of S 05°36'57" E, 28.27 feet, for an arc length of 31.40  
13 feet to a calculated point of non-tangency hereof;  
14 THENCE S 39°24'37" W, with the northwest right-of-way line of said  
15 Engler Park Road, same being a southeast boundary line of said  
16 22.880-acre tract, a distance of 48.56 feet to a calculated point at  
17 the west terminus of said Engler Park Street, said point being an  
18 east ell corner of said 22.880-acre tract for an east ell corner  
19 hereof;  
20 THENCE S 50°35'34" E, with the southwest terminus of said Engler  
21 Park Street, same being a northeast boundary line of said  
22 22.880-acre tract, a distance of 69.97 feet to a calculated point at  
23 the south terminus of said Engler Park Road, said point being in the  
24 northeast boundary line of said 22.880-acre tract, same being the  
25 west corner of a called 4.010-acre tract recorded in Document  
26 No. 2003100667 of the Official Public Records of Travis County,  
27 Texas for an angle point in the northeast boundary line hereof;

1 THENCE with a northeast boundary line of said 22.880-acre tract,  
2 same being the southwest boundary line of said 4.010-acre tract the  
3 following three (3) courses and distances:

4       1. S 50°18'48" E, a distance of 310.59 feet to a calculated  
5 angle point hereof,

6       2. S 30°06'51" E, a distance of 358.67 feet to a calculated  
7 angle point hereof, and

8       3. S 54°54'46" E, a distance of 84.04 feet to a calculated  
9 point at a north ell corner of said 22.880-acre tract, same being  
10 the south corner of said 4.010-acre tract for a north ell corner  
11 hereof;

12 THENCE N 48°26'18" E, with a northwest boundary line of said  
13 22.880-acre tract, same being the southeast boundary line of said  
14 4.010-acre tract, a distance of 52.17 feet to a calculated angle  
15 point hereof;

16 THENCE N 44°04'10" E, continuing with a northwest boundary line of  
17 said 22.880-acre tract, same being the southeast boundary line of  
18 said 4.010-acre tract, a distance of 122.72 feet to a calculated  
19 point for a west ell corner of said 22.880-acre tract, same being  
20 the east corner of said 4.010-acre tract for a west ell corner  
21 hereof;

22 THENCE with a southwest boundary line of said 22.880-acre tract,  
23 same being the northeast boundary line of said 4.010-acre tract the  
24 following three (3) courses and distances:

25       1. N 25°44'58" W, a distance of 189.43 feet to a calculated  
26 point hereof,

27       2. N 26°57'56" W, a distance of 303.72 feet to a calculated

1 point hereof, and  
2           3. N 56°07'21" W, a distance of 300.37 feet to a calculated  
3 point in the southeast right-of-way line of said Engler Park Road,  
4 said point being a west corner of said 22.880-acre tract, same being  
5 the north corner of said 4.010-acre tract for a west corner hereof,  
6 THENCE N 39°23'16" E, with the southeast right-of-way line of said  
7 Engler Road, same being a northwest boundary line of said  
8 22.880-acre tract, a distance of 103.65 feet to a calculated point  
9 in the southeast right-of-way line of said Engler Park Road, said  
10 point being the north corner of said 22.880-acre tract, same being  
11 the east corner of Moores Crossing, Phase A, Section II, a  
12 subdivision according to the plat recorded in Volume 88, Page 68 of  
13 the Plat Records of Travis County, Texas for the north corner  
14 hereof;  
15 THENCE S 53°35'59" E, with the northeast boundary line of said  
16 22.880-acre tract, same being the southwest boundary line of said  
17 Moores Crossing, Phase A, Section II, a distance of 338.79 feet to a  
18 calculated angle point hereof;  
19 THENCE S 39°11'19" E, continuing with the northeast boundary line  
20 of said 22.880-acre tract, same being the southwest boundary line  
21 of said Moores Crossing, Phase A, Section II, a distance of 309.50  
22 feet to a calculated point in the northeast boundary line of said  
23 22.880-acre tract, same being the south corner of said Moores  
24 Crossing, Phase A, Section II, also being the west corner of Moores  
25 Crossing, Phase A, Section I, a subdivision according to the plat  
26 recorded in Volume 87, Page 155 of the Plat Records of Travis  
27 County, Texas

1 THENCE continuing with the northeast boundary line of said  
2 22.880-acre tract, same being the southwest boundary line of said  
3 Moores Crossing, Phase A, Section I the following three (3) courses  
4 and distances:

5       1. S 25°57'12" E, a distance of 132.86 feet to a calculated  
6 angle point hereof.

7       2. S 51°08'03" E, a distance of 303.13 feet to a calculated  
8 angle point hereof. and

9       3. S 44°09'11" E, a distance of 67.26 feet to a calculated  
10 point at the west corner of said 22.880-acre tract, same being a  
11 southwest corner of said Moores Crossing, Phase A, Section I, also  
12 being the north corner of Stoney Ridge, Section 5-A, a subdivision  
13 according to the plat recorded in Document No. 200200132 of the  
14 Official Public Records of Travis County, Texas for the west corner  
15 hereof;

16 THENCE with the southeasterly boundary line of said 22.880-acre  
17 tract, same being the northwesterly boundary line of said Stoney  
18 Ridge, Phase 5-A the following (11) courses and distances:

19       1. S 37°06'58" W, a distance of 87.18 feet to a calculated  
20 point of non-tangent curvature hereof,

21       2. along the arc of a curve to the left, having a radius of  
22 1032.00 feet, a central angle of 04°16'00", a chord bearing and  
23 distance of S 33°27'02" W, 76.83 feet, for an arc length of 76.85  
24 feet to a calculated point of non-tangency hereof,

25       3. N 42°50'07" W, a distance of 74.90 feet to a calculated  
26 angle point hereof,

27       4. N 55°26'05" W, a distance of 297.15 feet to a calculated



1 angle point hereof,  
2           5. S 44°16'47" W, a distance of 119.71 feet to a calculated  
3 angle point hereof,  
4           6. S 48°19'01" W, a distance of 50.48 feet to a calculated  
5 angle point hereof,  
6           7. S 34°40'00" W, a distance of 145.17 feet to a calculated  
7 angle point hereof,  
8           8. S 31°18'41" W, a distance of 267.70 feet to a calculated  
9 angle point hereof,  
10          9. S 27°11'50" W, a distance of 273.71 feet to a calculated  
11 angle point hereof,  
12          10. S 62°48'10" E, a distance of 25.00 feet to a calculated  
13 angle point hereof, and  
14          11. S 27°11'50" W, a distance of 117.00 feet to a calculated  
15 point in the northeast boundary line of a called 34.000-acre tract  
16 recorded in Document No. 200513348 of the Official Public Records  
17 of Travis County, Texas, said point being a south corner of said  
18 22.880-acre tract, same being the west corner of said Stoney Ridge,  
19 Phase 5-A for a southeast corner hereof,  
20 THENCE N 62°50'15" W, with a southeast boundary line of said  
21 22.880-acre tract, same being the northeast boundary line of said  
22 34.000-acre tract, and, in part, with the northeast boundary line  
23 of a called 10.136-acre tract recorded in Document No. 2004171660  
24 of the Official Public Records of Travis County, Texas, a distance  
25 of 472.25 feet to a calculated point at a southeast ell corner of  
26 said 28.880-acre tract, same being the north corner of said  
27 10.136-acre tract for a southeast ell corner hereof;

1 THENCE S 26°52'34" W, with a southeast boundary line of said  
2 28.880-acre tract, same being the northwest boundary line of said  
3 10.136-acre tract, a distance of 215.87 feet to a calculated angle  
4 point hereof;

5 THENCE S 28°09'58" W, with a southeast boundary line of said  
6 28.880-acre tract, same being the northwest boundary line of said  
7 10.136-acre tract, a distance of 952.60 feet to a calculated point  
8 in the southeast boundary line of said 22.880-acre tract, said  
9 point being the west corner of said 10.136-acre tract, same being  
10 the north corner of a called 0.998-acre tract recorded in Document  
11 No. 2004177205 of the Official Public Records of Travis County,  
12 Texas for an angle point hereof;

13 THENCE S 26°20'45" W, continuing with a southeast boundary line of  
14 said 28.880-acre tract, same being the northwest boundary line of  
15 said 0.998-acre tract, a distance of 161.85 feet to a calculated  
16 point in the southeast boundary line of said 22.880-acre tract,  
17 said point being the west corner of said 0.998-acre tract, same  
18 being the north corner of a called 1.873-acre tract recorded in  
19 Document No. 2004171660 of the Official Public Records of Travis  
20 County, Texas for an angle point hereof;

21 THENCE S 27°32'17" W, continuing with a southeast boundary line of  
22 said 28.880-acre tract, same being the northwest boundary line of  
23 said 1.873-acre tract, a distance of 301.85 feet to a calculated  
24 point in the southeast boundary line of said 22.880-acre tract,  
25 said point being the west corner of said 1.873-acre tract, same  
26 being the north corner of a called 0.927-acre tract recorded in  
27 Document No. 2004092946 of the Official Public Records of Travis

1 County, Texas for an angle point hereof;  
2 THENCE S 27°47'26" W, continuing with a southeast boundary line of  
3 said 28.880-acre tract, same being the northwest boundary line of  
4 said 2.996-acre tract, a distance of 149.81 feet to a calculated  
5 point in the southeast boundary line of said 22.880-acre tract,  
6 said point being the west corner of said 0.927-acre tract, same  
7 being the north corner of a called 2.996-acre tract recorded in  
8 Document No. 2004032363 of the Official Public Records of Travis  
9 County, Texas for an angle point hereof;  
10 THENCE S 27°59'19" W, continuing with a southeast boundary line of  
11 said 28.880-acre tract, same being the northwest boundary line of  
12 said 2.996-acre tract, and, in part, with the northwest boundary  
13 line of a called 0.501-acre tract recorded in Document  
14 No. 2003278680 of the Official Public Records of Travis County,  
15 Texas, a distance of 567.39 feet to a calculated point in the  
16 southeast boundary line of said 22.880-acre tract, said point being  
17 the west corner of said 0.501-acre tract, same being the north  
18 corner of a called 0.369-acre tract recorded in Document  
19 No. 2004039131 of the Official Public Records of Travis County,  
20 Texas for an angle point hereof;  
21 THENCE S 27°51'19" W, continuing with a southeast boundary line of  
22 said 28.880-acre tract, same being the northwest boundary line of  
23 said 0.369-acre tract, and, in part, with the northwest boundary  
24 line of Lot A, McAngus Road Addition, a subdivision according to the  
25 plat recorded in Volume 69, Page 28 of the Plat Records of Travis  
26 County, Texas, a distance of 534.70 feet to a calculated point in  
27 the northeast right-of-way line of said McAngus Road, said point

1 being in the northwest boundary line of said Lot A, same being the  
2 south corner of said Lot A for the south corner hereof;

3 THENCE N 38°48'25" W, with the northeast right-of-way line of  
4 said McAngus Road, same being the southwest boundary line of said  
5 22.880-acre tract, a distance of 143.07 feet to the POINT OF  
6 BEGINNING and containing 49.22 acres in Travis County, Texas.

7 TRACT 3

8 A 10.39 ACRE TRACT OF LAND, SITUATED IN THE NOEL M. BAIN SURVEY,  
9 SECTION NO. 1, ABSTRACT NO. 61, BEING OUT OF THE REMNANT PORTION OF  
10 A CALLED 406.804 ACRE TRACT CONVEYED TO M C JOINT VENTURE, RECORDED  
11 IN VOLUME 11921, PAGE 585 OF THE REAL PROPERTY RECORDS OF TRAVIS  
12 COUNTY, TEXAS, AND BEING ALL OF A CALLED 5.308 ACRE TRACT (TRACT 1)  
13 AS DESCRIBED IN CASE CONDEMNATION NO. C-1-CV-10-001090 RECORDED IN  
14 THE COUNTY COURT RECORDS OF TRAVIS COUNTY, TEXAS. SAID 10.39 ACRE  
15 TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON  
16 THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE  
17 TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

18 BEGINNING at a calculated point in the southeast right-of-way line  
19 of Texas Toll Road 130, a variable width right-of-way, said point  
20 being in the southwest right-of-way line of Elroy Road, a variable  
21 width right-of-way, said point being the north corner of said  
22 5.308-acre tract for the north corner and POINT OF BEGINNING  
23 hereof;

24 THENCE S 70°07'01" E, departing the southeast right-of-way of said  
25 Texas Toll Road, with the southwest right-of-way line of said Elroy  
26 Road, same being the north boundary line of said 5.308-acre tract,  
27 and, in part with the northeast boundary line of a Remnant Portion

1 of said 406.804-acre tract, a distance of 301.64 feet to a  
2 calculated point in the southwest right-of-way line of said Elroy  
3 Road, said point being the northwest terminus of Moores Crossing  
4 Blvd., a 70-foot right-of-way recorded in Volume 10467, Page 982 of  
5 the Real Property Records of Travis County, Texas for the east  
6 corner hereof;

7 THENCE departing the southwest right-of-way line of said Elroy  
8 Road, with the northwest right-of-way line of said Moores Crossing  
9 Blvd., same being the southeast boundary line of the Remnant  
10 Portion of said 406.804-acre tract for the following five (5)  
11 courses and distances:

12 1. S 28°06'53" W, a distance of 233.47 feet to a calculated  
13 point of non-tangent curvature hereof,

14 2. along the arc of a curve to the left, said curve having a  
15 radius of 685.00 feet, a central angle of 10°33'14", a chord bearing  
16 and distance of S 22°38'56" W, 126.00 feet, for an arc length of  
17 126.18 feet to a calculated point of non-tangency hereof,

18 3. S 17°22'18" W, a distance of 463.68 feet to a calculated  
19 point of non-tangent curvature hereof,

20 4. along the arc of a curve to the right, having a radius of  
21 615.00 feet, a central angle of 22°00'22", a chord bearing and  
22 distance of S 28°22'28" W, 234.76 feet, for an arc length of 236.21  
23 feet to a calculated point of non-tangency hereof, and

24 5. S 39°25'26" W, a distance of 171.25 feet to a calculated  
25 point in the northwest right-of-way line of said Moores Crossing  
26 Blvd., said point being the northeast terminus of Engler Park  
27 Street, a variable width right-of-way recorded in Volume 10861,

1 Page 173 of the Real Property Records of Travis County, Texas, same  
2 being the easternmost southeast corner of the Remnant Portion of  
3 said 406.804-acre tract for the easternmost southeast corner and  
4 point of non-tangent curvature hereof;  
5 THENCE along the arc of a curve to the right, with the north  
6 right-of-way line of said Engler Park Street, same being the south  
7 boundary line of the Remnant Portion of said 406.804-acre tract,  
8 said curve having a radius of 25.00 feet, a central angle of  
9  $89^{\circ}55'20''$ , a chord bearing and distance of  $S 84^{\circ}24'07'' W$ , 35.33  
10 feet, for an arc length of 39.24 feet to a calculated point in the  
11 northeast right-of-way line of said Engler Park Street, same being  
12 the southwest boundary line of the Remnant Portion of said  
13 406.804-acre tract for the southernmost southwest corner hereof;  
14 THENCE  $N 50^{\circ}36'59'' W$ , with the northeast right-of-way line of said  
15 Engler Park Street, same being the southwest boundary line of the  
16 Remnant Portion of said 406.804-acre tract, and, in part, the  
17 southwest boundary line of said 5.308-acre tract, a distance of  
18 307.20 feet to a calculated point in the southeast right-of-way  
19 line of said Texas Toll Road 130, said point being in the northeast  
20 right-of-way line of said Engler Park Street, said point being the  
21 southernmost southwest corner of said 5.308-acre tract for the  
22 southernmost southwest corner hereof;  
23 THENCE departing the northeast right-of-way line of said Engler  
24 Park Street, with the southeast right-of-way line of said Texas  
25 Toll Road 103, same being the northwest boundary line of said  
26 5.308-acre tract the following four (4) courses and distances:  
27 1.  $N 24^{\circ}10'34'' E$ , a distance of 77.10 feet to a calculated

1 angle point hereof,

2         2. N 19°38'37" E, a distance of 788.67 feet to a calculated  
3 angle point hereof,

4         3. N 38°57'16" E, a distance of 38.23 feet to a calculated  
5 angle point hereof, and

6         N 47°11'15" E, a distance of 252.87 feet to the POINT OF  
7 BEGINNING and containing 10.39 acres in Travis County, Texas.

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

15         (b) The governor, one of the required recipients, has  
16 submitted the notice and Act to the Texas Commission on  
17 Environmental Quality.

18         (c) The Texas Commission on Environmental Quality has filed  
19 its recommendations relating to this Act with the governor,  
20 lieutenant governor, and speaker of the house of representatives  
21 within the required time.

22         (d) All requirements of the constitution and laws of this  
23 state and the rules and procedures of the legislature with respect  
24 to the notice, introduction, and passage of this Act have been  
25 fulfilled and accomplished.

26         SECTION 4. This Act takes effect immediately if it receives  
27 a vote of two-thirds of all the members elected to each house, as

S.B. No. 2214

1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2021.