

By: Eckhardt

S.B. No. 2214

A BILL TO BE ENTITLED

AN ACT

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

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

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

CHAPTER 3999. MOORE'S CROSSING MUNICIPAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3999.0101. DEFINITIONS. In this chapter:

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

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

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

(4) "Director" means a board member.

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

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

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

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) The
3 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. CERTAIN RESIDENTIAL PROPERTY. (a) Section
4 375.161, Local Government Code, does not apply to the district.

5 (b) Notwithstanding Subsection (a), the district may not
6 impose an assessment on property if the owner qualifies the
7 property for a homestead exemption under Section 11.13, Tax Code:

8 (1) for the tax year in which the Act enacting this
9 chapter takes effect; or

10 (2) for the tax year in which the assessment is
11 imposed.

12 SUBCHAPTER D. ASSESSMENTS

13 Sec. 3999.0401. PETITION REQUIRED FOR FINANCING SERVICES
14 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
15 service or improvement project with assessments under this chapter
16 unless a written petition requesting that service or improvement
17 has been filed with the board.

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

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

26 (b) An assessment, a reassessment, or an assessment
27 resulting from an addition to or correction of the assessment roll

1 by the district, penalties and interest on an assessment or
2 reassessment, an expense of collection, and reasonable attorney's
3 fees incurred by the district:

4 (1) are a first and prior lien against the property
5 assessed;

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

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

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

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

20 SUBCHAPTER E. TAXES AND BONDS

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

25 Sec. 3999.0502. OPERATION AND MAINTENANCE TAX. (a) If
26 authorized by a majority of the district voters voting at an
27 election under Section 3999.0501, the district may impose an

1 operation and maintenance tax on taxable property in the district
2 in the manner provided by Section 49.107, Water Code, for any
3 district purpose, including to:

- 4 (1) maintain and operate the district;
- 5 (2) construct or acquire improvements; or
- 6 (3) provide a service.

7 (b) The board shall determine the operation and maintenance
8 tax rate. The rate may not exceed the rate approved at the
9 election.

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

13 (b) The district may issue bonds, notes, or other
14 obligations payable wholly or partly from ad valorem taxes,
15 assessments, impact fees, revenue, contract payments, grants, or
16 other district money, or any combination of those sources of money,
17 to pay for any authorized district purpose.

18 Sec. 3999.0504. BONDS SECURED BY REVENUE OR CONTRACT
19 PAYMENTS. The district may issue, without an election, bonds
20 secured by:

- 21 (1) revenue other than ad valorem taxes, including
22 contract revenues; or
- 23 (2) contract payments, provided that the requirements
24 of Section 49.108, Water Code, have been met.

25 Sec. 3999.0505. BONDS SECURED BY AD VALOREM TAXES;
26 ELECTIONS. (a) If authorized at an election under Section
27 3999.0501, the district may issue bonds payable from ad valorem

1 taxes.

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

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

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

14 Sec. 3999.0506. BONDS AND OTHER OBLIGATIONS FOR IMPROVEMENT
15 UNDER AGREEMENT. If the improvements financed by an obligation
16 will be conveyed to or operated and maintained by a political
17 subdivision or retail utility provider pursuant to an agreement
18 between the district and the political subdivision or retail
19 utility provider entered into before the issuance of the
20 obligation, the obligation may be in the form of bonds, notes, or
21 other obligations payable wholly or partly from assessments, issued
22 by public or private sale, in the manner provided by Subchapter A,
23 Chapter 372, Local Government Code.

24 Sec. 3999.0507. CONSENT OF MUNICIPALITY REQUIRED. (a) The
25 board may not issue bonds until each municipality in whose
26 corporate limits or extraterritorial jurisdiction the district is
27 located has consented by ordinance or resolution to the creation of

1 the district and to the inclusion of land in the district.

2 (b) This section applies only to the district's first
3 issuance of bonds.

4 SECTION 2. The Moore's Crossing Municipal Management
5 District initially includes all territory contained in the
6 following area:

7 TRACT 1

8 A 162.83 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 1.425 ACRE TRACT, CONVEYED TO SR DEVELOPMENT, INC.,
11 RECORDED IN DOCUMENT NO. 2006151559 OF THE OFFICIAL PUBLIC RECORDS
12 OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 1.075 ACRE TRACT OF
13 LAND CONVEYED TO SR DEVELOPMENT, INC, RECORDED IN DOCUMENT NO.
14 2007087977 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS,
15 BEING THE REMNANT PORTION OF A CALLED 61.300 ACRE TRACT CONVEYED TO
16 SR DEVELOPMENT, INC., RECORDED IN DOCUMENT NO. 2004106868 OF THE
17 OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, BEING OUT OF THE
18 REMNANT PORTION OF A CALLED 406.804 ACRE TRACT CONVEYED TO SR
19 DEVELOPMENT INC, RECORDED IN VOLUME 11921, PAGE 585 OF THE REAL
20 PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS, BEING ALL OF A CALLED 3.03
21 ACRE TRACT CONVEYED TO TSWG 130, LLC IN DOCUMENT NO. 2009091036 OF
22 THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AS DESCRIBED
23 IN DOCUMENT NO. 2003205235 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS
24 COUNTY, TEXAS, BEING ALL OF LOTS 1-46, LINDA VISTA, A SUBDIVISION
25 ACCORDING TO THE PLAT RECORDED IN VOLUME 57, PAGE 91 OF THE PLAT
26 RECORDS OF TRAVIS COUNTY, TEXAS, CONVEYED TO TSWG 130, LLC IN
27 DOCUMENT NO. 2009091036 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS

1 COUNTY, TEXAS, BEING ALL OF A CALLED 16.00 ACRE TRACT CONVEYED TO
2 KELLER ROAD INVESTMENTS, LTD., RECORDED IN DOCUMENT NO. 2020018595
3 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING
4 ALL OF A CALLED 33.315 ACRE TRACT (PART 1) CONVEYED TO TSWG 130, LLC
5 RECORDED IN DOCUMENT NO. 2008010971 OF THE OFFICIAL PUBLIC RECORDS
6 OF TRAVIS COUNTY, TEXAS. SAID 162.83 ACRE TRACT BEING MORE FULLY
7 DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON THE NORTH AMERICAN
8 DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE TEXAS COORDINATE
9 SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

10 BEGINNING at a calculated point on the southeast right-of-way line
11 of F.M. 973, a variable width right-of-way, said point being in the
12 southwest right-of-way line of Elroy Road, a variable width
13 right-of-way, said point being the north corner of said 1.425-acre
14 tract for the northernmost corner and POINT OF BEGINNING hereof;
15 THENCE with the southwest right-of-way line of said Elroy Road,
16 same being the northeast boundary line of said 1.425-acre tract,
17 and, in part, with the northeast boundary line of said 61.300-acre
18 tract the following nine (9) courses and distances:

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

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

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

25 4. along the arc of a curve to the left, having a radius of
26 1071.64 feet, a central angle of 16°33'52", a chord bearing and
27 distance of S 40°44'06" E, 308.74 feet, for an arc length of 309.82

1 feet to a calculated point of non-tangency hereof,
2 5. S 62°15'32" E, a distance of 92.50 feet to a calculated
3 point of non-tangent curvature hereof,
4 6. along the arc of a curve to the left, having a radius of
5 1070.09 feet, a central angle of 01°07'36", a chord bearing and
6 distance of S 57°04'52" E, 21.04 feet, for an arc length of 21.04
7 feet to a calculated point of non-tangency hereof,
8 7. S 62°15'32" E, a distance of 195.70 feet to a calculated
9 angle point hereof,
10 8. S 60°51'45" E, a distance of 246.75 feet to a calculated
11 angle point hereof, and
12 9. S 52°58'17" E, a distance of 999.95 feet to a calculated
13 point on the southwest right-of-way line of said Elroy Road, same
14 being a point in the northwest right-of-way line of Texas Toll Road
15 130, a variable width right-of-way recorded in Document
16 No. 2006139920 of the Official Public Records of Travis County,
17 Texas, said point being the easternmost corner of said 61.300-acre
18 tract for the easternmost northeast corner hereof;
19 THENCE S 27°46'44" W, with the northwest right-of-way line of said
20 Texas Toll Road 130, same being the southeast boundary line of said
21 61.300-acre tract, a distance of 378.98 feet to a calculated point
22 in the northwest right-of-way line of said Texas Toll Road 130, said
23 point being the southeast corner of the Remnant Portion of said
24 61.300-acre tract, same being the east corner of a Remnant Portion
25 of said 406.804-acre tract for an angle point hereof;
26 THENCE S 10°06'56" W, continuing with the northwest right-of-way
27 line of said Texas Toll Road 130, same being the southeast boundary

1 line of a Remnant Portion of said 406.804-acre tract, a distance of
2 232.06 feet to a calculated angle point hereof;
3 THENCE S 19°25'15" W, continuing with the northwest right-of-way
4 line of said Texas Toll Road 130, same being the southeast boundary
5 line of a Remnant Portion of said 406.804-acre tract, a distance of
6 1953.51 feet to a calculated point in the northwest right-of-way
7 line of said Texas Toll Road 130, said point being a south corner of
8 the Remnant Portion of said 406.804-acre tract, same being the east
9 corner of said 33.315-acre tract for an angle point hereof;
10 THENCE S 20°12'48" W, continuing with the northwest right-of-way
11 line of said Texas Toll Road 130, same being the southeast boundary
12 line of said 33.315-acre tract, a distance of 2591.47 feet to a
13 calculated point on the northwest right-of-way line of said Texas
14 Toll Road 130, said point being on the northeast right-of-way line
15 of McAngus Road, a variable width right-of-way, said point being
16 the southeast corner of said 33.315-acre tract for the easternmost
17 southeast corner hereof;
18 THENCE departing the northwest right-of-way of said Texas Toll Road
19 130, with the northerly right-of-way line of said McAngus Road,
20 same being the southerly boundary line of said 33.315-acre tract
21 the following three (3) courses and distances:
22 1. N 75°16'47" W, a distance of 362.93 feet to a calculated
23 angle point hereof,
24 2. S 28°09'48" W, a distance of 85.27 feet to a calculated
25 point for the southernmost southeast corner hereof, and
26 3. N 61°55'51" W, a distance of 370.76 feet to a calculated
27 point in the northeast right-of-way line of said McAngus Road, said

1 point being the southwest corner of said 33.315-acre tract, same
2 being the south corner of a called 3.100-acre tract recorded in
3 Document No. 2009003712 of the Official Public Records of Travis
4 County, Texas for the southernmost southwest corner hereof;

5 THENCE N 28°30'03" E, with a northwest boundary line of said
6 33.315-acre tract, same being the southeast boundary line of said
7 3.100-acre tract, and, in part, with the southeast boundary line of
8 a called 12.000-acre tract recorded in Document No. 2009003712 of
9 the Official Public Records of Travis County, Texas, a distance of
10 1456.72 feet to a calculated point in the northwest boundary line of
11 said 33.315-acre tract, said point being the east corner of said
12 12.000-acre tract, same being the south corner of Ferguson Bain
13 Subdivision, a subdivision according to the plat recorded in
14 Document No. 201600012 of the Official Public Records of Travis
15 County, Texas for an angle point hereof;

16 THENCE N 28°39'27" E, continuing with a northwest boundary line of
17 said 33.315-acre tract, same being the southeast boundary line of
18 said Ferguson Bain Subdivision, and, in part, with the southeast
19 boundary line of a called 5.00-acre tract (Tract 2), and, in part,
20 with the southeast boundary line of a called 3.0-acre tract, both
21 recorded in Document No. 2018189524 of the Official Public Records
22 of Travis County, Texas, a distance of 1273.46 feet to a calculated
23 point at the east corner of said 3.0-acre tract, same being the
24 north corner of said 33.315-acre tract, same being a west corner of
25 the Remnant Portion of said 406.804-acre tract, also being the
26 south corner of said 16.00-acre tract a southwest ell corner
27 hereof;

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1 THENCE N 61°41'07" W, with the southwest boundary line of said
2 16.00-acre tract, same being the northeast boundary line of said
3 3.0-acre tract, and, in part, with the northeast boundary line of a
4 called 3.0-acre tract recorded in Document No. 2018046769 of the
5 Official Public Records of Travis County, Texas, a distance of
6 856.25 feet to a calculated point at the west corner of said
7 16.00-acre tract, same being a point in the northeast boundary line
8 of said 3.0-acre tract, also being the south corner of the Remnant
9 Portion of a called 41.79-acre tract recorded in Document
10 No. 2010133616 of the Official Public Records of Travis County,
11 Texas for a southwest corner hereof;

12 THENCE N 28°30'25" E, departing the northeast boundary line of said
13 3.0-acre tract, with the northwest boundary line of said 16.00-acre
14 tract, same being the southeast boundary line of the Remnant
15 Portion of said 41.79-acre tract, a distance of 808.54 feet to a
16 calculated point in the southwest boundary line of said Linda Vista
17 Subdivision, said point being the north corner of said 16.00-acre
18 tract, same being the east corner of the Remnant Portion of said
19 41.79-acre tract for a southwest ell corner hereof;

20 THENCE N 62°25'23" W, with the southwest boundary line of said Linda
21 Vista Subdivision, same being the northeast boundary line of said
22 41.79-acre tract, a distance of 1227.54 feet to a calculated point
23 in the southeast boundary line of said 3.03-acre tract, said point
24 being in the southwest boundary line of said Linda Vista
25 Subdivision, also being the northwest corner of said 41.79-acre
26 tract for a southeast ell corner hereof;

27 THENCE S 27°24'37" W, with the southeast boundary line of said

1 3.03-acre tract, same being the northwest boundary line of said
2 41.79-acre tract, a distance of 324.05 feet to a calculated point on
3 the north ell corner of said 41.79-acre tract, same being the south
4 corner of said 3.03-acre tract for a south corner hereof;
5 THENCE N 63°31'23" W, with a northeast boundary line of said
6 41.79-acre tract, same being the southwest boundary line of said
7 3.03-acre tract, a distance of 278.80 feet to a calculated point in
8 the southeast right-of-way line of said F.M. 973, said point being a
9 northwest corner of said 41.79-acre tract, same being the west
10 corner of said 3.03-acre tract for the westernmost corner hereof;
11 THENCE N 27°29'55" E, with the southeast right-of-way line of said
12 F.M. 973, same being the northwest boundary line of said 3.03-acre
13 tract, a distance of 473.60 feet to a calculated point in the
14 southeast right-of-way line of said F.M. 973, said point being the
15 north corner of said 3.03-acre tract, same being the west corner of
16 said Linda Vista Subdivision for an angle point hereof;
17 THENCE N 27°21'34" E, continuing with the southeast right-of-way
18 line of said F.M. 973, same being the northwest boundary line of said
19 Linda Vista Subdivision, a distance of 409.78 feet to a calculated
20 point in the southeast right-of-way line of said F.M. 973, said
21 point being the north corner of said Linda Vista Subdivision, same
22 being the west corner of the Remnant Portion of said 61.300-acre
23 tract for an angle point hereof;
24 THENCE continuing with the southeast right-of-way line of said F.M.
25 973, same being the northwest boundary line of the Remnant Portion
26 of said 61.300-acre tract the following four (4) courses and
27 distances:

1 of Texas Toll Road 130, a variable width right-of-way, same being a
2 point in the northeast right-of-way line of McAngus Road, a
3 variable width right-of-way, said point being the west corner of
4 said 7.267-acre tract for the southernmost southwest corner and
5 POINT OF BEGINNING hereof;

6 THENCE N 19°53'28" E, departing the northeast right-of-way line of
7 said McAngus Road, with the southeast right-of-way line of said
8 Texas Toll Road 130, same being the northwest boundary line of said
9 7.267-acre tract, and, in part, with the northwest boundary line of
10 said 5.461-acre tract, a distance of 2859.33 feet to a calculated
11 angle point hereof;

12 THENCE N 24°10'34" E, continuing with the southeast right-of-way
13 line of said Texas Toll Road 130, same being the northwest boundary
14 line of said 5.461-acre tract, a distance of 1220.30 feet to a
15 calculated point in the southeast right-of-way line of said Texas
16 Toll Road 130, same being a point in the southwest right-of-way line
17 of Engler Park Street, a variable width right-of-way recorded in
18 Volume 10861, Page 173 of the Real Property Records of Travis
19 County, Texas for the north corner hereof;

20 THENCE S 50°36'54" E, with the southwest right-of-way line of said
21 Engler Park Street, same being the northeast boundary line of said
22 5.461-acre tract, and, in part, with the northeast boundary line of
23 said 22.880-acre tract, a distance of 294.87 feet to a calculated
24 point of non-tangent curvature hereof;

25 THENCE along the arc of a curve to the right, with the west
26 right-of-way line of said Engler Park Street, same being an east
27 boundary line of said 22.880-acre tract, said curve having a radius

1 of 20.00 feet, a central angle of $89^{\circ}56'32''$, a chord bearing and
2 distance of $S\ 05^{\circ}36'57''\ E$, 28.27 feet, for an arc length of 31.40
3 feet to a calculated point of non-tangency hereof;

4 THENCE $S\ 39^{\circ}24'37''\ W$, with the northwest right-of-way line of said
5 Engler Park Road, same being a southeast boundary line of said
6 22.880-acre tract, a distance of 48.56 feet to a calculated point at
7 the west terminus of said Engler Park Street, said point being an
8 east ell corner of said 22.880-acre tract for an east ell corner
9 hereof;

10 THENCE $S\ 50^{\circ}35'34''\ E$, with the southwest terminus of said Engler
11 Park Street, same being a northeast boundary line of said
12 22.880-acre tract, a distance of 69.97 feet to a calculated point at
13 the south terminus of said Engler Park Road, said point being in the
14 northeast boundary line of said 22.880-acre tract, same being the
15 west corner of a called 4.010-acre tract recorded in Document
16 No. 2003100667 of the Official Public Records of Travis County,
17 Texas for an angle point in the northeast boundary line hereof;

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

21 1. $S\ 50^{\circ}18'48''\ E$, a distance of 310.59 feet to a calculated
22 angle point hereof,

23 2. $S\ 30^{\circ}06'51''\ E$, a distance of 358.67 feet to a calculated
24 angle point hereof, and

25 3. $S\ 54^{\circ}54'46''\ E$, a distance of 84.04 feet to a calculated
26 point at a north ell corner of said 22.880-acre tract, same being
27 the south corner of said 4.010-acre tract for a north ell corner

1 hereof;

2 THENCE N 48°26'18" E, with a northwest boundary line of said
3 22.880-acre tract, same being the southeast boundary line of said
4 4.010-acre tract, a distance of 52.17 feet to a calculated angle
5 point hereof;

6 THENCE N 44°04'10" E, continuing with a northwest boundary line of
7 said 22.880-acre tract, same being the southeast boundary line of
8 said 4.010-acre tract, a distance of 122.72 feet to a calculated
9 point for a west ell corner of said 22.880-acre tract, same being
10 the east corner of said 4.010-acre tract for a west ell corner
11 hereof;

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

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

17 2. N 26°57'56" W, a distance of 303.72 feet to a calculated
18 point hereof, and

19 3. N 56°07'21" W, a distance of 300.37 feet to a calculated
20 point in the southeast right-of-way line of said Engler Park Road,
21 said point being a west corner of said 22.880-acre tract, same being
22 the north corner of said 4.010-acre tract for a west corner hereof,

23 THENCE N 39°23'16" E, with the southeast right-of-way line of said
24 Engler Road, same being a northwest boundary line of said
25 22.880-acre tract, a distance of 103.65 feet to a calculated point
26 in the southeast right-of-way line of said Engler Park Road, said
27 point being the north corner of said 22.880-acre tract, same being

1 the east corner of Moores Crossing, Phase A, Section II, a
2 subdivision according to the plat recorded in Volume 88, Page 68 of
3 the Plat Records of Travis County, Texas for the north corner
4 hereof;

5 THENCE S 53°35'59" E, with the northeast boundary line of said
6 22.880-acre tract, same being the southwest boundary line of said
7 Moores Crossing, Phase A, Section II, a distance of 338.79 feet to a
8 calculated angle point hereof;

9 THENCE S 39°11'19" E, continuing with the northeast boundary line
10 of said 22.880-acre tract, same being the southwest boundary line
11 of said Moores Crossing, Phase A, Section II, a distance of 309.50
12 feet to a calculated point in the northeast boundary line of said
13 22.880-acre tract, same being the south corner of said Moores
14 Crossing, Phase A, Section II, also being the west corner of Moores
15 Crossing, Phase A, Section I, a subdivision according to the plat
16 recorded in Volume 87, Page 155 of the Plat Records of Travis
17 County, Texas

18 THENCE continuing with the northeast boundary line of said
19 22.880-acre tract, same being the southwest boundary line of said
20 Moores Crossing, Phase A, Section I the following three (3) courses
21 and distances:

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

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

26 3. S 44°09'11" E, a distance of 67.26 feet to a calculated
27 point at the west corner of said 22.880-acre tract, same being a

1 southwest corner of said Moores Crossing, Phase A, Section I, also
2 being the north corner of Stoney Ridge, Section 5-A, a subdivision
3 according to the plat recorded in Document No. 200200132 of the
4 Official Public Records of Travis County, Texas for the west corner
5 hereof;

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

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

11 2. along the arc of a curve to the left, having a radius of
12 1032.00 feet, a central angle of 04°16'00", a chord bearing and
13 distance of S 33°27'02" W, 76.83 feet, for an arc length of 76.85
14 feet to a calculated point of non-tangency hereof,

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

17 4. N 55°26'05" W, a distance of 297.15 feet to a calculated
18 angle point hereof,

19 5. S 44°16'47" W, a distance of 119.71 feet to a calculated
20 angle point hereof,

21 6. S 48°19'01" W, a distance of 50.48 feet to a calculated
22 angle point hereof,

23 7. S 34°40'00" W, a distance of 145.17 feet to a calculated
24 angle point hereof,

25 8. S 31°18'41" W, a distance of 267.70 feet to a calculated
26 angle point hereof,

27 9. S 27°11'50" W, a distance of 273.71 feet to a calculated

1 angle point hereof,

2 10. S 62°48'10" E, a distance of 25.00 feet to a calculated
3 angle point hereof, and

4 11. S 27°11'50" W, a distance of 117.00 feet to a calculated
5 point in the northeast boundary line of a called 34.000-acre tract
6 recorded in Document No. 200513348 of the Official Public Records
7 of Travis County, Texas, said point being a south corner of said
8 22.880-acre tract, same being the west corner of said Stoney Ridge,
9 Phase 5-A for a southeast corner hereof,

10 THENCE N 62°50'15" W, with a southeast boundary line of said
11 22.880-acre tract, same being the northeast boundary line of said
12 34.000-acre tract, and, in part, with the northeast boundary line
13 of a called 10.136-acre tract recorded in Document No. 2004171660
14 of the Official Public Records of Travis County, Texas, a distance
15 of 472.25 feet to a calculated point at a southeast ell corner of
16 said 28.880-acre tract, same being the north corner of said
17 10.136-acre tract for a southeast ell corner hereof;

18 THENCE S 26°52'34" W, with a southeast boundary line of said
19 28.880-acre tract, same being the northwest boundary line of said
20 10.136-acre tract, a distance of 215.87 feet to a calculated angle
21 point hereof;

22 THENCE S 28°09'58" W, with a southeast boundary line of said
23 28.880-acre tract, same being the northwest boundary line of said
24 10.136-acre tract, a distance of 952.60 feet to a calculated point
25 in the southeast boundary line of said 22.880-acre tract, said
26 point being the west corner of said 10.136-acre tract, same being
27 the north corner of a called 0.998-acre tract recorded in Document

1 No. 2004177205 of the Official Public Records of Travis County,
2 Texas for an angle point hereof;

3 THENCE S 26°20'45" W, continuing with a southeast boundary line of
4 said 28.880-acre tract, same being the northwest boundary line of
5 said 0.998-acre tract, a distance of 161.85 feet to a calculated
6 point in the southeast boundary line of said 22.880-acre tract,
7 said point being the west corner of said 0.998-acre tract, same
8 being the north corner of a called 1.873-acre tract recorded in
9 Document No. 2004171660 of the Official Public Records of Travis
10 County, Texas for an angle point hereof;

11 THENCE S 27°32'17" W, continuing with a southeast boundary line of
12 said 28.880-acre tract, same being the northwest boundary line of
13 said 1.873-acre tract, a distance of 301.85 feet to a calculated
14 point in the southeast boundary line of said 22.880-acre tract,
15 said point being the west corner of said 1.873-acre tract, same
16 being the north corner of a called 0.927-acre tract recorded in
17 Document No. 2004092946 of the Official Public Records of Travis
18 County, Texas for an angle point hereof;

19 THENCE S 27°47'26" W, continuing with a southeast boundary line of
20 said 28.880-acre tract, same being the northwest boundary line of
21 said 2.996-acre tract, a distance of 149.81 feet to a calculated
22 point in the southeast boundary line of said 22.880-acre tract,
23 said point being the west corner of said 0.927-acre tract, same
24 being the north corner of a called 2.996-acre tract recorded in
25 Document No. 2004032363 of the Official Public Records of Travis
26 County, Texas for an angle point hereof;

27 THENCE S 27°59'19" W, continuing with a southeast boundary line of

1 said 28.880-acre tract, same being the northwest boundary line of
2 said 2.996-acre tract, and, in part, with the northwest boundary
3 line of a called 0.501-acre tract recorded in Document
4 No. 2003278680 of the Official Public Records of Travis County,
5 Texas, a distance of 567.39 feet to a calculated point in the
6 southeast boundary line of said 22.880-acre tract, said point being
7 the west corner of said 0.501-acre tract, same being the north
8 corner of a called 0.369-acre tract recorded in Document
9 No. 2004039131 of the Official Public Records of Travis County,
10 Texas for an angle point hereof;

11 THENCE S 27°51'19" W, continuing with a southeast boundary line of
12 said 28.880-acre tract, same being the northwest boundary line of
13 said 0.369-acre tract, and, in part, with the northwest boundary
14 line of Lot A, McAngus Road Addition, a subdivision according to the
15 plat recorded in Volume 69, Page 28 of the Plat Records of Travis
16 County, Texas, a distance of 534.70 feet to a calculated point in
17 the northeast right-of-way line of said McAngus Road, said point
18 being in the northwest boundary line of said Lot A, same being the
19 south corner of said Lot A for the south corner hereof;

20 THENCE N 38°48'25" W, with the northeast right-of-way line of
21 said McAngus Road, same being the southwest boundary line of said
22 22.880-acre tract, a distance of 143.07 feet to the POINT OF
23 BEGINNING and containing 49.22 acres in Travis County, Texas.

24 TRACT 3

25 A 10.39 ACRE TRACT OF LAND, SITUATED IN THE NOEL M. BAIN SURVEY,
26 SECTION NO. 1, ABSTRACT NO. 61, BEING OUT OF THE REMNANT PORTION OF
27 A CALLED 406.804 ACRE TRACT CONVEYED TO M C JOINT VENTURE, RECORDED

1 IN VOLUME 11921, PAGE 585 OF THE REAL PROPERTY RECORDS OF TRAVIS
2 COUNTY, TEXAS, AND BEING ALL OF A CALLED 5.308 ACRE TRACT (TRACT 1)
3 AS DESCRIBED IN CASE CONDEMNATION NO. C-1-CV-10-001090 RECORDED IN
4 THE COUNTY COURT RECORDS OF TRAVIS COUNTY, TEXAS. SAID 10.39 ACRE
5 TRACT BEING MORE FULLY DESCRIBED AS FOLLOWS, WITH BEARINGS BASED ON
6 THE NORTH AMERICAN DATUM OF 1983 (NA 2011) EPOCH 2010.00, FROM THE
7 TEXAS COORDINATE SYSTEM ESTABLISHED FOR THE CENTRAL ZONE:

8 BEGINNING at a calculated point in the southeast right-of-way line
9 of Texas Toll Road 130, a variable width right-of-way, said point
10 being in the southwest right-of-way line of Elroy Road, a variable
11 width right-of-way, said point being the north corner of said
12 5.308-acre tract for the north corner and POINT OF BEGINNING
13 hereof;

14 THENCE S 70°07'01" E, departing the southeast right-of-way of said
15 Texas Toll Road, with the southwest right-of-way line of said Elroy
16 Road, same being the north boundary line of said 5.308-acre tract,
17 and, in part with the northeast boundary line of a Remnant Portion
18 of said 406.804-acre tract, a distance of 301.64 feet to a
19 calculated point in the southwest right-of-way line of said Elroy
20 Road, said point being the northwest terminus of Moores Crossing
21 Blvd., a 70-foot right-of-way recorded in Volume 10467, Page 982 of
22 the Real Property Records of Travis County, Texas for the east
23 corner hereof;

24 THENCE departing the southwest right-of-way line of said Elroy
25 Road, with the northwest right-of-way line of said Moores Crossing
26 Blvd., same being the southeast boundary line of the Remnant
27 Portion of said 406.804-acre tract for the following five (5)

1 courses and distances:

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

4 2. along the arc of a curve to the left, said curve having a
5 radius of 685.00 feet, a central angle of 10°33'14", a chord bearing
6 and distance of S 22°38'56" W, 126.00 feet, for an arc length of
7 126.18 feet to a calculated point of non-tangency hereof,

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

10 4. along the arc of a curve to the right, having a radius of
11 615.00 feet, a central angle of 22°00'22", a chord bearing and
12 distance of S 28°22'28" W, 234.76 feet, for an arc length of 236.21
13 feet to a calculated point of non-tangency hereof, and

14 5. S 39°25'26" W, a distance of 171.25 feet to a calculated
15 point in the northwest right-of-way line of said Moores Crossing
16 Blvd., said point being the northeast terminus of Engler Park
17 Street, a variable width right-of-way recorded in Volume 10861,
18 Page 173 of the Real Property Records of Travis County, Texas, same
19 being the easternmost southeast corner of the Remnant Portion of
20 said 406.804-acre tract for the easternmost southeast corner and
21 point of non-tangent curvature hereof;

22 THENCE along the arc of a curve to the right, with the north
23 right-of-way line of said Engler Park Street, same being the south
24 boundary line of the Remnant Portion of said 406.804-acre tract,
25 said curve having a radius of 25.00 feet, a central angle of
26 89°55'20", a chord bearing and distance of S 84°24'07" W, 35.33
27 feet, for an arc length of 39.24 feet to a calculated point in the

1 northeast right-of-way line of said Engler Park Street, same being
2 the southwest boundary line of the Remnant Portion of said
3 406.804-acre tract for the southernmost southwest corner hereof;
4 THENCE N 50°36'59" W, with the northeast right-of-way line of said
5 Engler Park Street, same being the southwest boundary line of the
6 Remnant Portion of said 406.804-acre tract, and, in part, the
7 southwest boundary line of said 5.308-acre tract, a distance of
8 307.20 feet to a calculated point in the southeast right-of-way
9 line of said Texas Toll Road 130, said point being in the northeast
10 right-of-way line of said Engler Park Street, said point being the
11 southernmost southwest corner of said 5.308-acre tract for the
12 southernmost southwest corner hereof;

13 THENCE departing the northeast right-of-way line of said Engler
14 Park Street, with the southeast right-of-way line of said Texas
15 Toll Road 103, same being the northwest boundary line of said
16 5.308-acre tract the following four (4) courses and distances:

17 1. N 24°10'34" E, a distance of 77.10 feet to a calculated
18 angle point hereof,

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

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

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

25 SECTION 3. (a) The legal notice of the intention to
26 introduce this Act, setting forth the general substance of this
27 Act, has been published as provided by law, and the notice and a

1 copy of this Act have been furnished to all persons, agencies,
2 officials, or entities to which they are required to be furnished
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
4 Government Code.

5 (b) The governor, one of the required recipients, has
6 submitted the notice and Act to the Texas Commission on
7 Environmental Quality.

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

12 (d) All requirements of the constitution and laws of this
13 state and the rules and procedures of the legislature with respect
14 to the notice, introduction, and passage of this Act have been
15 fulfilled and accomplished.

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