

1-1 By: Birdwell S.B. No. 2244
 1-2 (In the Senate - Filed May 3, 2021; May 3, 2021, read first
 1-3 time and referred to Committee on Local Government; May 13, 2021,
 1-4 reported favorably by the following vote: Yeas 9, Nays 0;
 1-5 May 13, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the creation of the Lorena Municipal Management
 1-20 District No. 1; providing authority to issue bonds; providing
 1-21 authority to impose assessments, fees, and taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-23 SECTION 1. Subtitle C, Title 4, Special District Local Laws
 1-24 Code, is amended by adding Chapter 3791 to read as follows:

1-25 CHAPTER 3791. LORENA MUNICIPAL MANAGEMENT DISTRICT NO. 1

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 3791.0101. DEFINITIONS. In this chapter:

- 1-28 (1) "Board" means the district's board of directors.
- 1-29 (2) "City" means the City of Lorena.
- 1-30 (3) "County" means McLennan County.
- 1-31 (4) "Director" means a board member.
- 1-32 (5) "District" means the Lorena Municipal Management

1-33 District No. 1.

1-34 Sec. 3791.0102. NATURE OF DISTRICT. The Lorena Municipal
 1-35 Management District No. 1 is a special district created under
 1-36 Section 59, Article XVI, Texas Constitution.

1-37 Sec. 3791.0103. PURPOSE; DECLARATION OF INTENT. (a) The
 1-38 creation of the district is essential to accomplish the purposes of
 1-39 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
 1-40 Texas Constitution, and other public purposes stated in this
 1-41 chapter.

1-42 (b) By creating the district and in authorizing the county,
 1-43 the city, and other political subdivisions to contract with the
 1-44 district, the legislature has established a program to accomplish
 1-45 the public purposes set out in Section 52-a, Article III, Texas
 1-46 Constitution.

1-47 (c) The creation of the district is necessary to promote,
 1-48 develop, encourage, and maintain employment, commerce,
 1-49 transportation, housing, tourism, recreation, the arts,
 1-50 entertainment, economic development, safety, and the public
 1-51 welfare in the district.

1-52 (d) This chapter and the creation of the district may not be
 1-53 interpreted to relieve the county or the city from providing the
 1-54 level of services provided as of the effective date of the Act
 1-55 enacting this chapter to the area in the district. The district is
 1-56 created to supplement and not to supplant county or city services
 1-57 provided in the district.

1-58 Sec. 3791.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

1-59 (a) All land and other property included in the district will
 1-60 benefit from the improvements and services to be provided by the
 1-61 district under powers conferred by Sections 52 and 52-a, Article

2-1 III, and Section 59, Article XVI, Texas Constitution, and other
2-2 powers granted under this chapter.

2-3 (b) The district is created to serve a public use and
2-4 benefit.

2-5 (c) The creation of the district is in the public interest
2-6 and is essential to further the public purposes of:

2-7 (1) developing and diversifying the economy of the
2-8 state;

2-9 (2) eliminating unemployment and underemployment; and

2-10 (3) developing or expanding transportation and
2-11 commerce.

2-12 (d) The district will:

2-13 (1) promote the health, safety, and general welfare of
2-14 residents, employers, potential employees, employees, visitors,
2-15 and consumers in the district, and of the public;

2-16 (2) provide needed funding for the district to
2-17 preserve, maintain, and enhance the economic health and vitality of
2-18 the district territory as a community and business center;

2-19 (3) promote the health, safety, welfare, and enjoyment
2-20 of the public by providing pedestrian ways and by landscaping and
2-21 developing certain areas in the district, which are necessary for
2-22 the restoration, preservation, and enhancement of scenic beauty;
2-23 and

2-24 (4) provide for water, wastewater, drainage, road, and
2-25 recreational facilities for the district.

2-26 (e) Pedestrian ways along or across a street, whether at
2-27 grade or above or below the surface, and street lighting, street
2-28 landscaping, parking, and street art objects are parts of and
2-29 necessary components of a street and are considered to be a street
2-30 or road improvement.

2-31 (f) The district will not act as the agent or
2-32 instrumentality of any private interest even though the district
2-33 will benefit many private interests as well as the public.

2-34 Sec. 3791.0105. INITIAL DISTRICT TERRITORY. (a) The
2-35 district is initially composed of the territory described by
2-36 Section 2 of the Act enacting this chapter.

2-37 (b) The boundaries and field notes contained in Section 2 of
2-38 the Act enacting this chapter form a closure. A mistake in the
2-39 field notes or in copying the field notes in the legislative process
2-40 does not affect the district's:

2-41 (1) organization, existence, or validity;

2-42 (2) right to issue any type of bonds for the purposes
2-43 for which the district is created or to pay the principal of and
2-44 interest on the bonds;

2-45 (3) right to impose or collect an assessment or tax; or

2-46 (4) legality or operation.

2-47 Sec. 3791.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
2-48 All or any part of the area of the district is eligible to be
2-49 included in:

2-50 (1) a tax increment reinvestment zone created under
2-51 Chapter 311, Tax Code; or

2-52 (2) a tax abatement reinvestment zone created under
2-53 Chapter 312, Tax Code.

2-54 Sec. 3791.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
2-55 DISTRICTS LAW. Except as otherwise provided by this chapter,
2-56 Chapter 375, Local Government Code, applies to the district.

2-57 Sec. 3791.0108. CONSTRUCTION OF CHAPTER. This chapter
2-58 shall be liberally construed in conformity with the findings and
2-59 purposes stated in this chapter.

2-60 SUBCHAPTER B. BOARD OF DIRECTORS

2-61 Sec. 3791.0201. GOVERNING BODY; TERMS. (a) The district is
2-62 governed by a board of five directors elected or appointed as
2-63 provided by this chapter and Subchapter D, Chapter 49, Water Code.

2-64 (b) Except as provided by Section 3791.0203, directors
2-65 serve staggered four-year terms.

2-66 Sec. 3791.0202. COMPENSATION. A director is entitled to
2-67 receive fees of office and reimbursement for actual expenses as
2-68 provided by Section 49.060, Water Code. Sections 375.069 and
2-69 375.070, Local Government Code, do not apply to the board.

3-1 Sec. 3791.0203. TEMPORARY DIRECTORS. (a) On or after the
 3-2 effective date of the Act creating this chapter, the owner or owners
 3-3 of a majority of the assessed value of the real property in the
 3-4 district according to the most recent certified tax appraisal roll
 3-5 for the county may submit a petition to the Texas Commission on
 3-6 Environmental Quality requesting that the commission appoint as
 3-7 temporary directors the five persons named in the petition. The
 3-8 commission shall appoint as temporary directors the five persons
 3-9 named in the petition.

3-10 (b) The temporary or successor temporary directors shall
 3-11 hold an election to elect five permanent directors as provided by
 3-12 Section 49.102, Water Code.

3-13 (c) Temporary directors serve until the earlier of:

3-14 (1) the date permanent directors are elected under
 3-15 Subsection (b); or

3-16 (2) the fourth anniversary of the effective date of
 3-17 the Act creating this chapter.

3-18 (d) If permanent directors have not been elected under
 3-19 Subsection (b) and the terms of the temporary directors have
 3-20 expired, successor temporary directors shall be appointed or
 3-21 reappointed as provided by Subsection (e) to serve terms that
 3-22 expire on the earlier of:

3-23 (1) the date permanent directors are elected under
 3-24 Subsection (b); or

3-25 (2) the fourth anniversary of the date of the
 3-26 appointment or reappointment.

3-27 (e) If Subsection (d) applies, the owner or owners of a
 3-28 majority of the assessed value of the real property in the district
 3-29 according to the most recent certified tax appraisal roll for the
 3-30 county may submit a petition to the Texas Commission on
 3-31 Environmental Quality requesting that the commission appoint as
 3-32 successor temporary directors the five persons named in the
 3-33 petition. The commission shall appoint as successor temporary
 3-34 directors the five persons named in the petition.

3-35 Sec. 3791.0204. NONVOTING DIRECTORS. The board may appoint
 3-36 nonvoting directors to serve at the pleasure of the voting
 3-37 directors.

3-38 Sec. 3791.0205. QUORUM. For purposes of determining the
 3-39 requirements for a quorum of the board, the following are not
 3-40 counted:

3-41 (1) a board position vacant for any reason, including
 3-42 death, resignation, or disqualification;

3-43 (2) a director who is abstaining from participation in
 3-44 a vote because of a conflict of interest; or

3-45 (3) a nonvoting director.

3-46 SUBCHAPTER C. POWERS AND DUTIES

3-47 Sec. 3791.0301. GENERAL POWERS AND DUTIES. The district
 3-48 has the powers and duties necessary to accomplish the purposes for
 3-49 which the district is created.

3-50 Sec. 3791.0302. IMPROVEMENT PROJECTS AND SERVICES. (a)
 3-51 The district, using any money available to the district for the
 3-52 purpose, may provide, design, construct, acquire, improve,
 3-53 relocate, operate, maintain, or finance an improvement project or
 3-54 service authorized under this chapter or Chapter 375, Local
 3-55 Government Code.

3-56 (b) The district may contract with a governmental or private
 3-57 entity to carry out an action under Subsection (a).

3-58 (c) The implementation of a district project or service is a
 3-59 governmental function or service for the purposes of Chapter 791,
 3-60 Government Code.

3-61 Sec. 3791.0303. NONPROFIT CORPORATION. (a) The board by
 3-62 resolution may authorize the creation of a nonprofit corporation to
 3-63 assist and act for the district in implementing a project or
 3-64 providing a service authorized by this chapter.

3-65 (b) The nonprofit corporation:

3-66 (1) has each power of and is considered to be a local
 3-67 government corporation created under Subchapter D, Chapter 431,
 3-68 Transportation Code; and

3-69 (2) may implement any project and provide any service

4-1 authorized by this chapter.

4-2 (c) The board shall appoint the board of directors of the
 4-3 nonprofit corporation. The board of directors of the nonprofit
 4-4 corporation shall serve in the same manner as the board of directors
 4-5 of a local government corporation created under Subchapter D,
 4-6 Chapter 431, Transportation Code, except that a board member is not
 4-7 required to reside in the district.

4-8 Sec. 3791.0304. LAW ENFORCEMENT SERVICES. To protect the
 4-9 public interest, the district may contract with a qualified party,
 4-10 including the county or the city, to provide law enforcement
 4-11 services in the district for a fee.

4-12 Sec. 3791.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
 4-13 The district may join and pay dues to a charitable or nonprofit
 4-14 organization that performs a service or provides an activity
 4-15 consistent with the furtherance of a district purpose.

4-16 Sec. 3791.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
 4-17 district may engage in activities that accomplish the economic
 4-18 development purposes of the district.

4-19 (b) The district may establish and provide for the
 4-20 administration of one or more programs to promote state or local
 4-21 economic development and to stimulate business and commercial
 4-22 activity in the district, including programs to:

4-23 (1) make loans and grants of public money; and

4-24 (2) provide district personnel and services.

4-25 (c) The district may create economic development programs
 4-26 and exercise the economic development powers provided to
 4-27 municipalities by:

4-28 (1) Chapter 380, Local Government Code; and

4-29 (2) Subchapter A, Chapter 1509, Government Code.

4-30 Sec. 3791.0307. PARKING FACILITIES. (a) The district may
 4-31 acquire, lease as lessor or lessee, construct, develop, own,
 4-32 operate, and maintain parking facilities or a system of parking
 4-33 facilities, including lots, garages, parking terminals, or other
 4-34 structures or accommodations for parking motor vehicles off the
 4-35 streets and related appurtenances.

4-36 (b) The district's parking facilities serve the public
 4-37 purposes of the district and are owned, used, and held for a public
 4-38 purpose even if leased or operated by a private entity for a term of
 4-39 years.

4-40 (c) The district's parking facilities are parts of and
 4-41 necessary components of a street and are considered to be a street
 4-42 or road improvement.

4-43 (d) The development and operation of the district's parking
 4-44 facilities may be considered an economic development program.

4-45 Sec. 3791.0308. ADDING OR EXCLUDING LAND. The district may
 4-46 add or exclude land in the manner provided by Subchapter J, Chapter
 4-47 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

4-48 Sec. 3791.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The
 4-49 board by resolution shall establish the number of directors'
 4-50 signatures and the procedure required for a disbursement or
 4-51 transfer of district money.

4-52 Sec. 3791.0310. NO EMINENT DOMAIN POWER. The district may
 4-53 not exercise the power of eminent domain.

4-54 SUBCHAPTER D. ASSESSMENTS

4-55 Sec. 3791.0401. PETITION REQUIRED FOR FINANCING SERVICES
 4-56 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
 4-57 service or improvement project with assessments under this chapter
 4-58 unless a written petition requesting that service or improvement
 4-59 has been filed with the board.

4-60 (b) A petition filed under Subsection (a) must be signed by
 4-61 the owners of a majority of the assessed value of real property in
 4-62 the district subject to assessment according to the most recent
 4-63 certified tax appraisal roll for the county.

4-64 Sec. 3791.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
 4-65 The board by resolution may impose and collect an assessment for any
 4-66 purpose authorized by this chapter in all or any part of the
 4-67 district.

4-68 (b) An assessment, a reassessment, or an assessment
 4-69 resulting from an addition to or correction of the assessment roll

5-1 by the district, penalties and interest on an assessment or
 5-2 reassessment, an expense of collection, and reasonable attorney's
 5-3 fees incurred by the district:

- 5-4 (1) are a first and prior lien against the property
- 5-5 assessed;
- 5-6 (2) are superior to any other lien or claim other than
- 5-7 a lien or claim for county, school district, or municipal ad valorem
- 5-8 taxes; and
- 5-9 (3) are the personal liability of and a charge against
- 5-10 the owners of the property even if the owners are not named in the
- 5-11 assessment proceedings.

5-12 (c) The lien is effective from the date of the board's
 5-13 resolution imposing the assessment until the date the assessment is
 5-14 paid. The board may enforce the lien in the same manner that the
 5-15 board may enforce an ad valorem tax lien against real property.

5-16 (d) The board may make a correction to or deletion from the
 5-17 assessment roll that does not increase the amount of assessment of
 5-18 any parcel of land without providing notice and holding a hearing in
 5-19 the manner required for additional assessments.

5-20 SUBCHAPTER E. TAXES AND BONDS

5-21 Sec. 3791.0501. TAX ELECTION REQUIRED. The district must
 5-22 hold an election in the manner provided by Chapter 49, Water Code,
 5-23 or, if applicable, Chapter 375, Local Government Code, to obtain
 5-24 voter approval before the district may impose an ad valorem tax.

5-25 Sec. 3791.0502. OPERATION AND MAINTENANCE TAX. (a) If
 5-26 authorized by a majority of the district voters voting at an
 5-27 election under Section 3791.0501, the district may impose an
 5-28 operation and maintenance tax on taxable property in the district
 5-29 in the manner provided by Section 49.107, Water Code, for any
 5-30 district purpose, including to:

- 5-31 (1) maintain and operate the district;
- 5-32 (2) construct or acquire improvements; or
- 5-33 (3) provide a service.

5-34 (b) The board shall determine the operation and maintenance
 5-35 tax rate. The rate may not exceed the rate approved at the
 5-36 election.

5-37 Sec. 3791.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE
 5-38 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
 5-39 terms determined by the board.

5-40 (b) The district may issue bonds, notes, or other
 5-41 obligations payable wholly or partly from ad valorem taxes,
 5-42 assessments, impact fees, revenue, contract payments, grants, or
 5-43 other district money, or any combination of those sources of money,
 5-44 to pay for any authorized district purpose.

5-45 Sec. 3791.0504. BONDS SECURED BY REVENUE OR CONTRACT
 5-46 PAYMENTS. The district may issue, without an election, bonds
 5-47 secured by:

- 5-48 (1) revenue other than ad valorem taxes, including
- 5-49 contract revenues; or
- 5-50 (2) contract payments, provided that the requirements
- 5-51 of Section 49.108, Water Code, have been met.

5-52 Sec. 3791.0505. BONDS SECURED BY AD VALOREM TAXES;
 5-53 ELECTIONS. (a) If authorized at an election under Section
 5-54 3791.0501, the district may issue bonds payable from ad valorem
 5-55 taxes.

5-56 (b) Section 375.243, Local Government Code, does not apply
 5-57 to the district.

5-58 (c) At the time the district issues bonds payable wholly or
 5-59 partly from ad valorem taxes, the board shall provide for the annual
 5-60 imposition of a continuing direct annual ad valorem tax, without
 5-61 limit as to rate or amount, for each year that all or part of the
 5-62 bonds are outstanding as required and in the manner provided by
 5-63 Sections 54.601 and 54.602, Water Code.

5-64 (d) All or any part of any facilities or improvements that
 5-65 may be acquired by a district by the issuance of its bonds may be
 5-66 submitted as a single proposition or as several propositions to be
 5-67 voted on at the election.

5-68 Sec. 3791.0506. CONSENT OF MUNICIPALITY REQUIRED. (a) The
 5-69 board may not issue bonds until each municipality in whose

6-1 corporate limits or extraterritorial jurisdiction the district is
6-2 located has consented by ordinance or resolution to the creation of
6-3 the district and to the inclusion of land in the district.

6-4 (b) This section applies only to the district's first
6-5 issuance of bonds payable from ad valorem taxes.

6-6 SUBCHAPTER I. DISSOLUTION

6-7 Sec. 3791.0901. DISSOLUTION. (a) The board shall dissolve
6-8 the district on written petition filed with the board by the owners
6-9 of at least two-thirds of the assessed value of the property subject
6-10 to assessment or taxation by the district based on the most recent
6-11 certified county property tax rolls.

6-12 (b) The board by majority vote may dissolve the district at
6-13 any time.

6-14 (c) The district may not be dissolved by its board under
6-15 Subsection (a) or (b) if the district:

6-16 (1) has any outstanding bonded indebtedness until that
6-17 bonded indebtedness has been repaid or defeased in accordance with
6-18 the order or resolution authorizing the issuance of the bonds;

6-19 (2) has a contractual obligation to pay money until
6-20 that obligation has been fully paid in accordance with the
6-21 contract; or

6-22 (3) owns, operates, or maintains public works,
6-23 facilities, or improvements unless the district contracts with
6-24 another person for the ownership, operation, or maintenance of the
6-25 public works, facilities, or improvements.

6-26 (d) Sections [375.261](#), [375.262](#), and [375.264](#), Local
6-27 Government Code, do not apply to the district.

6-28 SECTION 2. The Lorena Municipal Management District No. 1
6-29 initially includes all the territory contained in the following
6-30 area:

6-31 BEING A 441.17 ACRE TRACT OF LAND, SITUATED IN THE J. STEWART
6-32 SURVEY, ABSTRACT NO. 815, McLENNAN COUNTY, TEXAS, AND BEING THE
6-33 REMAINDER OF THAT CALLED 144.720 ACRE TRACT OF LAND DESCRIBED IN
6-34 DEED TO RKS TEXAS INVESTMENTS, LP, AS RECORDED IN McLENNAN COUNTY
6-35 CLERKS FILE NUMBER 2012019521 OF THE OFFICIAL PUBLIC RECORDS OF
6-36 McLENNAN COUNTY, TEXAS (O.P.R.M.C.T.), THE REMAINDER OF THAT CALLED
6-37 24.442 ACRE TRACT OF LAND DESCRIBED IN DEED TO RKS LORENA 25, LLC,
6-38 AS RECORDED IN McLENNAN COUNTY CLERKS FILE NUMBER 2014015394 OF
6-39 SAID O.P.R.M.C.T., THE REMAINDER OF THAT CALLED 107.547 ACRE TRACT
6-40 OF LAND DESCRIBED IN DEED TO RKS PROPERTIES LORENA, LLC, AS RECORDED
6-41 IN McLENNAN COUNTY CLERKS FILE NUMBER 2006041369 OF SAID
6-42 O.P.R.M.C.T., ALL OF THAT CALLED 0.2646 ACRE TRACT OF LAND, "TRACT
6-43 3" AND ALL OF THAT CALLED 1.0205 ACRE TRACT OF LAND "TRACT 1" AS
6-44 DESCRIBED IN AN UNRECORDED DOCUMENT KNOWN AS PART 2 AGREEMENT TO RKS
6-45 PROPERTIES LORENA, LLC, ALL OF THAT CALLED 65.150 ACRE TRACT OF LAND
6-46 DESCRIBED AS "TRACT ONE" AND ALL OF THAT CALLED 17.325 ACRE TRACT OF
6-47 LAND DESCRIBED AS "TRACT 2" IN DEED TO RKS PROPERTIES LORENA, LLC,
6-48 AS RECORDED IN McLENNAN COUNTY CLERKS FILE NUMBER 2006041363 OF
6-49 SAID O.P.R.M.C.T., A PORTION OF THAT CALLED 31.91 ACRE TRACT OF LAND
6-50 DESCRIBED IN DEED TO LORENA INDEPENDENT SCHOOL DISTRICT AS RECORDED
6-51 IN McLENNAN COUNTY CLERKS FILE NUMBER 2003014830 OF SAID
6-52 O.P.R.M.C.T., ALL OF THAT CALLED 67.477 ACRE TRACT OF LAND
6-53 DESCRIBED AS "TRACT 1" AND ALL OF THAT CALLED 9.607 ACRE TRACT OF
6-54 LAND DESCRIBED AS "TRACT 2" IN DEED TO RKS PROPERTIES LORENA, LLC,
6-55 AS RECORDED IN McLENNAN COUNTY CLERKS FILE NUMBER 2006041359 OF
6-56 SAID O.P.R.M.C.T., AND ALSO THOSE PORTIONS OF FARM TO MARKET ROAD
6-57 2837 AND THE UNION PACIFIC RAILROAD SITUATED BETWEEN SAID TRACTS.
6-58 SAID 441.17 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED BY METES
6-59 AND BOUNDS AS FOLLOWS:

6-60 BEGINNING at a 3/8 inch capped iron rod found and stamped
6-61 "RODEN 772-8150", being the north corner of said 144.720 acre tract
6-62 and lying in the east Right of Way (ROW) line of Union Pacific
6-63 Railroad (100' wide ROW) for the northeast corner of the herein
6-64 described tract;

6-65 THENCE along the northeast lines of said 144.720 acres, the
6-66 following three (3) courses and distances:

6-67 1) S 30° 36' 06" E, a distance of 2,484.04 feet, to a 40D nail
6-68 found for an angle point hereof;

6-69 2) S 30° 25' 29" E, a distance of 1,267.27 feet, to a 1/2 inch

7-1 iron rod found for an angle point hereof;

7-2 3) S 30° 45' 05" E, a distance of 188.59 feet, to a TXDOT Type

7-3 II Monument found for corner hereof, being an interior corner of

7-4 said 144.720 acre tract, and lying in the westerly ROW line of

7-5 Interstate Highway 35 (Variable width ROW);

7-6 THENCE along the west lines of said Interstate Highway 35,

7-7 the following eight (8) courses and distances:

7-8 1) S 31° 26' 52" E, a distance of 15.31 feet, to a TXDOT Type

7-9 II Monument found for corner hereof, for the easternmost corner

7-10 hereof;

7-11 2) S 19° 07' 52" W, a distance of 57.76 feet, to a point for

7-12 corner hereof;

7-13 3) S 19° 21' 11" W, passing at an approximate distance of

7-14 46.7 feet, the common line of said 144.720 and 24.442 acre tracts,

7-15 and continuing for a total distance of 512.57 feet, to a TXDOT Type

7-16 II Monument found for corner hereof;

7-17 4) S 19° 22' 29" W, a distance of 160.08 feet, to a point for

7-18 corner hereof;

7-19 5) S 25° 32' 45" W, a distance of 945.94 feet, to a point for

7-20 corner hereof;

7-21 6) S 20° 12' 44" W, a distance of 386.76 feet, to a point for

7-22 corner hereof;

7-23 7) S 20° 48' 22" W, a distance of 69.78 feet, to a point for

7-24 corner hereof;

7-25 8) S 45° 40' 04" W, a distance of 254.36 feet, to a point for

7-26 corner hereof, being the northeast corner of that called 3.859 acre

7-27 tract of land described as "Parcel 1" in deed to the State of Texas,

7-28 as recorded in McLennan County Clerks File Number 2014015395 of

7-29 said O.P.R.M.C.T., also lying in the north ROW line of Farm to

7-30 Market Road 2837 (FM 2837, variable width ROW);

7-31 THENCE N 86° 15' 06" W, leaving said Interstate Highway 35

7-32 ROW, along the north ROW line of said FM 2837, a distance of 141.86

7-33 feet, to a point for corner hereof. From which, a TXDOT Type II

7-34 Monument found, being the northwest corner of said 3.859 acre

7-35 tract, bears N 86° 15' 06" W, a distance of 474.09 feet;

7-36 THENCE S 03° 44' 54" W, over and across said FM 2837, a

7-37 distance of 166.77 feet, to a point for corner hereof, lying in the

7-38 south ROW line of said FM 2837;

7-39 THENCE along the southwest lines of said FM 2837, the

7-40 following two (2) courses and distances:

7-41 1) S 26° 28' 52" W, a distance of 256.60 feet, to a point for

7-42 corner hereof;

7-43 2) S 50° 30' 15" E, a distance of 8.77 feet, to a 5/8 inch

7-44 iron rod found for corner hereof, being the northerly common corner

7-45 of said 3.859 acre tract and said 0.2646 acre tract;

7-46 THENCE leaving said ROW line, with the north lines of said

7-47 0.2646 acre tract, the following three (3) courses and distances:

7-48 1) S 55° 37' 49" E, a distance of 113.33 feet, to a point for

7-49 corner hereof;

7-50 2) S 38° 17' 59" E, a distance of 50.54 feet, to a point for

7-51 corner hereof;

7-52 3) S 35° 39' 56" E, a distance of 72.50 feet, to a TXDOT Type

7-53 II Monument found for corner hereof, being the northeast corner of

7-54 said 0.2646 acre tract, also lying in the east ROW line of said FM

7-55 2837;

7-56 THENCE S 59° 11' 08" W, with the northwest line of said Lot 2

7-57 and the southeast line of said 0.2646 acre tract, a distance of

7-58 22.69 feet, to a point for corner hereof, being the southeast corner

7-59 of said 0.2646 acre tract, also lying in the east ROW line of said FM

7-60 2837;

7-61 THENCE leaving said ROW line, with the south lines of said

7-62 0.2646 acre tract, the following three (3) courses and distances:

7-63 1) N 30° 04' 50" W, a distance of 7.30 feet, to a point for

7-64 corner hereof, being the beginning of a curve to the left, having a

7-65 central angle of 56° 10' 45", a radius of 160.00 feet, and having a

7-66 chord bearing N 58° 09' 58" W, a chord distance of 150.67 feet;

7-67 2) Along said curve to the left, an arc distance of 156.88

7-68 feet, to a point for corner hereof at the end of said curve;

7-69 3) N 86° 15' 09" W, a distance of 281.27 feet, to a point for

8-1 corner hereof, being the southerly southwest corner of said 0.2646
8-2 acre tract, also being the south end of a southeasterly cutback in
8-3 the east ROW line of said FM 2837;
8-4 THENCE S 03° 44' 27" W, leaving said 0.2646 acre tract, a
8-5 distance of 80.00 feet, to a point for corner hereof, being the
8-6 northerly northwest corner of said 1.0205 acre tract, also being
8-7 the north end of a northeasterly cutback in the east ROW line of
8-8 said FM 2837;
8-9 THENCE along the north lines of said 1.0205 acre tract, the
8-10 following four (4) courses and distances:
8-11 1) S 86° 15' 09" E, a distance of 171.85 feet, to a point for
8-12 corner hereof;
8-13 2) S 41° 15' 32" E, a distance of 14.16 feet, to a point for
8-14 corner hereof;
8-15 3) S 03° 44' 30" W, a distance of 80.91 feet, to a point for
8-16 corner hereof, being the beginning of a non-tangent curve to the
8-17 left, having a central angle of 97° 27' 02", a radius of 56.00 feet,
8-18 and having a chord bearing S 16° 47' 50" W a chord distance of 84.17
8-19 feet;
8-20 4) Along said non-tangent curve the left, an arc distance of
8-21 95.25 feet, to a point for corner hereof, being the southeast corner
8-22 of said 1.0205 acre tract, also lying in the south ROW line of said
8-23 FM 2837;
8-24 THENCE along the southeast lines of said 1.0205 acre tract,
8-25 the following three (3) courses and distances:
8-26 1) S 59° 02' 20" W, a distance of 58.10 feet, to a point for
8-27 corner hereof;
8-28 2) S 39° 28' 58" W, a distance of 111.31 feet, to a point for
8-29 corner hereof;
8-30 3) S 59° 13' 38" W, a distance of 85.55 feet, to a TXDOT Type
8-31 II Monument found for corner hereof, being the south corner of said
8-32 1.0205 acre tract;
8-33 THENCE along the southwest lines of said 1.0205 acre tract,
8-34 the following three (3) courses and distances:
8-35 1) N 33° 27' 47" W, a distance of 40.93 feet, to a point for
8-36 corner hereof, being the beginning of a non-tangent curve to the
8-37 left, having a central angle of 11° 56' 58", a radius of 132.50 feet,
8-38 and having a chord bearing N 39° 26' 15" W a chord distance of 27.58
8-39 feet,
8-40 2) Along said non-tangent curve to the left, an arc distance
8-41 of 27.63 feet, to a point for corner hereof;
8-42 3) N 11° 43' 31" W, a distance of 28.45 feet, to a point for
8-43 corner hereof, being the southwest corner of said 1.0205 acre tract
8-44 and lying in the southeast line of said 3.859 acre tract;
8-45 THENCE N 62° 54' 54" W, over and across said 3.859 acre tract,
8-46 a distance of 100.01 feet, to a point for corner hereof, lying in
8-47 the west line of said 3.859 acre tract, being the west ROW line of
8-48 said FM 2837, being the beginning of a non-tangent curve to the
8-49 right, having a central angle of 24° 00' 58", a radius of 500.00
8-50 feet, and having a chord bearing S 39° 05' 35" W, a chord distance of
8-51 208.05 feet;
8-52 THENCE along said non-tangent curve to the right, an arc
8-53 distance of 209.58 feet, to a TXDOT Type II Monument found for
8-54 corner hereof, being the southerly common corner of said 107.547
8-55 acre and 3.859 acre tracts, also being the beginning of a
8-56 non-tangent curve to the right, having a central angle of 15° 20'
8-57 28", a radius of 894.93 feet, and having a chord bearing S 66° 07'
8-58 01" W a chord distance of 238.91 feet;
8-59 THENCE Along said non-tangent curve to the right, with the
8-60 common line of said 107.547 acre tract and FM 2837 ROW, an arc
8-61 distance of 239.62 feet, to a 1/2 inch iron rod found for corner
8-62 hereof, being the southerly common corner of said 107.547 acres and
8-63 that called 1.75 acre tract of land described in deed to Lorena
8-64 Lodge 594 A.F. & A.M., as recorded in Volume 1543, Page 814, of the
8-65 Deed Records of McLennan County, Texas (D.R.M.C.T.);
8-66 THENCE leaving said ROW line, along the common lines of said
8-67 107.547 acre and 1.75 acre tracts, the following two (2) courses and
8-68 distances:
8-69 1) N 12° 55' 40" E, a distance of 300.04 feet, to a 1/2 inch

9-1 iron rod found for corner hereof, being the northeasterly common
9-2 corner of said 107.547 acre and 1.75 acre tracts;

9-3 2) S 85° 15' 44" W, a distance of 272.77 feet, to a 1/2 inch
9-4 iron rod found for corner hereof, being the northerly common corner
9-5 of said 107.547 acre and 1.75 acre tracts, and lying in the east
9-6 line of that called 1.12 acre tract of land described in deed to
9-7 Lorena Church of Christ, as recorded in McLennan County Clerks File
9-8 Number 2004009723 of said O.P.R.M.C.T.,

9-9 THENCE along the common lines of said 107.547 acre and said
9-10 1.12 acre tracts, the following three (3) courses and distances:

9-11 1) N 09° 25' 45" E, a distance of 94.99 feet, to a 3/8 inch
9-12 capped iron rod found and stamped "RODEN 772-8150" for corner
9-13 hereof, being the northeasterly common corner of said 107.547 acre
9-14 and 1.12 acre tracts;

9-15 2) N 83° 25' 07" W, a distance of 219.90 feet, to a 3/8 inch
9-16 capped iron rod found and stamped "RODEN 772-8150" for corner
9-17 hereof, being the northwesterly common corner of said 107.547 acre
9-18 and 1.12 acre tracts;

9-19 3) S 10° 46' 15" W, a distance of 408.55 feet, to a 3/8 inch
9-20 capped iron rod found and stamped "RODEN 772-8150" for corner
9-21 hereof, being the southerly common corner of said 107.547 acre and
9-22 1.12 acre tracts, also lying in the north ROW line of said FM 2837;

9-23 THENCE N 79° 11' 23" W, along the common line of said 107.547
9-24 acre tract and FM 2837 ROW, a distance of 370.51 feet, to a 3/8 inch
9-25 capped iron rod found and stamped "RODEN 772-8150" for corner
9-26 hereof, being the southerly common corner of said 107.547 acre and
9-27 144.720 acre tracts;

9-28 THENCE N 79° 42' 25" W, along the common line of said 144.720
9-29 acre tract and FM 2837 ROW, a distance of 100.06 feet, to a 3/8 inch
9-30 capped iron rod found and stamped "RODEN 772-8150" for corner
9-31 hereof, being the southwest corner of said 144.720 acre tract and
9-32 lying in the east ROW line of said Union Pacific Railroad;

9-33 THENCE N 78° 26' 04" W, leaving said 144.720 acre tract, over
9-34 and across said railroad, a distance of 100.00 feet, to a 1/2 inch
9-35 capped iron rod found and stamped "Walker Partners" for corner
9-36 hereof, being the southeast corner of said 65.150 acre tract, being
9-37 the beginning of a non-tangent curve to the left, having a central
9-38 angle of 09° 25' 43", a radius of 2914.79 feet, and having a chord
9-39 bearing S 7° 12' 10" W, a chord distance of 479.12 feet;

9-40 THENCE Along said non-tangent curve to the left, passing at
9-41 an approximate distance of 120 feet, the south ROW line of said FM
9-42 2837 and the northeast corner of said 17.325 acre tract, and
9-43 continuing for a total arc distance of 479.66 feet, to a 1/2 inch
9-44 capped iron rod found and stamped "G. E. Walker" for corner hereof,
9-45 being the southeast corner of said 17.325 acre tract;

9-46 THENCE S 60° 52' 47" W, along the southeast line of said 17.325
9-47 acre tract, a distance of 744.49 feet, to a point for corner hereof,
9-48 being the south corner of said 17.325 acres, also lying in the
9-49 northeast ROW line of Houston Street (Variable width ROW);

9-50 THENCE along the southwest lines of said 17.325 acre tract,
9-51 the following four (4) courses and distances:

9-52 1) N 30° 28' 33" W, a distance of 542.38 feet, to a 3/8 inch
9-53 iron rod found for corner hereof, also lying in the northeast ROW
9-54 line of said Houston Street;

9-55 2) N 63° 10' 56" E, a distance of 151.88 feet, to a point for
9-56 corner hereof;

9-57 3) N 22° 53' 34" W, a distance of 907.25 feet, to a point for
9-58 corner hereof, also lying in the east ROW line of Williams Road (80'
9-59 wide ROW);

9-60 4) N 66° 38' 13" E, along the east ROW of said Williams Road,
9-61 a distance of 149.47 feet, to a point for corner hereof, being the
9-62 northwest corner of said 17.325 acre tract, also lying at the
9-63 beginning of a cutback of said FM 2837 south ROW line;

9-64 THENCE N 61° 36' 59" E, over and across said FM 2837, a
9-65 distance of 169.86 feet, to a point for corner hereof, lying in
9-66 common line of said 65.150 acre tract and FM 2837 ROW, being the
9-67 beginning of a non-tangent curve to the right, having a central
9-68 angle of 05° 41' 41", a radius of 1,372.40 feet, and having a chord
9-69 bearing N 26° 19' 32" W, a chord distance of 136.35 feet;

10-1 THENCE along the common line of said FM 2837 and said 65.150
10-2 acre tract, the following two (2) courses and distances:
10-3 1) Along said non-tangent curve to the right, an arc
10-4 distance of 136.40 feet, to a TXDOT Type II Monument found at the
10-5 end of said curve for corner hereof;
10-6 2) N 23° 28' 30" W, a distance of 982.67 feet, to a 3/8 inch
10-7 iron rod found for corner hereof, being the southerly common corner
10-8 of said 65.150 acre and 31.91 acre tracts;
10-9 THENCE N 59° 06' 45" E, along the common line of said 65.150
10-10 acre and 31.91 acre tracts, a distance of 1,360.66 feet, to a 1/2
10-11 inch capped iron rod found and stamped "1519" for corner hereof;
10-12 THENCE N 50° 11' 21" W, leaving said common line, over and
10-13 across said 31.91 acre tract, a distance of 649.11 feet, to a 1/2
10-14 inch capped iron rod found and stamped "1519" for corner hereof,
10-15 lying in the common line of said 31.91 acre and 67.477 acre tracts;
10-16 THENCE S 59° 05' 23" W, along said common line, passing at a
10-17 distance of 1,066.46 feet, a 1/2 inch iron rod found for corner
10-18 hereof, being the southerly common corner of said 31.91 and 67.477
10-19 acre tracts, also lying in the north ROW line of said FM 2837,
10-20 continuing over and across said FM 2837, passing at an approximate
10-21 distance of 121 feet, the east corner of said 9.607 acre tract, also
10-22 lying in the south ROW line of said FM 2837, continuing along the
10-23 southeast line of said 9.607 acre tract, for a total distance of
10-24 1,620.59 feet, to a 5/8 inch iron rod found with a damaged cap for
10-25 corner hereof, being the south corner of said 9.607 acre tract, also
10-26 lying in the northeast ROW line of said Houston Street;
10-27 THENCE N 22° 18' 00" W, along the southwest line of said 9.607
10-28 acre tract, a distance of 1,077.22 feet, to a 5/8 inch iron rod
10-29 found with a damaged cap for corner hereof, being the west corner of
10-30 said 9.607 acre tract, also lying in the northeast ROW line of said
10-31 Houston Street;
10-32 THENCE N 57° 53' 00" E, along the northwest line of said 9.607
10-33 acre tract, passing at an approximate distance of 316.6 feet, the
10-34 north corner of said 9.607 acre tract, also lying in the south ROW
10-35 line of said FM 2837, continuing over and across said FM 2837, for a
10-36 total distance of 436.66 feet, to a 1/2 inch iron rod found for
10-37 corner hereof, being the southwest corner of said 67.477 acre
10-38 tract;
10-39 THENCE along the northwest line of said 67.477 acre tract,
10-40 the following three (3) courses and distances:
10-41 1) N 58° 24' 35" E, a distance of 667.90 feet, to a 1/2 inch
10-42 iron rod found with a damaged cap for corner hereof;
10-43 2) N 59° 04' 47" E, a distance of 1,012.75 feet, to a 3/8 inch
10-44 iron rod found for corner hereof;
10-45 3) N 58° 24' 19" E, a distance of 1,131.68 feet, to an 8 inch
10-46 wood corner post found for corner hereof, being the northwest
10-47 corner of said 67.477 acre tract;
10-48 THENCE S 37° 19' 56" E, along the northeast line of said 67.477
10-49 acre tract, a distance of 431.30 feet, to a 1/2 inch iron rod found
10-50 for corner hereof, being the northeast corner of said 67.477 acre
10-51 tract, also lying in the west ROW line of said Union Pacific
10-52 Railroad;
10-53 THENCE leaving said 67.477 acre tract, along the west ROW
10-54 line of said railroad, the following three (3) courses and
10-55 distances:
10-56 1) N 03°50'13" E, a distance of 141.26 feet, to a point for
10-57 corner hereof, being the beginning of a non-tangent curve to the
10-58 right, having a central angle of 11° 51' 41", a radius of 5779.58
10-59 feet, and having a chord bearing N 09° 41' 11" E a chord distance of
10-60 1,194.35 feet;
10-61 2) Along said non-tangent curve to the right, an arc
10-62 distance of 1,196.48 feet, to a point at the end of said curve for
10-63 corner hereof;
10-64 3) N 15° 40' 18" E, a distance of 887.46 feet, to a point for
10-65 the northwest corner hereof;
10-66 THENCE S 74° 19'42" E, over and across said railroad ROW, a
10-67 distance of 100.00 feet, to the POINT OF BEGINNING, and containing
10-68 441.17 acres, more or less.
10-69 SECTION 3. (a) The legal notice of the intention to

11-1 introduce this Act, setting forth the general substance of this
11-2 Act, has been published as provided by law, and the notice and a
11-3 copy of this Act have been furnished to all persons, agencies,
11-4 officials, or entities to which they are required to be furnished
11-5 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
11-6 Government Code.

11-7 (b) The governor, one of the required recipients, has
11-8 submitted the notice and Act to the Texas Commission on
11-9 Environmental Quality.

11-10 (c) The Texas Commission on Environmental Quality has filed
11-11 its recommendations relating to this Act with the governor,
11-12 lieutenant governor, and speaker of the house of representatives
11-13 within the required time.

11-14 (d) All requirements of the constitution and laws of this
11-15 state and the rules and procedures of the legislature with respect
11-16 to the notice, introduction, and passage of this Act have been
11-17 fulfilled and accomplished.

11-18 SECTION 4. This Act takes effect immediately if it receives
11-19 a vote of two-thirds of all the members elected to each house, as
11-20 provided by Section 39, Article III, Texas Constitution. If this
11-21 Act does not receive the vote necessary for immediate effect, this
11-22 Act takes effect September 1, 2021.

11-23

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