

1-1 By: Springer S.B. No. 2250  
1-2 (In the Senate - Filed May 5, 2021; May 6, 2021, read first  
1-3 time and referred to Committee on Local Government; May 19, 2021,  
1-4 reported adversely, with favorable Committee Substitute by the  
1-5 following vote: Yeas 9, Nays 0; May 19, 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 COMMITTEE SUBSTITUTE FOR S.B. No. 2250 By: Springer

1-18 A BILL TO BE ENTITLED  
1-19 AN ACT

1-20 relating to the creation of the East Collin County Municipal  
1-21 Utility District No. 1; granting a limited power of eminent domain;  
1-22 providing authority to issue bonds; providing authority to impose  
1-23 assessments, fees, and taxes.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-25 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-26 Code, is amended by adding Chapter 7938A to read as follows:

1-27 CHAPTER 7938A. EAST COLLIN COUNTY MUNICIPAL UTILITY DISTRICT NO. 1  
1-28 SUBCHAPTER A. GENERAL PROVISIONS

1-29 Sec. 7938A.0101. DEFINITIONS. In this chapter:

1-30 (1) "Board" means the district's board of directors.

1-31 (2) "Commission" means the Texas Commission on  
1-32 Environmental Quality.

1-33 (3) "Director" means a board member.

1-34 (4) "District" means the East Collin County Municipal  
1-35 Utility District No. 1.

1-36 Sec. 7938A.0102. NATURE OF DISTRICT. The district is a  
1-37 municipal utility district created under Section 59, Article XVI,  
1-38 Texas Constitution.

1-39 Sec. 7938A.0103. CONFIRMATION AND DIRECTOR ELECTION  
1-40 REQUIRED. The temporary directors shall hold an election to  
1-41 confirm the creation of the district and to elect five permanent  
1-42 directors as provided by Section 49.102, Water Code.

1-43 Sec. 7938A.0104. CONDITIONS PRECEDENT TO CONFIRMATION  
1-44 ELECTION. (a) The temporary directors may not hold an election  
1-45 under Section 7938A.0103 until:

1-46 (1) each municipality in whose corporate limits or  
1-47 extraterritorial jurisdiction the district is located has  
1-48 consented by ordinance or resolution to the creation of the  
1-49 district and to the inclusion of land in the district; and

1-50 (2) the district has entered into a contract with a  
1-51 municipality, Collin County, or another entity:

1-52 (A) for adequate supplemental police, fire,  
1-53 emergency, and animal control services for the district; and

1-54 (B) that is approved by the Commissioners Court  
1-55 of Collin County under Subsection (c).

1-56 (b) A contract under Subsection (a) may include a provision  
1-57 that the contract takes effect only on the approval of the  
1-58 Commissioners Court of Collin County and the voters in the district  
1-59 voting in an election held for that purpose.

1-60 (c) The Commissioners Court of Collin County shall review a

2-1 contract under Subsection (a) and evaluate the supplemental police,  
2-2 fire, emergency, and animal control services provided in the  
2-3 contract. If the commissioners court determines that the contract  
2-4 provides adequate services, the commissioners court shall adopt a  
2-5 resolution stating that the contract has met the requirements of  
2-6 Subsection (a).

2-7 Sec. 7938A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

2-8 (a) The district is created to serve a public purpose and benefit.

2-9 (b) The district is created to accomplish the purposes of:

2-10 (1) a municipal utility district as provided by  
2-11 general law and Section 59, Article XVI, Texas Constitution; and

2-12 (2) Section 52, Article III, Texas Constitution, that  
2-13 relate to the construction, acquisition, improvement, operation,  
2-14 or maintenance of macadamized, graveled, or paved roads, or  
2-15 improvements, including storm drainage, in aid of those roads.

2-16 Sec. 7938A.0106. INITIAL DISTRICT TERRITORY. (a) The  
2-17 district is initially composed of the territory described by  
2-18 Section 2 of the Act enacting this chapter.

2-19 (b) The boundaries and field notes contained in Section 2 of  
2-20 the Act enacting this chapter form a closure. A mistake made in the  
2-21 field notes or in copying the field notes in the legislative process  
2-22 does not affect the district's:

2-23 (1) organization, existence, or validity;

2-24 (2) right to issue any type of bond for the purposes  
2-25 for which the district is created or to pay the principal of and  
2-26 interest on a bond;

2-27 (3) right to impose a tax; or

2-28 (4) legality or operation.

2-29 SUBCHAPTER B. BOARD OF DIRECTORS

2-30 Sec. 7938A.0201. GOVERNING BODY; TERMS. (a) The district  
2-31 is governed by a board of five elected directors.

2-32 (b) Except as provided by Section 7938A.0202, directors  
2-33 serve staggered four-year terms.

2-34 Sec. 7938A.0202. TEMPORARY DIRECTORS. (a) On or after the  
2-35 effective date of the Act enacting this chapter, the owner or owners  
2-36 of a majority of the assessed value of the real property in the  
2-37 district may submit a petition to the commission requesting that  
2-38 the commission appoint as temporary directors the five persons  
2-39 named in the petition. The commission shall appoint as temporary  
2-40 directors the five persons named in the petition.

2-41 (b) Temporary directors serve until the earlier of:

2-42 (1) the date permanent directors are elected under  
2-43 Section 7938A.0103; or

2-44 (2) the fourth anniversary of the effective date of  
2-45 the Act enacting this chapter.

2-46 (c) If permanent directors have not been elected under  
2-47 Section 7938A.0103 and the terms of the temporary directors have  
2-48 expired, successor temporary directors shall be appointed or  
2-49 reappointed as provided by Subsection (d) to serve terms that  
2-50 expire on the earlier of:

2-51 (1) the date permanent directors are elected under  
2-52 Section 7938A.0103; or

2-53 (2) the fourth anniversary of the date of the  
2-54 appointment or reappointment.

2-55 (d) If Subsection (c) applies, the owner or owners of a  
2-56 majority of the assessed value of the real property in the district  
2-57 may submit a petition to the commission requesting that the  
2-58 commission appoint as successor temporary directors the five  
2-59 persons named in the petition. The commission shall appoint as  
2-60 successor temporary directors the five persons named in the  
2-61 petition.

2-62 SUBCHAPTER C. POWERS AND DUTIES

2-63 Sec. 7938A.0301. GENERAL POWERS AND DUTIES. The district  
2-64 has the powers and duties necessary to accomplish the purposes for  
2-65 which the district is created.

2-66 Sec. 7938A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
2-67 DUTIES. The district has the powers and duties provided by the  
2-68 general law of this state, including Chapters 49 and 54, Water Code,  
2-69 applicable to municipal utility districts created under Section 59,

3-1 Article XVI, Texas Constitution.  
 3-2 Sec. 7938A.0303. AUTHORITY FOR ROAD PROJECTS. Under  
 3-3 Section 52, Article III, Texas Constitution, the district may  
 3-4 design, acquire, construct, finance, issue bonds for, improve,  
 3-5 operate, maintain, and convey to this state, a county, or a  
 3-6 municipality for operation and maintenance macadamized, graveled,  
 3-7 or paved roads, or improvements, including storm drainage, in aid  
 3-8 of those roads.  
 3-9 Sec. 7938A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 3-10 road project must meet all applicable construction standards,  
 3-11 zoning and subdivision requirements, and regulations of each  
 3-12 municipality in whose corporate limits or extraterritorial  
 3-13 jurisdiction the road project is located.  
 3-14 (b) If a road project is not located in the corporate limits  
 3-15 or extraterritorial jurisdiction of a municipality, the road  
 3-16 project must meet all applicable construction standards,  
 3-17 subdivision requirements, and regulations of each county in which  
 3-18 the road project is located.  
 3-19 (c) If the state will maintain and operate the road, the  
 3-20 Texas Transportation Commission must approve the plans and  
 3-21 specifications of the road project.  
 3-22 (d) The district shall maintain all roads that the district  
 3-23 constructs except for roads constructed by the district that  
 3-24 another governmental entity agrees to maintain.  
 3-25 Sec. 7938A.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
 3-26 ORDINANCE OR RESOLUTION. The district shall comply with all  
 3-27 applicable requirements of any ordinance or resolution that is  
 3-28 adopted under Section 54.016 or 54.0165, Water Code, and that  
 3-29 consents to the creation of the district or to the inclusion of land  
 3-30 in the district.  
 3-31 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
 3-32 Sec. 7938A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
 3-33 The district may issue, without an election, bonds and other  
 3-34 obligations secured by:  
 3-35 (1) revenue other than ad valorem taxes; or  
 3-36 (2) contract payments described by Section  
 3-37 7938A.0403.  
 3-38 (b) The district must hold an election in the manner  
 3-39 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
 3-40 before the district may impose an ad valorem tax or issue bonds  
 3-41 payable from ad valorem taxes.  
 3-42 (c) The district may not issue bonds payable from ad valorem  
 3-43 taxes to finance a road project unless the issuance is approved by a  
 3-44 vote of a two-thirds majority of the district voters voting at an  
 3-45 election held for that purpose.  
 3-46 Sec. 7938A.0402. OPERATION AND MAINTENANCE TAX. (a) If  
 3-47 authorized at an election held under Section 7938A.0401, the  
 3-48 district may impose an operation and maintenance tax on taxable  
 3-49 property in the district in accordance with Section 49.107, Water  
 3-50 Code.  
 3-51 (b) The board shall determine the tax rate. The rate may not  
 3-52 exceed the rate approved at the election.  
 3-53 Sec. 7938A.0403. CONTRACT TAXES. (a) In accordance with  
 3-54 Section 49.108, Water Code, the district may impose a tax other than  
 3-55 an operation and maintenance tax and use the revenue derived from  
 3-56 the tax to make payments under a contract after the provisions of  
 3-57 the contract have been approved by a majority of the district voters  
 3-58 voting at an election held for that purpose.  
 3-59 (b) A contract approved by the district voters may contain a  
 3-60 provision stating that the contract may be modified or amended by  
 3-61 the board without further voter approval.  
 3-62 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS  
 3-63 Sec. 7938A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
 3-64 OBLIGATIONS. The district may issue bonds or other obligations  
 3-65 payable wholly or partly from ad valorem taxes, impact fees,  
 3-66 revenue, contract payments, grants, or other district money, or any  
 3-67 combination of those sources, to pay for any authorized district  
 3-68 purpose.  
 3-69 Sec. 7938A.0502. TAXES FOR BONDS. At the time the district

4-1 issues bonds payable wholly or partly from ad valorem taxes, the  
4-2 board shall provide for the annual imposition of a continuing  
4-3 direct ad valorem tax, without limit as to rate or amount, while all  
4-4 or part of the bonds are outstanding as required and in the manner  
4-5 provided by Sections 54.601 and 54.602, Water Code.

4-6 Sec. 7938A.0503. BONDS FOR ROAD PROJECTS. At the time of  
4-7 issuance, the total principal amount of bonds or other obligations  
4-8 issued or incurred to finance road projects and payable from ad  
4-9 valorem taxes may not exceed one-fourth of the assessed value of the  
4-10 real property in the district.

4-11 SECTION 2. The East Collin County Municipal Utility  
4-12 District No. 1 initially includes all the territory contained in  
4-13 the following area:

4-14 TRACT 1 PROPERTY DESCRIPTION:

4-15 BEING 183.834 acres of land situated in the H. Walters  
4-16 Survey, Abstract No. 958, Collin County, Texas and being all of a  
4-17 183.753 acre tract of land described in a Deed of Trust executed by  
4-18 Carl Raymond Montgomery and wife, Rheda Beth Montgomery to Paul  
4-19 Bennett or James Blakey, trustees, recorded in Volume 2292, Page  
4-20 279 of the Deed Records of Collin County, Texas (DRCCT) and this  
4-21 tract being more particularly described as follows:

4-22 BEGINNING at a point for corner in a Bois D'Arc tree in the  
4-23 south line of a 73.279 acre tract described in a Deed to Marilyn  
4-24 Rice, recorded in Volume 1732, Page 369 (DRCCT), at the northwest  
4-25 corner of said 183.753 acre tract common to the northeast corner of  
4-26 a 43.635 acre tract of land described in a Deed to Raymon Webb  
4-27 Montgomery and Christa Carol Montgomery, recorded as Instrument  
4-28 No. 20131125001578440 (DRCCT), from which a steel fence post found  
4-29 for reference bears South 02°54'15" East a distance of 3.23 feet;

4-30 THENCE South 89°54'18" East, along the north line of said  
4-31 183.753 acre tract common to the south line of said 73.279 acre  
4-32 tract, a distance of 372.95 feet, to a 5/8" iron rod with a yellow  
4-33 cap, stamped "RPLS 3963", set at an angle point thereof;

4-34 THENCE South 89°57'56" East, along the north line of said  
4-35 183.753 acre tract common to the south lines of said 73.279 acre  
4-36 tract and the south line of a 33.279 acre tract of land described in  
4-37 a Deed to Amy Warren, recorded as Instrument No. 20080812000981780  
4-38 (DRCCT), a distance of 1003.73 feet, to a 5/8" iron rod found for  
4-39 corner near the center of a creek at an exterior ell corner of said  
4-40 183.753 acre tract common to an interior ell corner of said 33.279  
4-41 acre tract;

4-42 THENCE Southeasterly, along the common lines of said 183.753  
4-43 acre tract and 33.279 acre tract, the following courses:

4-44 South 00°09'50" West, a distance of 65.91 feet, to a 5/8" iron  
4-45 rod found for corner;

4-46 South 75°09'08" East, a distance of 718.73 feet, to a point  
4-47 for corner in a west line of a 36.1891 acre tract described in a Deed  
4-48 to Gene Doc Sohn and Sun Young Choi, husband and wife, and  
4-49 Kyoungjoon Cho and Eun Young Choi, husband and wife, recorded as  
4-50 Instrument No. 20141113001243240 (DRCCT) at the northeast corner  
4-51 of said 183.753 acre tract common to a south corner of said 33.279  
4-52 acre tract, from which a 60D Nail, set for reference bears South  
4-53 13°38'28" East a distance of 26.03 feet;

4-54 THENCE along the common lines of said 183.753 acre tract and  
4-55 said 36.1891 acre tract, the following courses:

4-56 South 00°53'07" West, a distance of 32.60 feet, to a 5/8" iron  
4-57 rod found for corner;

4-58 South 82°38'52" West, a distance of 22.40 feet, to a 5/8" iron  
4-59 rod found for corner;

4-60 THENCE South 00°12'03" West, along an east line of said  
4-61 183.753 acre tract common to the west lines of said 36.1891 acre  
4-62 tract, a 50.001 acre tract described in a Deed to David Reeder and  
4-63 wife, Becky Reeder, recorded as Instrument No. 92-0071701 (DRCCT),  
4-64 and Spencers Estates Addition, an Addition to Collin County,  
4-65 Texas, recorded in Cabinet H, Slide 622 of the Plat Records of  
4-66 Collin County, Texas (PRCCT), respectively, a distance of 3528.84  
4-67 feet, to a 1/2" iron rod found for corner in the north right-of-way  
4-68 line of FM 1778 (a 90' a right-of-way) at the southeast corner of  
4-69 said 183.753 acre tract common to the southwest corner of last

5-1 mentioned Addition;

5-2 THENCE South 86°40'47" West, along a south line of said

5-3 183.753 acre tract common to the north right-of-way line of said FM

5-4 1778, a distance of distance of 430.99 feet, to a 5/8" iron rod with

5-5 a yellow cap, stamped "RPLS 3963", set for corner at an exterior ell

5-6 corner of said 183.753 acre tract common to the southeast corner of

5-7 a 2.00 acre tract described in a Deed to Raymon W. Montgomery,

5-8 recorded in Volume 2990, Page 495 (DRCCT);

5-9 THENCE along common lines of said 183.753 acre tract and said

5-10 2.00 acre tract, the following courses:

5-11 North 00°42'56" West, a distance of 540.84 feet, to a 5/8"

5-12 iron rod found for corner;

5-13 South 85°10'46" West, a distance of 161.95 feet, to a 1/2"

5-14 iron rod found for corner;

5-15 South 00°43'58" East, a distance of 540.10 feet, to a 5/8"

5-16 iron rod with a yellow cap, stamped "RPLS 3963", set for corner in

5-17 the north right-of-way line of said FM 1778 at an exterior ell

5-18 corner of said 183.753 acre tract common to the southwest corner of

5-19 said 2.00 acre tract;

5-20 THENCE along the common lines of said 183.753 acre tract and

5-21 the right-of-way lines of said FM 1778, the following courses:

5-22 South 85°09'47" West, a distance of 358.92 feet, to a 5/8"

5-23 iron rod found for corner at the beginning of a tangent curve to the

5-24 right, having a radius of 2820.26 feet, and a chord which bears

5-25 South 87°45'47" West a distance of 255.85 feet;

5-26 Southwesterly, along said curve to the right, having a

5-27 central angle of 05°11'58", an arc distance of 255.94 feet, to a 5/8"

5-28 iron rod with yellow cap, stamped "RPLS 3963", set for corner;

5-29 North 89°38'11" West, a distance of 76.11 feet, to a 5/8" iron

5-30 rod found for corner at the southeast corner of a tract of land

5-31 described in a Deed to First Baptist Church of Copeville, recorded

5-32 in Volume 900, Page 353 (DRCCT);

5-33 THENCE along the common lines of said 183.753 acre tract and

5-34 said First Baptist Church of Copeville tract, the following

5-35 courses:

5-36 North 02°55'02" East, a distance of 307.96 feet, to a 5/8"

5-37 iron rod with a yellow plastic cap, stamped "RPLS 3963", set for

5-38 corner;

5-39 North 89°45'11" West, a distance of 517.40 feet, to a wooden

5-40 fence post found for corner at the most eastern southeast corner of

5-41 said 43.635 acre tract common to the northwest corner of said First

5-42 Baptist Church of Copeville tract;

5-43 THENCE along the common lines of said 183.753 acre tract and

5-44 said 43.635 acre tract, the following courses;

5-45 North 63°55'42" West, a distance of 546.96 feet, to a 5/8"

5-46 iron rod found for corner;

5-47 North 19°42'16" West, a distance of 246.95 feet, to a point

5-48 for corner from which an iron axle found for reference bears North

5-49 47°16'17" West, a distance of 4.36 feet;

5-50 North 88°17'53" East, a distance of 21.83 feet, to a 3/4" iron

5-51 pipe found for corner;

5-52 North 05°29'46" East, a distance of 3124.24 feet, to THE POINT

5-53 OF BEGINNING and containing 8,007,806 square feet, or 183.834 acres

5-54 of land.

5-55 TRACT 2 PROPERTY DESCRIPTION:

5-56 BEING 43.704 acres of land situated in the H. Walters Survey,

5-57 Abstract No. 958, Collin County, Texas and being all of a 43.635

5-58 acre tract of land described in a Deed to Raymon Webb Montgomery and

5-59 Christa Carol Montgomery, recorded as Instrument

5-60 No. 20131125001578440 of the Deed Records of Collin County, Texas

5-61 (DRCCT) and this tract being more particularly described as

5-62 follows:

5-63 BEGINNING at a 3/8" iron rod found in the east right-of-way

5-64 line of Burlington Northern & SF Rail Road at the northwest corner

5-65 of said 43.635 acre tract common to the southwest corner of a 73.279

5-66 acre tract of land described in a Deed to Marilyn Rice, recorded in

5-67 Volume 1732, Page 369, (DRCCT);

5-68 THENCE South 89°23'59" East, along the north line of said

5-69 43.635 acre tract common to the south line of said 73.279 acre

6-1 tract, a distance of 557.73 feet, to a point for corner in a Bois  
6-2 D'Arc tree at the northeast corner of said 43.635 acre tract common  
6-3 to the northwest corner of a 183.753 acre tract of land described in  
6-4 a Deed of Trust executed by Carl Raymond Montgomery and wife, Rheda  
6-5 Beth Montgomery to Paul Bennett or James Blakey, trustees, recorded  
6-6 in Volume 2292, Page 279 (DRCCT), from which a steel fence post  
6-7 found for reference bears South 02°54'15" East a distance of 3.23  
6-8 feet;

6-9 THENCE along the common lines of said 43.635 acre tract and  
6-10 said 183.753 acre tract, the following courses:  
6-11 South 05°29'46" West, a distance of 3124.24 feet, to a 3/4"  
6-12 iron pipe found for corner;  
6-13 South 88°17'53" West, a distance of 21.83 feet, to a point for  
6-14 corner from which an iron axle found for reference bears North  
6-15 47°16'17" West a distance of 4.36 feet;  
6-16 South 19°42'16" East, a distance of 246.95 feet, to a 5/8"  
6-17 iron rod found for corner;  
6-18 South 63°55'42" East, a distance of 546.96 feet, to a wooden  
6-19 fence post found for corner at the most eastern southeast corner of  
6-20 said 43.635 acre tract common to the northwest corner of a tract of  
6-21 land described in a Deed to First Baptist Church of Copeville,  
6-22 recorded in Volume 900, Page 353 (DRCCT);  
6-23 THENCE South 02°37'47" West, along a southeast line of said  
6-24 43.635 acre tract common to the west line of said First Baptist  
6-25 Church of Copeville tract, a distance of 321.86 feet, to a point for  
6-26 corner near the base of a wood highway marker in the north  
6-27 right-of-way line of FM 1778 (a 60' right-of-way at this point going  
6-28 west), at the most southern southeast corner of said 43.635 acre  
6-29 tract;

6-30 THENCE North 89°38'13" West, along a south line of said 43.635  
6-31 acre tract common to the north right-of-way line of said FM 1778, a  
6-32 distance of 282.00 feet, to a point for corner at a south corner of  
6-33 said 43.635 acre tract common to the southeast corner of a 8.22 acre  
6-34 tract of land described in a Deed to Susan Annie Potter and Jon  
6-35 Trace Hailey, recorded as Instrument No. 20101102001194000  
6-36 (DRCCT), from which a 1/2" iron rod found for reference bears North  
6-37 20°20'21" West a distance of 1.42 feet;

6-38 THENCE North 20°20'21" West, along a southwest line of said  
6-39 43.635 acre tract common to the northeast line of said 8.22 acre  
6-40 tract, a distance of 860.95 feet, to a wood fence post found at a  
6-41 common corner thereof;

6-42 THENCE South 89°34'33" West, along a south line of said 43.635  
6-43 acre tract common to the north line of said 8.22 acre tract, a  
6-44 distance of 617.61 feet, to a 5/8" iron rod found for corner at a  
6-45 common west corner thereof and being in the east right-of-way line  
6-46 of said Burlington Northern & SF Rail Road, said point being in a  
6-47 curve to the left, having a radius of 1960.08 feet and a chord which  
6-48 bears North 15°08'31" East a distance of 671.75 feet;

6-49 THENCE Northeasterly, along the west lines of said 43.635  
6-50 acre tract common to the east right-of-way lines of said Burlington  
6-51 Northern & SF Rail Road, the following courses:  
6-52 Northeasterly with said curve to the left, having a central  
6-53 angle of 19°44'01", an arc distance of 675.09 feet, to the point of  
6-54 tangent;

6-55 North 05°16'30" East, a distance of 2468.30 feet, to THE POINT  
6-56 OF BEGINNING and containing 1,903,758 square feet, or 43.704 acres  
6-57 of land.

6-58 TRACT 3 PROPERTY DESCRIPTION:  
6-59 BEING 2.002 acres of land situated in the H. Walters Survey,  
6-60 Abstract No. 958, Collin County, Texas and being all of a 2.00 acre  
6-61 tract of land described in a Deed to Raymon W. Montgomery, recorded  
6-62 in Volume 2990, Page 495 of the Deed Records of Collin County, Texas  
6-63 (DRCCT) and this tract being more particularly described as  
6-64 follows:  
6-65 BEGINNING at a 5/8" iron rod with a yellow cap, stamped "RPLS  
6-66 3963", set for corner in the north right-of-way line of FM 1778 (a  
6-67 90' right-of-way) at the southeast corner of said 2.00 acre tract  
6-68 common to an exterior ell corner of a 183.753 acre tract of land  
6-69 described in a Deed of Trust executed by Carl Raymond Montgomery and

7-1 wife, Rheda Beth Montgomery to Paul Bennett or James Blakey,  
7-2 trustees, recorded in Volume 2292, Page 279 (DRCCT);

7-3 THENCE Southwesterly along the south lines of said 2.00 acre  
7-4 tract common to the north right-of-way lines of said FM 1778, the  
7-5 following courses:

7-6 South 86°40'47" West, a distance of 29.08 feet, to a 5/8" iron  
7-7 rod with a yellow cap, stamped "RPLS 3963", set for corner;

7-8 South 85°09'47" West, a distance of 132.67 feet, to a 5/8"  
7-9 iron rod with a yellow cap, stamped "RPLS 3963", set for corner at  
7-10 the southwest corner of said 2.00 acre tract common to an exterior  
7-11 ell corner of said 183.753 acre tract;

7-12 THENCE along the common lines of said 2.00 acre and 183.753  
7-13 acre tracts, the following courses:

7-14 North 00°43'58" West, a distance of 540.10 feet, to a 1/2"  
7-15 iron rod found for corner;

7-16 North 85°10'46" East, a distance of 161.95 feet, to a 5/8"  
7-17 iron rod found for corner;

7-18 South 00°42'56" East, a distance of 540.84 feet, to THE POINT  
7-19 OF BEGINNING and containing 87,213 square feet, or 2.002 acres of  
7-20 land.

7-21 SECTION 3. (a) The legal notice of the intention to  
7-22 introduce this Act, setting forth the general substance of this  
7-23 Act, has been published as provided by law, and the notice and a  
7-24 copy of this Act have been furnished to all persons, agencies,  
7-25 officials, or entities to which they are required to be furnished  
7-26 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
7-27 Government Code.

7-28 (b) The governor, one of the required recipients, has  
7-29 submitted the notice and Act to the Texas Commission on  
7-30 Environmental Quality.

7-31 (c) The Texas Commission on Environmental Quality has filed  
7-32 its recommendations relating to this Act with the governor, the  
7-33 lieutenant governor, and the speaker of the house of  
7-34 representatives within the required time.

7-35 (d) All requirements of the constitution and laws of this  
7-36 state and the rules and procedures of the legislature with respect  
7-37 to the notice, introduction, and passage of this Act are fulfilled  
7-38 and accomplished.

7-39 SECTION 4. (a) If this Act does not receive a two-thirds  
7-40 vote of all the members elected to each house, Subchapter C, Chapter  
7-41 7938A, Special District Local Laws Code, as added by Section 1 of  
7-42 this Act, is amended by adding Section 7938A.0306 to read as  
7-43 follows:

7-44 Sec. 7938A.0306. NO EMINENT DOMAIN POWER. The district may  
7-45 not exercise the power of eminent domain.

7-46 (b) This section is not intended to be an expression of a  
7-47 legislative interpretation of the requirements of Section 17(c),  
7-48 Article I, Texas Constitution.

7-49 SECTION 5. This Act takes effect immediately if it receives  
7-50 a vote of two-thirds of all the members elected to each house, as  
7-51 provided by Section 39, Article III, Texas Constitution. If this  
7-52 Act does not receive the vote necessary for immediate effect, this  
7-53 Act takes effect September 1, 2021.

7-54 \* \* \* \* \*