

**House Bill 4645**  
Senate Amendments  
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7946A to read as follows:

CHAPTER 7946A. WILDWOOD MUNICIPAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 7946A.0101. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "Commission" means the Texas Commission on Environmental Quality.
- (3) "Director" means a board member.
- (4) "District" means the Wildwood Municipal Utility District.

Sec. 7946A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7946A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 7946A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7946A.0103 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 7946A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.

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

- (1) a municipal utility district as provided by general law and

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Section 59, Article XVI, Texas Constitution; and  
(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads. Sec. 7946A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.  
(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:  
(1) organization, existence, or validity;  
(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;  
(3) right to impose a tax; or  
(4) legality or operation.  
SUBCHAPTER B. BOARD OF DIRECTORS  
Sec. 7946A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.  
(b) Except as provided by Section 7946A.0202, directors serve staggered four-year terms.  
Sec. 7946A.0202. TEMPORARY DIRECTORS. (a) The temporary board consists of:  
(1) Byron Frankland;  
(2) Billy Wayne (Trey) Newby III;  
(3) John Azar;  
(4) Fred Nagel; and  
(5) Suzan Leigh Randall.  
(b) Temporary directors serve until the earlier of:  
(1) the date permanent directors are elected under Section

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(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads. Sec. 7946A.0106. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.  
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7946A.0103; or

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

(c) If permanent directors have not been elected under Section 7946A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7946A.0103; or

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

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

SUBCHAPTER C. POWERS AND DUTIES

Sec. 7946A.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7946A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 7946A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, and if approved at an election held under Section 53.029(c), Water

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7946A.0103; or

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

(c) If permanent directors have not been elected under Section 7946A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 7946A.0103; or

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Sec. 7946A.0303. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for,

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Code, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads inside or outside the district.

Sec. 7946A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

Sec. 7946A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 7946A.0306. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

- (1) has no outstanding bonded debt; and
- (2) is not imposing ad valorem taxes.

(b) This chapter applies to any new district created by

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improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

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division of the district, and a new district has all the powers and duties of the district.

(c) A new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 2 of the Act enacting this chapter.

(d) The board, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.

(e) The board may adopt an order dividing the district before or after the date the board holds an election under Section 7946A.0103 to confirm the district's creation.

(f) An order dividing the district shall:

(1) name each new district;

(2) include the metes and bounds description of the territory of each new district;

(3) appoint temporary directors for each new district; and

(4) provide for the division of assets and liabilities between the new districts.

(g) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order with the commission and record the order in the real property records of each county in which the district is located.

(h) A new district created by the division of the district shall hold a confirmation and directors' election as required by Section 7946A.0103.

(i) If the creation of the new district is confirmed, the new district shall provide the election date and results to the commission.

(j) A new district created by the division of the district must hold an election as required by this chapter to obtain voter

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approval before the district may impose a maintenance tax or issue bonds payable wholly or partly from ad valorem taxes.

(k) Municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 7946A.0104 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 7946A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 7946A.0403.

(b) The district must hold an election in the manner provided by Chapters 49 and 54, Water Code, to obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

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

Sec. 7946A.0402. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7946A.0401, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 7946A.0403. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a

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contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7946A.0501. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 7946A.0502. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 7946A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. The Wildwood Municipal Utility District initially includes all the territory contained in the following area:

DESCRIPTION OF APPROXIMATELY 418.30 ACRES OF LAND IN THE JOSE ANTONIO NAVARRO GRANT,

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contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

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SECTION 2. Same as House version.

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ABSTRACT NO. 53, BASTROP COUNTY, TEXAS; BEING ALL OF A CERTAIN CALLED 121.72 ACRE TRACT DESCRIBED IN THE SPECIAL WARRANTY DEED TO HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201413308, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, ALL OF A CERTAIN CALLED 168.95 ACRE TRACT DESIGNATED AS TRACT 4 AND DESCRIBED IN THE SPECIAL WARRANTY DEED TO HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201413307, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A PORTION OF A CERTAIN CALLED 1.98 ACRE TRACT DESIGNATED AS TRACT 1 AND DESCRIBED IN THE SAID SPECIAL WARRANTY DEED TO HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201413307, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A PORTION OF A CERTAIN CALLED 67.83 ACRE TRACT DESIGNATED AS TRACT 2 AND DESCRIBED IN THE SAID SPECIAL WARRANTY DEED TO HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201413307, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, ALL OF A CERTAIN CALLED 0.64 ACRE TRACT DESCRIBED IN EXHIBIT A-1 , AND A PORTION OF A CERTAIN CALLED 1.21 ACRE TRACT DESCRIBED IN EXHIBIT A-2, IN THE DEED WITHOUT WARRANTY TO HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201413309, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, ALL OF A CERTAIN CALLED 62.586 ACRE TRACT DESCRIBED IN EXHIBIT A-2, IN THE GENERAL WARRANTY DEED TO

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BERDOLL INVESTMENTS LP OF RECORD IN DOCUMENT NO. 201312598, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, ALL OF A CERTAIN CALLED 24.012 ACRE TRACT DESIGNATED AS TRACT 2 AND DESCRIBED IN EXHIBIT B, IN THE GENERAL WARRANTY DEED TO HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201510944, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A PORTION OF A CERTAIN CALLED 6.177 ACRE TRACT DESIGNATED AS TRACT 1 AND DESCRIBED IN EXHIBIT A, IN THE SAID GENERAL WARRANTY DEED TO HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201510944, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A PORTION OF A CERTAIN CALLED 0.306 ACRE TRACT DESCRIBED IN THE SPECIAL WARRANTY DEED TO HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201111355, DOCUMENT NO. 201701630, AND DOCUMENT NO. 201701631, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS; SAID 418.30 ACRES OF LAND, BEING COMPRISED OF TRACT 1 - 449.03 ACRES, AND TRACT 2 - 5.563 ACRES, SAVE AND EXCEPT TRACT 3 - 35.66 ACRES, AND SAVE AND EXCEPT TRACT 4 - 0.637, AS SURVEYED BY LANDDEV CONSULTING, LLC, BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
TRACT 1 - 449.03 Acres  
BEGINNING at a bolt found in the south right-of-way line of State Highway 71, a variable-width right-of-way, at the northeast corner of the said 62.586 acre tract, same being the

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northwest corner of Lot 1, JW Subdivision, a subdivision according to the plat or map of record in Cabinet 7, Page 68-A, Plat Records of Bastrop County, Texas, for the northeast corner of the tract described herein;

THENCE with the east line of the said 62.586 acre tract, and the west line of said Lot 1, JW Subdivision, with an east line of the tract described herein, the following two (2) courses and distances:

1. S 28°22'06" W, a distance of 604.12 feet to a calculated angle point at the southwest corner of said Lot 1, JW Subdivision, for an angle point in an east line of the tract described herein, and

2. S 27°42'48" W, at a distance of 2,184.16 feet, passing a 1/2-inch iron rod and continuing for a total distance of 2,185.28 feet to an axle found in the north line of a certain called 1,443.0 acre tract designated as Second Tract and described in the deed to John W. Caldwell, Jr. of record in Document No. 201816538, Official Public Records of Bastrop County, Texas, for the easterly southeast corner of the tract described herein;

THENCE with a south line of the said 62.586 acre tract, the south line of the said 67.83 acre tract, and the south line of the said 0.64 acre tract, with the north line of the said 1,443.0 acre tract, with a south line of the tract described herein, the following four (4) courses and distances:

1. N 62°30'36" W, a distance of 578.60 feet to a 1/2-inch iron rod found at an angle point,

2. N 62°05'35" W, a distance of 422.69 feet to a 1-inch square iron rod found at an angle point,

3. N 62°07'59" W, a distance of 1,883.16 feet to a 5/8-inch iron rod with a red illegible plastic cap found at a point-on-line, and

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4. N 62°07'59" W, a distance of 27.48 feet to a 3-inch metal fence post found in the east line of the said 168.95 acre tract, at the southwest corner of the said 0.64 acre tract, for a re-entrant corner of the tract described herein,

THENCE with the east line of the said 168.95 acre tract, and the east line of the said 121.72 acre tract, with the west line of the said 1,443.0 acre tract, with an east line of the tract described herein, the following three (3) courses and distances:

1. S 27°33'16" W, a distance of 1,350.13 feet to a 1/2-inch iron rod found at an angle point,

2. S 27°33'46" W, a distance of 2,962.00 feet to a leaning 1/2-inch iron rod found at the southeast corner of the said 168.95 acre tract and the northeast corner of the said 121.72 acre tract, and

3. S 27°20'28" W, a distance of 2,815.27 feet to a 1-inch iron pipe found in the north line of a certain called 769.524 acre tract designated as Tract 2 and described in the deed to Carr Family Partnership, LTD. of record in Volume 736, page 233, Official Public Records of Bastrop County, Texas, at the southeast corner of the said 121.72 acre tract, for the southerly southeast corner of the tract described herein;

THENCE N 62°35'22" W, with the north line of the said 769.524 acre tract, with the south line of the said 121.72 acre tract, with a south line of the tract described herein, a distance of 1,884.51 feet to a 1/2-inch iron rod found in the east line of a certain called 951.10 acre tract described in the deed to Carr Family partnership, LTD. of record in Document No. 956, Page 441, Deed Records of Bastrop County, Texas, at the southwest corner of the said 121.72 acre tract, for the southwest corner of the tract described herein;

THENCE N 27°17'56" E, leaving the north line of the said

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769.524 acre tract, with the east line of the said 951.10 acre tract, with the west line of the said 121.72 acre tract, with the west line of the tract described herein, a distance of 2,809.87 feet to a calculated point for the northwest corner of the said 121.72 acre tract and the southwest corner of the said 168.95 acre tract, for an angle point in the west line of the tract described herein;

THENCE with the west and north lines of the said 168.95 acre tract, with the west and north lines of the tract described herein, the following four (4) courses and distances:

1. N 27°21'42" E, with the east line of the said 951.10 acre tract, a distance of 3,164.61 feet to a 1/2-inch iron pipe found at the westerly northwest corner of the said 168.95 acre tract and the southwest corner of a certain called 48.634 acre tract described in the deed to Clarence L. Vinklarek et. Ux. of record in Volume 217, Page 208, Deed Records of Bastrop County, Texas,
2. S 62°34'59" E, with the south line of the said 48.634 acre tract, a distance of 1,225.65 feet to a 1/2-inch iron pipe found at a re-entrant corner,
3. N 27°27'06" E, a distance of 2,050.44 feet to a 1/2-inch iron rod found at the northerly northwest corner of the said 168.95 acre tract, same being the southwest corner of a certain called 6.667 acre tract described in the gift deed to Katie Frerich Karnstadt of record in Document No. 201406127, Official Public Records of Bastrop County, Texas, and
4. S 62°32'13" E, with the south line of the said 6.667 acre tract, and the south line of a certain called 3.707 acre tract described in the deed to Robert Frerich and Tamara Frerich of record in Document No. 200112158, Official Public Records of Bastrop County, Texas, a distance of 670.10 feet to a 1/2-inch iron pipe found at the northeast corner of the said 168.95

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acre tract, and the southeast corner of the said 3.707 acre tract, same being the southwest corner of the said 1.21 acre tract, for a re-entrant corner of the tract described herein;

THENCE N 27°31'42" E, with the west line of the said 1.21 acre tract, and the east line of the said 3.707 acre tract, with the west line of the tract described herein, a distance of 1,629.03 feet to a calculated point for the northwest corner of the said 1.21 acre tract, for a northwest corner of the tract described herein;

THENCE S 78°22'38" E, a distance of 31.12 feet to a bent 1-inch iron pipe found at the northeast corner of the said 1.21 acre tract and the northwest corner of the said 1.98 acre tract, for a northwest corner of the tract described herein;

THENCE S 77°54'08" E, with the north line of the said 1.98 acre tract, with a north line of the tract described herein, a distance of 363.53 feet to a 1-1/2-inch iron pipe found at the northeast corner of the said 1.98 acre tract, same being the northerly northwest corner of a certain tract designated as Tract Two and described in the deed to Lina Sue West of record in Document No. 20190184, Official Public Records of Bastrop County, Texas, for a northeast corner of the tract described herein;

THENCE with an east and south line of the said 1.98 acre tract, with a west and north line of the said Second Tract, with an east and south line of the tract described herein, the following two (2) courses and distances:

1. S 26°56'38" W, a distance of 241.66 feet to a calculated point for the southeast corner of the said 1.98 acre tract, and
2. N 79°19'42" W, a distance of 366.39 feet to a bent 1-inch iron pipe found in the east line of the said 1.21 acre tract, at the southwest corner of the said 1.98 acre tract, for a re-entrant corner of the tract described herein;

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THENCE S 27°21'26" W, with the west line of the said Second Tract, with the east line of the said 1.21 acre tract, with the west line of the tract described herein, a distance of 812.51 feet to a 5/8-inch iron rod found at the southwest corner of the said Second Tract, and the westerly northwest corner of the said 67.83 acre tract for a re-entrant corner of the tract described herein;

THENCE with the south and east line of the said Second Tract, with a north and west line of the said 67.83 acre tract, with a north and west line of the tract described herein, the following two (2) courses and distances:

1. S 62°08'29" E, a distance of 1,149.03 feet to an 8-inch fence post found at the southeast corner of the said Second Tract and a re-entrant corner of the said 67.83 acre tract, and
2. N 28°26'14" E, a distance of 1,440.02 feet to a calculated point for the northeast corner of the said Second Tract, and a northwest corner of the said 67.83 acre tract, for a northwest corner of the tract described herein;

THENCE with the south right-of-way line of said State Highway 71, with the north line of the said 67.83 acre tract, with the north line of the said 24.012 acre tract, and with the north line of the said 62.586 acre tract, with the north line of the tract described herein, the following six (6) courses and distances:

1. S 76°31'21" E, a distance of 22.68 feet to a fence post found at an angle point,
2. S 79°43'49" E, a distance of 101.07 feet to a Texas Department of Transportation (TxDOT) Type-I concrete monument found at a point-of-curvature,
3. With the arc of a curve to the right, having a radius of 2,755.03 feet, an arc distance of 189.73 feet, and a chord which bears S 78°28'39" E, a distance of 189.70 feet to a

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calculated non-tangent end of curve,

4. S 53°05'32" E, a distance of 454.67 feet to a Texas Department of Transportation (TxDOT) Type-I concrete monument found at an angle point,
5. S 55°16'20" E, a distance of 69.16 feet to a calculated angle point, and
6. S 54°07'31" E, a distance of 918.17 feet to the POINT OF BEGINNING and containing 449.03 acres of land, more or less.

TRACT 2 - 5.563 Acres

BEGINNING at a Texas Department of Transportation (TxDOT) Type-II concrete monument found in the south right-of-way line of State Highway 71, a variable-width right-of-way, in the north line of the said 6.177 acre tract, at the northeast corner of a certain called 0.9152 acre tract designated as Parcel 26 and described in the deed to the State of Texas of record in Document No. 202005708, Official Public Records of Bastrop County, Texas, for a northwest corner an POINT OF BEGINNING of the tract described herein;

THENCE S 59°57'55" E, a distance of 722.58 feet to a calculated point for the east corner of the said 6.177 acre tract, for the east corner of the tract described herein;

THENCE with the north line of the vacated portion of State Highway 71, with the south line of the said 6.177 acre tract, and with the south line of the said 0.306 acre tract, with the south line of the tract described herein, the following three (3) courses and distances:

1. N 80°14'31" W, at a distance of 906.31 feet, passing a Texas Department of Transportation (TxDOT) Type-I concrete monument found at a point-on-line, and continuing for a total distance of 1,060.87 feet to a Texas Department of

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Transportation (TxDOT) Type-I concrete monument found at a point-of-curvature,

2. With the arc of a curve to the right, having a radius of 1,504.75 feet, an arc distance of 214.68 feet, and a chord which bears N 77°15'23" W, a distance of 214.50 feet to a calculated point for the southeast corner of the said 0.306 acre tract, for a point of compound-curvature in the south line of the tract described herein, and

3. With the arc of a curve to the right, having a radius of 1,858.52 feet, an arc distance of 30.16 feet, and a chord which bears N 72°08'53" W, a distance of 30.16 feet to a calculated point in the east line of a certain called 3.707 acre tract described in the deed to Robert Frerich and Tamara Frerich of record in Document No. 200112158, Official Public Records of Bastrop County, Texas, for the southwest corner of the said 0.306 acre tract, for the southwest corner of the tract described herein;

THENCE N 27°36'14" E, with the west line of the said 0.306 acre tract and the east line of the said 3.707 acre tract, with the west line of the tract described herein, a distance of 371.91 feet to an iron rod with a 2-inch aluminum cap stamped "TxDOT" found at the southwest corner of the said 0.9152 acre tract, for the westerly northwest corner of the tract described herein;

THENCE leaving the west line of the said 3.707 acre tract, crossing the said 0.306 acre tract and the said 6.177 acre tract, with the south and east lines of the said 0.9152 acre tract, with the north and west lines of the tract described herein, the following five (5) courses and distances:

1. S 59°59'51" E, a distance of 122.61 feet to a Texas Department of Transportation (TxDOT) Type-II concrete monument found at an angle point,



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2. S 52°51'00" E, a distance of 201.55 feet to a Texas Department of Transportation (TxDOT) Type-II concrete monument found at an angle point,
3. S 68°35'00" E, a distance of 101.08 feet to a Texas Department of Transportation (TxDOT) Type-II concrete monument found at an angle point,
4. S 59°56'27" E, a distance of 100.02 feet to a Texas Department of Transportation (TxDOT) Type-II concrete monument found at an angle point, and
5. N 30°04'14" E, a distance of 75.98 feet to the POINT OF BEGINNING and containing 5.563 acres of land, more or less.

TRACT 3 - SAVE AND EXCEPT 35.66 Acres

BEGINNING at a 5/8-inch iron rod found at the westerly northwest corner of the said 67.83 acre tract, in the west line of the said 1.21 acre tract, same being the southwest corner of a certain tract designated as Tract Two and described in the deed to Lina Sue West of record in Document No. 20190184, Official Public Records of Bastrop County, Texas, for the northwest corner and POINT OF BEGINNING of the tract described herein;

THENCE S 62°08'29" E, with the south line of the said Second Tract, with a north line of the said 67.83 acre tract, a distance of 581.20 feet to a calculated point for the northeast corner of the tract described herein;

THENCE leaving the south line of the said Second Tract, crossing the said 67.83 acre tract, with the east line of the tract described herein, the following two (2) courses and distances:

1. S 05°37'30" E, a distance of 1,151.62 feet to a calculated angle point, and
2. S 01°52'30" E, a distance of 587.94 feet to a calculated point in the north line of a certain called 1,443.0 acre tract

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designated as Second Tract and described in the deed to John W. Caldwell, Jr. of record in Document No. 201816538, Official Public Records of Bastrop County, Texas, in the south line of the said 67.83 acre tract, for the southeast corner of the tract described herein;

THENCE N 62°07'59" W, with the north line of the said 1,443.0 acre tract, with the south line of the said 67.83 acre tract, with the south line of the tract described herein, a distance of 1,501.62 feet to a 5/8-inch iron rod with a red illegible plastic cap found at the southwest corner of the said 67.83 acre tract and the northwest corner of the said 1,443.0 acre tract, same being the southeast corner of the said 0.64 acre tract, for the southwest corner of the tract described herein;

THENCE with the west line of the said 67.83 acre tract, with the east line of the said 0.64 acre tract, and with the east line of the said 1.21 acre tract, the following two (2) courses and distances:

1. N 27°39'37" E, a distance of 897.17 feet to a 1/2-inch iron pipe found at the northeast corner of the said 0.64 acre tract and the southeast corner of the said 1.21 acre tract, and
2. N 27°31'04" E, a distance of 573.66 feet to the POINT OF BEGINNING and containing 35.66 acres of land, more or less.

TRACT 4 - SAVE AND EXCEPT 0.637 Acres

COMMENCING at a 5/8-inch iron rod found at the westerly northwest corner of the said 67.83 acre tract, in the west line of the said 1.21 acre tract, same being the southwest corner of a certain tract designated as Tract Two and described in the deed to Lina Sue West of record in Document No. 20190184, Official Public Records of Bastrop County, Texas;

THENCE N 27°21'26" E, with the west line of the said Tract

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Two, with the east line of the said 1.21 acre tract, a distance of 33.58 feet to the southeast corner and POINT OF BEGINNING of the tract described herein;

THENCE N 62°53'25" W, leaving the west line of the said Tract Two, crossing the said 1.21 acre tract, with the south line of the tract described herein, a distance of 34.50 feet to a calculated point in the west line of the said 1.21 acre tract, and the east line of a certain called 3.707 acre tract described in the deed to Robert Frerich and Tamara Frerich of record in Document No. 200112158, Official Public Records of Bastrop County, Texas for the southwest corner of the tract described herein;

THENCE N 27°31'42" E, with the west line of the said 1.21 acre tract, with the east line of the said 3.707 acre tract, with the west line of the tract described herein, a distance of 848.65 feet to a calculated point, for the northwest corner of the tract described herein;

THENCE S 09°12'05" E, leaving the east line of the said 3.707 acre tract, crossing the said 1.21 acre tract, with the north line of the tract described herein, a distance of 53.40 feet to a calculated point in the east line of the said 1.21 acre tract and the west line of the said 1.98 acre tract, for a point-on-line in the north line of the tract described herein;

THENCE S 09°12'05" E, leaving the east line of the said 1.21 acre tract, crossing the said 1.98 acre tract, with the north line of the tract described herein, a distance of 27.22 feet to a calculated point in the south line of the said 1.98 acre tract, and the north line of the said Tract Two, for an angle point of the tract described herein;

THENCE N 79°19'42" W, with the south line of the said 1.98 acre tract, with the north line of the said Tract Two, with a south line of the tract described herein, a distance of 16.76

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feet to a bent 1-inch iron pipe found in the east line of the said 1.21 acre tract, at the southwest corner of the said 1.98 acre tract, and the westerly northwest corner of the said Tract Two, for a re-entrant corner of the tract described herein;

THENCE S 27°21'26" W, with the west line of said Tract Two, with the east line of the said 1.21 acre tract, with the east line of the tract described herein, a distance of 778.93 feet to the POINT OF BEGINNING and containing 0.637 acres of land, more or less.

FOR A TOTAL AREA OF 418.30 ACRES BEING ALL OF TRACT 1 AND TRACT 2, SAVE AND EXCEPT TRACT 3 AND TRACT 4 DESCRIBED HEREIN.

Bearing Basis: Texas Coordinate System, Central Zone (4203), NAD 83(2011), Grid.

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

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

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

(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to

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SECTION 3. Same as House version.

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the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7946A, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7946A.0307 to read as follows:

Sec. 7946A.0307. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

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

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

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SECTION 4. Substantially the same as House version.

SECTION 5. Same as House version.

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