

Jon Niermann, *Chairman*
Emily Lindley, *Commissioner*
Bobby Janecka, *Commissioner*
Erin E. Chancellor, *Interim Executive Director*



TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

Protecting Texas by Reducing and Preventing Pollution

May 9, 2023

The Honorable Dan Patrick
Lieutenant Governor of Texas
Capitol Station
PO Box 12068
Austin, Texas 78711

Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

Senate Bill (SB) 2154, as Filed by Senator Kevin Sparks - Relating to the creation of the West Plains Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

Dear Governor Patrick:

The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele Risko".

Michele Risko, Deputy Director
Water Supply Division

cc: Honorable Paul Bettencourt, Chairman, Senate Local Government Committee
Senator Kevin Sparks, Texas Senate

Enclosure

**SB 2154, as Filed by Senator Kevin Sparks
Texas Commission on Environmental Quality's Comments**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

This bill creates West Plains Municipal Management District No. 1 (the "District") with the powers and duties of a standard municipal management district under Local Government Code Chapter 375.

Comments on Powers/Duties Different from Similar Types of Districts:

The bill specifies that the District will provide for water, wastewater, drainage, road, rail, and recreational facilities for the District. The District may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service using money available to the District, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service. The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the District in implementing a project or providing a service authorized by this chapter. The District may contract to provide law enforcement services in the District for a fee. The District may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a District purpose. The bill allows the District to create economic development programs and exercise economic development powers under Chapter 380, Local Government Code and Subchapter A, Chapter 1509, Government Code. The District may acquire, lease, construct, develop, own, operate, and maintain parking facilities. The bill specifies that the District may add or exclude land as provided by Subchapter J, Chapter 49, Water Code or by Subchapter H, Chapter 54, Water Code. The District may construct, acquire, improve, maintain, finance, and operate rail facilities and improvements for freight or other rail purposes. The District may not exercise the power of eminent domain. The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board. The District may impose an operation and maintenance tax on taxable property in the District if authorized by a majority of the District voters. The bill specifies that Section 375.243, Local Government Code, related to a petition required for bond election does not apply to the District's tax elections. The bill

specifies that the limitation on outstanding principal amount of bonds, notes, or other obligations provided by Section 49.4645, Water Code, does not apply to the District. The board may not issue bonds 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. The bill allows the board to dissolve the District on written petition filed with the board by the owners of at least 66 percent of the assessed valuation of property subject to assessment or taxation by the District or surface area of the District. The District may not be dissolved by its board if the District has any outstanding bonded indebtedness until that bonded indebtedness has been repaid or defeased, has a contractual obligation to pay money until that obligation has been fully paid, or owns, operates, or maintains public works, facilities, or improvements unless the district contracts with another person for the ownership, operation, or maintenance of the public works, facilities, or improvements. The bill specifies that Section 375.262, Local Government Code, does not apply to the District.

Overlapping Services: TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

TCEQ's Supervision: As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

LETTER OF TRANSMITTAL
TEXAS SENATE
STATE OF TEXAS

SB 2154

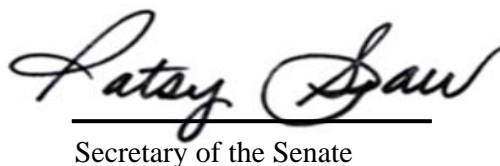
Bill Number

TO: The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

4/11/2023

Date transmitted to
Governor's Office

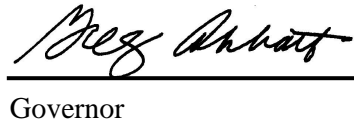

Secretary of the Senate

TO: Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

April 12, 2023

Date transmitted to
Texas Commission on Environmental Quality


Governor

TO: The Honorable President of the Senate
The Honorable Speaker of the House of Representatives
The Honorable Governor of Texas
SUBJECT: A Bill Relating to a Conservation and Reclamation District

Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section 59(d), Article XVI, Constitution of the State of Texas.



Texas Commission on Environmental Quality

By: Sparks

S.B. No. 2154

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the West Plains Municipal Management
3 District No. 1; providing authority to issue bonds; providing
4 authority to impose assessments, fees, and taxes.

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

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

8 CHAPTER . WEST PLAINS MUNICIPAL MANAGEMENT DISTRICT NO. 1

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. .0001. DEFINITIONS. In this chapter:

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

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

13 (3) "Director" means a board member.

14 (4) "District" means the West Plains Municipal
15 Management District No. 1.

16 (5) "Rail facilities" includes all real and personal
17 property owned or held by the district for railroad purposes,
18 including land, interests in land, structures, easements, rail
19 lines, stations, platforms, rolling stock, garages, equipment, and
20 other facilities necessary or convenient for the operation of those
21 facilities.

22 Sec. .0002. NATURE OF DISTRICT. The West Plains Municipal
23 Management District No. 1 is a special district created under
24 Section 59, Article XVI, Texas Constitution.

1 Sec. .0003. PURPOSE; DECLARATION OF INTENT. (a) The
2 creation of the district is essential to accomplish the purposes of
3 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
4 Texas Constitution, and other public purposes stated in this
5 chapter.

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

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

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

21 Sec. .0004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
22 All land and other property included in the district will benefit
23 from the improvements and services to be provided by the district
24 under powers conferred by Sections 52 and 52-a, Article III, and
25 Section 59, Article XVI, Texas Constitution, and other powers
26 granted under this chapter.

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

1 benefit.

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

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

6 (2) eliminating unemployment and underemployment; and

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

9 (d) The district will:

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

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

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

21 (4) provide for water, wastewater, drainage, road,
22 rail and recreational facilities for the district.

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

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

4 Sec. .0005. INITIAL DISTRICT TERRITORY. (a) The
5 district is initially composed of the territory described by
6 Section 2 of the Act enacting this chapter.

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

11 (1) organization, existence, or validity;

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

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

16 (4) legality or operation.

17 Sec. .0006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
18 All or any part of the area of the district is eligible to be
19 included in:

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

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

24 Sec. .0007. APPLICABILITY OF MUNICIPAL MANAGEMENT
25 DISTRICTS LAW. Except as otherwise provided by this chapter,
26 Chapter 375, Local Government Code, applies to the district.

27 Sec. .0008. CONSTRUCTION OF CHAPTER. This chapter shall

1 be liberally construed in conformity with the findings and purposes
2 stated in this chapter.

3 SUBCHAPTER B. BOARD OF DIRECTORS

4 Sec. .0051. GOVERNING BODY; TERMS. (a) The district is
5 governed by a board of five elected directors who serve staggered
6 terms of four years.

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

9 Sec. .052. COMPENSATION; EXPENSES. (a) The district may
10 compensate each director in an amount not to exceed \$150 for each
11 board meeting. The total amount of compensation for each director
12 in one year may not exceed \$7,200.

13 (b) A director is entitled to reimbursement for necessary
14 and reasonable expenses incurred in carrying out the duties and
15 responsibilities of the board.

16 Sec. .0053. INITIAL DIRECTORS. (a) The initial board
17 consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Casey Cameron</u>
<u>2</u>	<u>Monte Cluck</u>
<u>3</u>	<u>Cassandra Fish</u>
<u>4</u>	<u>Dean Hanish</u>
<u>5</u>	<u>Dan Mercer</u>

24 (b) Of the initial directors, the terms of directors
25 appointed for positions one through three expire June 1, 2021, and
26 the terms of directors appointed for positions four and five expire
27 June 1, 2023.

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. .0101. GENERAL POWERS AND DUTIES. The district has the
3 powers and duties necessary to accomplish the purposes for which
4 the district is created.

5 Sec. .0102. IMPROVEMENT PROJECTS AND SERVICES. (a) The
6 district, using any money available to the district for the
7 purpose, may provide, design, construct, acquire, improve,
8 relocate, operate, maintain, or finance an improvement project or
9 service authorized under this chapter or Chapter 375, Local
10 Government Code.

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

13 (c) The implementation of a district project or service is a
14 governmental function or service for the purposes of Chapter 791,
15 Government Code.

16 Sec. .0103. NONPROFIT CORPORATION. (a) The board by
17 resolution may authorize the creation of a nonprofit corporation to
18 assist and act for the district in implementing a project or
19 providing a service authorized by this chapter.

20 (b) The nonprofit corporation:

21 (1) has each power of and is considered to be a local
22 government corporation created under Subchapter D, Chapter 431,
23 Transportation Code; and

24 (2) may implement any project and provide any service
25 authorized by this chapter.

26 (c) The board shall appoint the board of directors of the
27 nonprofit corporation. The board of directors of the nonprofit

1 corporation shall serve in the same manner as the board of directors
2 of a local government corporation created under Subchapter D,
3 Chapter 431, Transportation Code, except that a board member is not
4 required to reside in the district.

5 Sec. .0104. LAW ENFORCEMENT SERVICES. To protect the
6 public interest, the district may contract with a qualified party,
7 including the city, to provide law enforcement services in the
8 district for a fee.

9 Sec. .0105. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
10 district may join and pay dues to a charitable or nonprofit
11 organization that performs a service or provides an activity
12 consistent with the furtherance of a district purpose.

13 Sec. .0106. ECONOMIC DEVELOPMENT PROGRAMS. (a) The
14 district may engage in activities that accomplish the economic
15 development purposes of the district.

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

- 20 (1) make loans and grants of public money; and
- 21 (2) provide district personnel and services.

22 (c) The district may create economic development programs
23 and exercise the economic development powers provided to
24 municipalities by:

- 25 (1) Chapter 380, Local Government Code; and
- 26 (2) Subchapter A, Chapter 1509, Government Code.

27 Sec. .0107. PARKING FACILITIES. (a) The district may

1 acquire, lease as lessor or lessee, construct, develop, own,
2 operate, and maintain parking facilities or a system of parking
3 facilities, including lots, garages, parking terminals, or other
4 structures or accommodations for parking motor vehicles off the
5 streets and related appurtenances.

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

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

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

15 Sec. .0108. ADDING OR EXCLUDING LAND. The district may add
16 or exclude land in the manner provided by Subchapter J, Chapter 49,
17 Water Code, or by Subchapter H, Chapter 54, Water Code.

18 Sec. .0109. DISBURSEMENTS AND TRANSFERS OF MONEY. The
19 board by resolution shall establish the number of directors'
20 signatures and the procedure required for a disbursement or
21 transfer of district money.

22 Sec. .0110. RAIL FACILITIES. The district may construct,
23 acquire, improve, maintain, finance, and operate rail facilities
24 and improvements for freight or other rail purposes.

25 Sec. .0111. NO EMINENT DOMAIN POWER. The district may not
26 exercise the power of eminent domain.

27 SUBCHAPTER D. ASSESSMENTS

1 Sec. .0151. PETITION REQUIRED FOR FINANCING SERVICES AND
2 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
3 service or improvement project with assessments under this chapter
4 unless a written petition requesting that service or improvement
5 has been filed with the board.

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

10 Sec. .0152. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The
11 board by resolution may impose and collect an assessment for any
12 purpose authorized by this chapter in all or any part of the
13 district.

14 (b) An assessment, a reassessment, or an assessment
15 resulting from an addition to or correction of the assessment roll
16 by the district, penalties and interest on an assessment or
17 reassessment, an expense of collection, and reasonable attorney's
18 fees incurred by the district:

19 (1) are a first and prior lien against the property
20 assessed;

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

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

27 (c) The lien is effective from the date of the board's

1 resolution imposing the assessment until the date the assessment is
2 paid. The board may enforce the lien in the same manner that the
3 board may enforce an ad valorem tax lien against real property.

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

8 SUBCHAPTER E. TAXES AND BONDS

9 Sec. .0201. TAX ELECTION REQUIRED. The district must hold
10 an election in the manner provided by Chapter 49, Water Code, or, if
11 applicable, Chapter 375, Local Government Code, to obtain voter
12 approval before the district may impose an ad valorem tax.

13 (b) Section 375.243, Local Government Code, does not apply
14 to this section.

15 Sec. .0202. OPERATION AND MAINTENANCE TAX. (a) If
16 authorized by a majority of the district voters voting at an
17 election under Section .0201, the district may impose an operation
18 and maintenance tax on taxable property in the district in the
19 manner provided by Section 49.107, Water Code, for any district
20 purpose, including to:

- 21 (1) maintain and operate the district;
- 22 (2) construct or acquire improvements; or
- 23 (3) provide a service.

24 (b) The board shall determine the operation and maintenance
25 tax rate. The rate may not exceed the rate approved at the
26 election.

27 Sec. .0203. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS

1 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
2 determined by the board.

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

8 (c) The limitation on the outstanding principal amount of
9 bonds, notes, or other obligations provided by Section 49.4645,
10 Water Code, does not apply to the district.

11 Sec. .0204. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS.
12 The district may issue, without an election, bonds secured by:

- 13 (1) revenue other than ad valorem taxes; or
14 (2) contract payments, provided that the requirements
15 of Section 49.108, Water Code, have been met;
16 (3) other contract revenues

17 Sec. .0205. BONDS SECURED BY AD VALOREM TAXES; ELECTIONS.

18 (a) If authorized at an election under Section .0201, the
19 district may issue bonds payable from ad valorem taxes.

20 (b) At the time the district issues bonds payable wholly or
21 partly from ad valorem taxes, the board shall provide for the annual
22 imposition of a continuing direct annual ad valorem tax, without
23 limit as to rate or amount, for each year that all or part of the
24 bonds are outstanding as required and in the manner provided by
25 Sections 54.601 and 54.602, Water Code.

26 (c) All or any part of any facilities or improvements that
27 may be acquired by a district by the issuance of its bonds may be

1 submitted as a single proposition or as several propositions to be
2 voted on at the election.

3 Sec. .0206. CONSENT OF MUNICIPALITY REQUIRED. (a) The
4 board may not issue bonds until each municipality in whose
5 corporate limits or extraterritorial jurisdiction the district is
6 located has consented by ordinance or resolution to the creation of
7 the district and to the inclusion of land in the district.

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

10 SUBCHAPTER Z. DISSOLUTION

11 Sec. .0901. DISSOLUTION. (a) Except as limited by Section
12 375.264, Local Government Code, the board shall dissolve the
13 district on written petition filed with the board by the owners of:

14 (1) 66 percent or more of the assessed value subject to
15 assessment by the district of the property in the district based on
16 the most recent certified county property tax rolls; or

17 (2) 66 percent or more of the surface area of the
18 district, excluding roads, streets, highways, utility
19 rights-of-way, other public areas, and other property exempt from
20 assessment by the district according to the most recent certified
21 county property tax rolls.

22 (b) The district may not be dissolved if the district:

23 (1) has any outstanding bonded or other indebtedness
24 until that bonded or other indebtedness has been repair or defeased
25 in accordance with the order or resolution authorizing the issuance
26 of the bonded or other indebtedness;

27 (2) has a contractual obligation to pay money until

1 that obligation has been fully paid in accordance with the
2 contract; or

3 (3) owns, operates, or maintains public works,
4 facilities, or improvements unless the district has contracted with
5 another party for the ownership and operation or maintenance of the
6 public works, facilities, or improvements.

7 (c) Section 375.262, Local Government Code, does not apply
8 to the district.

9 SECTION 2. The West Plains Municipal Management District
10 No. 1 initially includes all territory contained in the following
11 areas:

12 (a) A 621.87 acre tract of land out of Sections 30 and 31,
13 Block 2, A. B. & M. Survey, Potter County, Texas, and more
14 particularly described as follows:

15 BEGINNING at a Gresham Aluminum Cap found on the east
16 right-of-way line of Spur 228 same being the southwest corner of
17 said Section 30 for a corner of this tract.

18 THENCE N. 00° 11' 35" E., along said east right-of-way line, a
19 distance of 4161.54 feet to a 1/2" iron rod with a yellow cap
20 inscribed "RPLS 4263" (such type cap and rod hereafter referred to
21 as an OJD Cap) set on said east right-of-way line for the most
22 westerly northwest corner of this tract.

23 THENCE N. 87° 28' 24" E., continuing along said right-of-way
24 line, a distance of 1.08 feet to a Gresham Aluminum Cap found for an
25 angle corner of this tract.

26 THENCE N. 40° 07' 53" E., along said right-of-way line, a
27 distance of 116.08 feet to TxDot Brass Cap Monument found on the

1 south right-of-way line of Interstate Highway No. 40 for the most
2 northerly northwest corner of this tract.

3 THENCE N. 80° 18' 54" E., along said south right-of-way line,
4 a distance of 286.20 feet to a Gresham Aluminum Cap found on said
5 south right-of-way line for an angle corner of this tract.

6 THENCE N. 80° 18' 37" E., continuing along said south
7 right-of-way line, a distance of 300.34 feet to a Gresham Aluminum
8 Cap found on said south right-of-way line for an angle corner of
9 this tract.

10 THENCE N. 69° 11' 51" E., continuing along said south
11 right-of-way line, a distance of 102.08 feet to a Gresham Aluminum
12 Cap found on said south right-of-way line for an angle corner of
13 this tract.

14 THENCE N. 80° 26' 43" E., continuing along said south
15 right-of-way line, a distance of 3052.07 feet to a Gresham Aluminum
16 Cap found on said south right-of-way line same being the beginning
17 of a curve to the right for a corner of this tract.

18 THENCE in a northeasterly direction along said curve to the
19 right and said south right-of-way line with a radius equal to
20 5579.58 feet, a long chord bearing of N. 82° 11' 05" E. and a long
21 chord distance of 338.73 feet, a curve distance of 338.78 feet to a
22 Gresham Aluminum Cap found at the end of said curve to the right
23 same being on said south right-of-way line for a corner of this
24 tract.

25 THENCE S. 83° 50' 20" E., continuing along said south
26 right-of-way line, a distance of 99.24 feet to a Gresham Aluminum
27 Cap found at the beginning of a curve to the right for an angle

1 corner of this tract.

2 THENCE in a northeasterly direction along said curve to the
3 right and said south right-of-way line with a radius equal to
4 5559.58 feet, a long chord bearing of N. 87° 00' 13" E. and a long
5 chord distance of 409.59 feet, a curve distance of 409.68 feet to a
6 Gresham Aluminum Cap found on said curve to the right same being on
7 said south right-of-way line for the most northerly northeast
8 corner of this tract.

9 THENCE S. 00° 17' 53" E. a distance of 1324.32 feet to a
10 Gresham Aluminum Cap found for an ell corner of this tract.

11 THENCE S. 89° 43' 42" E. a distance of 660.15 feet to a Gresham
12 Aluminum Cap found on the west right-of-way line of F.M. Highway
13 No. 1912 for the most easterly northeast corner of this tract.

14 THENCE S. 00° 17' 55" W., along said west right-of-way line, a
15 distance of 2296.12 feet to a Gresham Aluminum Cap found on said
16 west right-of-way line for an angle corner of this tract.

17 THENCE S. 00° 30' 16" E., continuing along said west
18 right-of-way line, a distance of 249.29 feet to a Gresham Aluminum
19 Cap found on said west right-of-way line for an ell corner of this
20 tract.

21 THENCE S. 89° 52' 38" W. a distance of 788.09 feet to a Gresham
22 Aluminum Cap found for an ell corner of this tract.

23 THENCE S. 00° 06' 07" W. a distance of 2131.04 feet to a
24 Gresham Aluminum Cap found for an ell corner of this tract.

25 THENCE S. 80° 34' 32" E. a distance of 789.43 feet to a Gresham
26 Aluminum Cap found on said west right-of-way line for an ell corner
27 of this tract.

1 THENCE S. 01° 23' 32" W., along said west right-of-way line, a
2 distance of 222.12 feet to a Gresham Aluminum Cap found at the
3 intersection of said west right-of-way line and the northerly
4 right-of-way line of B. S. N. F. Railroad the southeast corner of
5 this tract.

6 THENCE N. 80° 33' 44" W., along said northerly right-of-way
7 line, a distance of 5315.27 feet to a Gresham Aluminum Cap found on
8 said east right-of-way line of said Spur 228 for the southwest
9 corner of this tract.

10 THENCE N. 00° 11' 35" E., along said east right-of-way line, a
11 distance of 536.60 feet to the place of BEGINNING and containing
12 621.87 acres of land.

13 (b) An 11.30 acre± tract of land in Section 37, Block 2, A.B.
14 & M. Survey, Potter County, Texas and being all of a 6.3 acre and a
15 5.00 acre tract of land as described in that certain instrument of
16 conveyance recorded under Clerk's File No. 20200PR0012200 of the
17 Official Public Records of Potter County, Texas. Said 11.30 acre±
18 tract of land having been surveyed on the ground by Furman Land
19 Surveyors, Inc. on March 28, 2022 and being more particularly
20 described by metes and bounds as follows:

21 COMMENCING at a 2 inch iron pipe found as called for at the
22 Northeast corner of said Section 37, Block 2, A.B. & M. Survey,
23 Potter County, Texas;

24 THENCE South 00° 04' 30" West (base line) along the East line
25 of said Section 37, a distance of 2782.61 feet to a point, from
26 whence a 2 inch iron pipe found as called for at the Southeast
27 corner of said Section 37 bears South 00° 04' 30" West, 2495.32 feet;

1 THENCE North 89° 55' 30" West, 119.69 feet to a 1/2 inch iron
2 rod found as called for in the West monumented right-of-way line of
3 Spur 228 (Volume 826, Page 117), same point being the most Easterly
4 Northeast corner of a 365.69 acre tract of land as described in that
5 certain instrument of conveyance recorded in Volume 3753, Page 786
6 of the Official Public Records of Potter County, Texas and also
7 being the Southeast corner of the herein described tract of land,
8 from whence a 5/8 inch iron rod with cap stamped "RPLS 5437" found
9 as called for at the Southeast corner of said 365.69 acre tract of
10 land bears South 00° 04' 35" West, 3018.41 feet;

11 THENCE South 85° 34' 44" West, 652.59 feet to a 1/2 inch iron
12 rod found as called for, same point being an interior jog corner of
13 said 365.69 acre tract of land and also being the Southwest corner
14 of this tract of land;

15 THENCE North 00° 03' 09" East, 726.94 feet to a 1/2 inch iron
16 rod found as called for at the Southwest corner of a 4.92 acre tract
17 of land as described in that certain instrument of conveyance
18 recorded under Clerk's File No. 1302993 of the Official Public
19 Records of Potter County, Texas, same point being the Northwest
20 corner of this tract of land;

21 THENCE North 80° 28' 11" East, 660.12 feet to a 1/2 inch iron
22 rod found in the West monumented right-of-way line of said Spur 228
23 at the Southeast corner of said 4.92 acre tract of land, same point
24 being the Northeast corner of this tract of land;

25 THENCE South 00° 04' 30" West, 785.93 feet to the PLACE OF
26 BEGINNING and containing a computed area of 11.30 acres of land,
27 more or less.

1 (c) A 365.72 acre tract of land out of Sections 36 and 37,
2 Block 2, R. B. & M. Survey, Potter County,

3 BEGINNING at an RPLS 5437 Cap found at the intersection of the
4 west right-of-way line of Spur 228 and the northerly right-of-way
5 line of B. N. S. F. Railroad which bears S. 00° 11' 36" W. a distance
6 of 517.52 feet and / N. 89° 48' 07" W. a distance of 119.94 feet from
7 a Gresham Aluminum Cap found at the southeast corner of said Section
8 37 for the southeast corner of this tract.

9 THENCE N. 80° 33' 36" W., along said northerly right-of-way at
10 3247.33 feet pass an RPLS 5437 Cap found, a total distance of
11 5272.06 feet to an RPLS 5437 Cap found at the intersection said
12 northerly right-of-way line and said east right-of-way line of
13 Parsley Road for the southwest corner of this tract.

14 THENCE N. 89° 54' 23" E. a distance of 329.88 feet to a Miller
15 Cap found for an ell corner of this tract.

16 THENCE N. 00° 14' 24" E., along said east right-of-way line, a
17 distance of 734.90 feet to an RPLS 5437 Cap found at the
18 intersection of said east right-of-way line and the southerly
19 right-of-way line of Interstate Highway No. 40 for the northwest
20 corner of this tract.

21 THENCE N. 44° 26' 23" E., along said southerly right-of-way
22 line, a distance of 2938.45 feet to a TxDot Brass Cap Monument found
23 on said southerly right-of-way line same being at the beginning of a
24 curve to the right for a corner of this tract.

25 THENCE in a northeasterly direction along said curve to the
26 right and said northerly right-of-way line with a radius equal to
27 2714.79 feet, a long chord bearing of N. 62° 26' 41" E. and a long

1 chord distance of 1677.93 feet, a curve distance of 1705.86 feet to
2 a TxDot Brass Cap Monument found at the end of said curve to the
3 right same being on said northerly right-of-way line for a corner of
4 this tract.

5 THENCE N. 80° 27' 32" E., continuing along said northerly
6 right-of-way line, a distance of 674.08 feet to a TxDot Brass Cap
7 Monument found for an angle corner of this tract.

8 THENCE S. 88° 11' 57" E., along said northerly right-of-way
9 line, a distance of 101.95 feet to a TxDot Brass Cap Monument found
10 for an angle corner of this tract.

11 THENCE N. 80° 24' 46" E., along said northerly right-of-way
12 line, a distance of 174.69 feet to a Keys Cap found for the most
13 northerly northeast corner of this tract.

14 THENCE S. 00° 14' 15" W. a distance of 599.85 feet to a Keys
15 Cap found for an ell corner of this tract.

16 THENCE N. 79° 14' 13" E. a distance of 80.47 feet to a Furman
17 Cap found for an ell corner of this tract.

18 THENCE S. 00° 10' 13" W. a distance of 1056.85 feet to an RPLS
19 5437 Cap found for an ell corner of this tract.

20 THENCE N. 85° 41' 53" E. a distance of 652.72 feet to a 1/2"
21 iron rod found on the west right-of-way line of Spur 228 for the
22 most easterly northeast corner of this tract.

23 THENCE S. 00° 12 04" W., along said west right-of-way line, a
24 distance of 3018.76 feet to the place of BEGINNING and containing
25 365.72 acres of land.

26 SECTION 3. (a) The legal notice of the intention to
27 introduce this Act, setting forth the general substance of this

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

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

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

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

17 SECTION 4. This Act takes effect immediately if it receives
18 a vote of two-thirds of all the members elected to each house, as
19 provided by Section 39, Article III, Texas Constitution. If this
20 Act does not receive the vote necessary for immediate effect, this
21 Act takes effect September 1, 2023.

PUBLISHER'S AFFIDAVIT

STATE OF WISCONSIN

COUNTY OF BROWN

Before me, a Notary Public in and for Brown County, this day personally appeared Amy Kokott who, being duly sworn, states that the following advertisement paid for by Ross Martin, Winstead PC, was published in the Amarillo Globe News on February 19th, 2023:

[AFFIX COPY OF NOTICE]


Affiant

Sworn to and subscribed before me this 21st day of February, 2023.

[Affix Notary Seal]
MARIAH VERHAGEN
Notary Public
State of Wisconsin

LOCALIQ

Austin American-Statesman
Amarillo Globe-News
Lubbock Avalanche-Journal

PO Box 631667 Cincinnati, OH 45263-1667

PROOF OF PUBLICATION

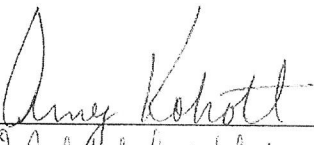
Winstead Attorneys
Winstead Attorneys
2728 N. Harwood Street
Dallas TX 75201

STATE OF WISCONSIN, COUNTY OF BROWN

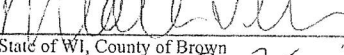
The Amarillo Globe-News is a daily newspaper of general circulation, printed and published in Amarillo, Potter County, Texas; that the publication, a copy of which is attached hereto, was published in the said newspaper in the issues dated:

02/19/2023

Sworn to and subscribed before on 02/19/2023



Legal Clerk



Notary, State of WI, County of Brown
8-25-26

My commission expires

Publication Cost: \$166.00

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THIS IS NOT AN INVOICE!

Please do not use this form for payment remittance.

MARIAH VERHAGEN
Notary Public
State of Wisconsin

NOTICE OF INTENT TO INTRODUCE LEGISLATION

This is to give notice of intent to introduce in the 88th Legislature, Regular Session, a bill to be entitled an Act relating to the creation of the Prairie View Municipal Management District No. 1, a special district operating under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution; Chapters 49 and 54, Texas Water Code; and Chapters 372 and 375, Texas Local Government Code, providing authority for the District to impose assessments, fees, and taxes, and providing authority to issue bonds, affecting lands in Potter County, Texas, being generally within the eastern portion of the City of Amarillo, east of Parsley Road, south of Interstate Highway 40, north of US Highway 287, and west of S. Masterson Road. The costs for the publication of this notice were paid by Ross Martin, Winstead PC. 8465624



Maltese/Poodle Maltipoo puppies both male and female ready for Valentine's Day! Call 806-799-4511 M-F 10 am- 4 pm.



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EEO/AA OPPORTUNITY NOTICE OF APPRENTICESHIP OPPORTUNITY FOR THE POSITION OF INSIDE WIREMAN (ELECTRICIAN) APPRENTICE



The West Texas Electrical Joint Apprenticeship and Training Committee (JATC) will accept applications for apprenticeship on-line at any time.

To apply, please go to <https://wtxjatc.org/applicants>.

Minimum qualifications for apprenticeship are: Minimum 17 years of age to apply, high school diploma or GED (Documentation required), valid driver's license, one full year of high school algebra (or its equivalent) with a grade of "C" or better, and qualifying score on an aptitude test.

Honorably discharged veterans and individuals with previous electrical work and/or training experience may also qualify for either direct entry or direct interview.

Applicants meeting basic requirements will be interviewed and selected based on order of final ranking.

Prior to being registered, applicants must pass a drug screen, colorblind test, acquire an apprentice license from the State of Texas which includes a background check, and must be at least 18 years of age.

For more information, please email us at admin@wtxjatc.org or call us at 806-372-1581

The sponsor will not discriminate against apprenticeship applicants or apprentices based on race, color, religion, national origin, sex (including pregnancy and gender identity), sexual orientation, genetic information, or because they are an individual with a disability or a person 40 years old or older, or any other characteristic protected under applicable federal, state or local law. The sponsor will take affirmative action to provide equal opportunity in apprenticeship and will operate the apprenticeship program as required under Title 29 of the Code of Federal Regulations, Part 30 and other applicable laws.

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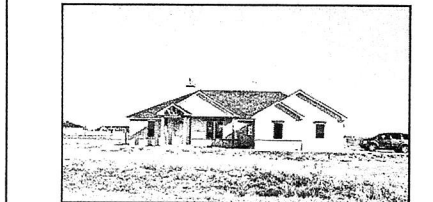
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4/3/2 - \$327,188 - Open floor plan, vaulted ceiling, isolated master with double vanity granite countertops, wood burning fireplace. Contact Lacy Henninger at (806) 683-5946



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4/2.5/3 - \$468,000 - New construction, open living and dining room, isolated master, beautiful finishes, his and her closet, butler pantry. Contact John Broadfoot, Jr. at (806) 584-

