

AN ACT

relating to the creation of the Tarrant County Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8092 to read as follows:

CHAPTER 8092. TARRANT COUNTY MUNICIPAL UTILITY DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8092.0101. 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 Tarrant County Municipal Utility District No. 2.

Sec. 8092.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8092.0103. 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.

1 Sec. 8092.0104. CONSENT OF MUNICIPALITY REQUIRED. The
2 temporary directors may not hold an election under Section
3 8092.0103 until each municipality in whose corporate limits or
4 extraterritorial jurisdiction the district is located has
5 consented by ordinance or resolution to the creation of the
6 district and to the inclusion of land in the district.

7 Sec. 8092.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
8 (a) The district is created to serve a public purpose and benefit.

9 (b) The district is created to accomplish the purposes of:
10 (1) a municipal utility district as provided by
11 general law and Section 59, Article XVI, Texas Constitution; and
12 (2) Section 52, Article III, Texas Constitution, that
13 relate to the construction, acquisition, improvement, operation,
14 or maintenance of macadamized, graveled, or paved roads, or
15 improvements, including storm drainage, in aid of those roads.

16 Sec. 8092.0106. INITIAL DISTRICT TERRITORY. (a) The
17 district is initially composed of the territory described by
18 Section 2 of the Act enacting this chapter.

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

23 (1) organization, existence, or validity;
24 (2) right to issue any type of bond for the purposes
25 for which the district is created or to pay the principal of and
26 interest on a bond;
27 (3) right to impose a tax; or

1 (4) legality or operation.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 8092.0201. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 8092.0202, directors
6 serve staggered four-year terms.

7 Sec. 8092.0202. TEMPORARY DIRECTORS. (a) The temporary
8 board consists of:

9 (1) William Christopher Vertin;

10 (2) Mattison Margaret Raiford;

11 (3) Crystal Maddalena;

12 (4) Parker Morgan; and

13 (5) Mitchell Henton.

14 (b) Temporary directors serve until the earlier of:

15 (1) the date permanent directors are elected under
16 Section 8092.0103; or

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

19 (c) If permanent directors have not been elected under
20 Section 8092.0103 and the terms of the temporary directors have
21 expired, successor temporary directors shall be appointed or
22 reappointed as provided by Subsection (d) to serve terms that
23 expire on the earlier of:

24 (1) the date permanent directors are elected under
25 Section 8092.0103; or

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

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

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 8092.0301. GENERAL POWERS AND DUTIES. The district
10 has the powers and duties necessary to accomplish the purposes for
11 which the district is created.

12 Sec. 8092.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
13 DUTIES. The district has the powers and duties provided by the
14 general law of this state, including Chapters 49 and 54, Water Code,
15 applicable to municipal utility districts created under Section 59,
16 Article XVI, Texas Constitution.

17 Sec. 8092.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
18 52, Article III, Texas Constitution, the district may design,
19 acquire, construct, finance, issue bonds for, improve, operate,
20 maintain, and convey to this state, a county, or a municipality for
21 operation and maintenance macadamized, graveled, or paved roads, or
22 improvements, including storm drainage, in aid of those roads.

23 Sec. 8092.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
24 road project must meet all applicable construction standards,
25 zoning and subdivision requirements, and regulations of each
26 municipality in whose corporate limits or extraterritorial
27 jurisdiction the road project is located.

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

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

9 Sec. 8092.0305. COMPLIANCE WITH MUNICIPAL CONSENT
10 ORDINANCE OR RESOLUTION. The district shall comply with all
11 applicable requirements of any ordinance or resolution that is
12 adopted under Section 54.016 or 54.0165, Water Code, and that
13 consents to the creation of the district or to the inclusion of land
14 in the district.

15 Sec. 8092.0306. DIVISION OF DISTRICT. (a) The district may
16 be divided into two or more new districts only if the district:

17 (1) has no outstanding bonded debt; and

18 (2) is not imposing ad valorem taxes.

19 (b) This chapter applies to any new district created by the
20 division of the district, and a new district has all the powers and
21 duties of the district.

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

26 (d) The board, on its own motion or on receipt of a petition
27 signed by the owner or owners of a majority of the assessed value of

1 the real property in the district, may adopt an order dividing the
2 district.

3 (e) The board may adopt an order dividing the district
4 before or after the date the board holds an election under Section
5 8092.0103 to confirm the district's creation.

6 (f) An order dividing the district shall:

7 (1) name each new district;

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

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

12 (4) provide for the division of assets and liabilities
13 between or among the new districts.

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

18 (h) Any new district created by the division of the district
19 shall hold a confirmation and directors' election as required by
20 Section 8092.0103. If the voters of a new district do not confirm
21 the creation of the new district, the assets, obligations,
22 territory, and governance of the new district revert to the
23 original district.

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

27 (j) Municipal consent to the creation of the district and to

1 the inclusion of land in the district granted under Section
2 8092.0104 acts as municipal consent to the creation of any new
3 district created by the division of the district and to the
4 inclusion of land in the new district.

5 (k) Any new district created by the division of the district
6 must hold an election as required by this chapter to obtain voter
7 approval before the district may impose a maintenance tax or issue
8 bonds payable wholly or partly from ad valorem taxes.

9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

10 Sec. 8092.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
11 The district may issue, without an election, bonds and other
12 obligations secured by:

13 (1) revenue other than ad valorem taxes; or

14 (2) contract payments described by Section 8092.0403.

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

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

23 Sec. 8092.0402. OPERATION AND MAINTENANCE TAX. (a) If
24 authorized at an election held under Section 8092.0401, the
25 district may impose an operation and maintenance tax on taxable
26 property in the district in accordance with Section 49.107, Water
27 Code.

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

3 Sec. 8092.0403. CONTRACT TAXES. (a) In accordance with
4 Section 49.108, Water Code, the district may impose a tax other than
5 an operation and maintenance tax and use the revenue derived from
6 the tax to make payments under a contract after the provisions of
7 the contract have been approved by a majority of the district voters
8 voting at an election held for that purpose.

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

12 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

13 Sec. 8092.0501. AUTHORITY TO ISSUE BONDS AND OTHER
14 OBLIGATIONS. The district may issue bonds or other obligations
15 payable wholly or partly from ad valorem taxes, impact fees,
16 revenue, contract payments, grants, or other district money, or any
17 combination of those sources, to pay for any authorized district
18 purpose.

19 Sec. 8092.0502. TAXES FOR BONDS. At the time the district
20 issues bonds payable wholly or partly from ad valorem taxes, the
21 board shall provide for the annual imposition of a continuing
22 direct ad valorem tax, without limit as to rate or amount, while all
23 or part of the bonds are outstanding as required and in the manner
24 provided by Sections 54.601 and 54.602, Water Code.

25 Sec. 8092.0503. BONDS FOR ROAD PROJECTS. At the time of
26 issuance, the total principal amount of bonds or other obligations
27 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 Tarrant County Municipal Utility District No. 2 initially includes all the territory contained in the following area:

TRACT 1

BEING ALL OF THAT TRACT OF LAND IN TARRANT COUNTY, TEXAS, OUT OF THE W. DAVIDSON SURVEY, ABSTRACT NO. 393, AND BEING ALL OF THAT CALLED 119.2 ACRES OF LAND DESCRIBED AS TRACT TWO IN A DEED TO ROBERT W. TEETER ET AL AS RECORDED IN FILE NO. D208204603 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS, AND BEING FURTHER DESCRIBED AS FOLLOWS:

BEGINNING AT A 2 INCH PIPE FOUND AT THE SOUTHEAST CORNER OF SAID 119.2 ACRES, AT THE SOUTHWEST CORNER OF THAT CALLED 13.232 ACRES OF LAND DESCRIBED IN A DEED TO TEXAS ELECTRIC SERVICE COMPANY AS RECORDED IN VOLUME 4688, PAGE 261 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS AND IN THE NORTH LINE OF THAT CALLED 1.467 ACRES OF LAND DESCRIBED IN A DEED TO KENNY WILSON AS RECORDED IN FILE NO. D218222887 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS, FROM WHICH A 1/2 INCH STEEL ROD FOUND CAPPED "BEASLEY" BEARS SOUTH 89 DEGREES 59 MINUTES 15 SECONDS EAST, 152.65 FEET FOR WITNESS AND FROM WHICH A CONCRETE MONUMENT WITH 3 INCH DISK STAMPED "TESCO" BEARS SOUTH 41 DEGREES 50 MINUTES 59 SECONDS EAST, 223.00 FEET FOR WITNESS;

THENCE NORTH 89 DEGREES 59 MINUTES 15 SECONDS WEST, 439.80 FEET ALONG A SOUTH LINE OF SAID 119.2 ACRES, THE NORTH LINE OF SAID 1.467 ACRES AND THE NORTH LINE OF THAT CALLED 1.098 ACRES OF LAND

H.B. No. 5310

DESCRIBED IN A DEED TO SANDRA K. BABCOCK AS RECORDED IN FILE NO.
D215271871 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS
TO A 5/8 INCH STEEL ROD FOUND ON THE NORTHEAST SIDE OF A CURVE OF
BENNETT LAWSON ROAD, AT AN ANGLE POINT OF SAID 119.2 ACRES AND AT
THE NORTHWEST CORNER OF SAID 1.098 ACRES;

THENCE ALONG THE COMMON LINE OF SAID BENNETT LAWSON ROAD AND
SAID 119.2 ACRES AS FOLLOWS:

NORTH 79 DEGREES 45 MINUTES 12 SECONDS WEST, 191.39 FEET TO A
COTTON SPINDLE SET FOR CORNER;

NORTH 88 DEGREES 59 MINUTES 49 SECONDS WEST, 292.83 FEET TO A
1/2 INCH STEEL ROD FOUND CAPPED "METROPLEX";

NORTH 89 DEGREES 18 MINUTES 19 SECONDS WEST, 613.46 FEET TO A
1/2 INCH STEEL ROD FOUND;

SOUTH 88 DEGREES 42 MINUTES 11 SECONDS WEST, 898.44 FEET TO A
1/2 INCH STEEL ROD SET CAPPED "BY-LINE SURVEYING" FOR CORNER;

NORTH 75 DEGREES 13 MINUTES 49 SECONDS WEST, 58.55 FEET TO A
1/2 INCH STEEL ROD SET CAPPED "BY-LINE SURVEYING" FOR CORNER;

NORTH 52 DEGREES 14 MINUTES 38 SECONDS WEST, 819.27 FEET TO A
1/2 INCH STEEL ROD SET CAPPED "BY-LINE SURVEYING" FOR CORNER;

NORTH 38 DEGREES 17 MINUTES 14 SECONDS WEST, 68.49 FEET TO A
1/2 INCH STEEL ROD FOUND CAPPED "METROPLEX";

NORTH 04 DEGREES 09 MINUTES 44 SECONDS WEST, 359.80 FEET TO A
1/2 INCH STEEL ROD FOUND CAPPED "METROPLEX";

NORTH 00 DEGREES 24 MINUTES 15 SECONDS WEST, 1,778.44 FEET TO
A 1/2 INCH STEEL ROD FOUND CAPPED "METROPLEX";

NORTH 17 DEGREES 22 MINUTES 01 SECONDS EAST, 69.16 FEET TO A
1/2 INCH STEEL ROD FOUND CAPPED "METROPLEX";

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1 NORTH 64 DEGREES 40 MINUTES 58 SECONDS EAST, 70.84 FEET TO A
2 1/2 INCH STEEL ROD FOUND WITH YELLOW CAP;

3 NORTH 85 DEGREES 38 MINUTES 01 SECONDS EAST, 283.50 FEET TO A
4 NAIL FOUND NEAR THE INTERSECTION OF THE SOUTH OF BENNETT LAWSON ROAD
5 AND JESSICA LANE;

6 THENCE NORTH 89 DEGREES 47 MINUTES 50 SECONDS EAST, 295.42
7 FEET ALONG THE SOUTH LINE OF SAID JESSICA LANE AND A NORTH LINE OF
8 SAID 119.2 ACRES TO A POINT AT THE NORTHEAST CORNER OF SAID 119.2
9 ACRES AND IN THE SOUTHWEST LINE OF SAID 13.232 ACRES, FROM WHICH A
10 1/2 INCH STEEL ROD FOUND BEARS NORTH 89 DEGREES 47 MINUTES 50
11 SECONDS EAST, 0.85 FEET FOR WITNESS AND FROM WHICH A CONCRETE
12 MONUMENT WITH 3 INCH DISK STAMPED "TESCO" BEARS NORTH 41 DEGREES 50
13 MINUTES 59 SECONDS WEST, 547.49 FEET FOR WITNESS;

14 THENCE SOUTH 41 DEGREES 50 MINUTES 59 SECONDS EAST, 3,829.89
15 FEET ALONG THE NORTHEAST LINE OF SAID 119.2 ACRES AND THE SOUTHWEST
16 LINE OF SAID 13.232 ACRES TO THE POINT OF BEGINNING, CONTAINING
17 119.28 ACRES OF LAND.

18 TRACT 2

19 BEING ALL OF THAT TRACT OF LAND IN TARRANT COUNTY, TEXAS, OUT
20 OF THE W. DAVIDSON SURVEY, ABSTRACT NO. 393 AND S. LYNN SURVEY,
21 ABSTRACT NO. 940, AND BEING ALL OF THAT CALLED 253.4 ACRES OF LAND
22 DESCRIBED AS TRACT ONE IN A DEED TO ROBERT W. TEETER ET AL AS
23 RECORDED IN FILE NO. D208204603 OF THE OFFICIAL PUBLIC RECORDS OF
24 TARRANT COUNTY, TEXAS, AND BEING FURTHER DESCRIBED AS FOLLOWS:

25 BEGINNING AT A 60D NAIL FOUND IN THE BASE OF A 30 INCH OAK TREE
26 AT THE MOST NORTHERLY NORTHWEST CORNER OF SAID 253.4 ACRES, AT THE
27 NORTHEAST CORNER OF THAT TRACT OF LAND DESCRIBED IN A DEED TO FLOYD

H.B. No. 5310

1 WYNN AND NANCY WYNN AS RECORDED IN VOLUME 12093, PAGE 262 OF THE
2 DEED RECORDS OF TARRANT COUNTY, TEXAS, AT THE SOUTHEAST CORNER OF
3 THAT CALLED 9.986 ACRES OF LAND DESCRIBED AS TRACT 1 IN A DEED TO
4 GARY DON JOHNSON AND WIFE, NANCY K. JOHNSON AS RECORDED IN VOLUME
5 11366, PAGE 1358 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS AND AT
6 THE SOUTHWEST CORNER OF THAT CALLED 21.420 ACRES OF LAND DESCRIBED
7 AS TRACT IV IN A DEED TO TEXAS JPC LLC AS RECORDED IN FILE NO.
8 D218071066 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS;

9 THENCE SOUTH 89 DEGREES 48 MINUTES 13 SECONDS EAST, 869.90
10 FEET A NORTH LINE OF SAID 253.4 ACRES, THE SOUTH LINE OF SAID 21.420
11 ACRES AND THE SOUTH LINE OF THAT CALLED 2.426 ACRES OF LAND
12 DESCRIBED AS TRACT V IN SAID TEXAS JPC LLC DEED TO A 3/4 INCH STEEL
13 ROD FOUND AT AN ANGLE POINT OF SAID 253.4 ACRES, AT THE SOUTHEAST
14 CORNER OF SAID 2.426 ACRES AND AT THE SOUTHWEST CORNER OF LOT 8,
15 BLOCK 1 OF THE REATA ESTATES AS RECORDED IN CABINET A, SLIDE 11738
16 OF THE PLAT RECORDS OF TARRANT COUNTY, TEXAS;

17 THENCE SOUTH 89 DEGREES 50 MINUTES 04 SECONDS EAST, 954.44
18 FEET ALONG A NORTH LINE OF SAID 253.4 ACRES AND THE SOUTH LINE OF
19 LOTS 8-12, BLOCK 1 OF THE SAID REATA ESTATES TO A POINT AT THE MOST
20 NORTHERLY NORTHEAST CORNER OF SAID 253.4 ACRES, AT THE SOUTHEAST
21 CORNER OF SAID LOT 12 AND IN THE WEST LINE OF LOT 9, BLOCK 1 OF THE
22 HIDDEN VALLEY ESTATES AS RECORDED IN CABINET A, SLIDE 5333 OF THE
23 PLAT RECORDS OF TARRANT COUNTY, TEXAS, FROM WHICH A 5/8 INCH STEEL
24 ROD FOUND CAPPED "ANA" BEARS NORTH 89 DEGREES 50 MINUTES 04 SECONDS
25 WEST, 0.81 FEET AND A 1/2 INCH STEEL ROD FOUND BEARS SOUTH 89
26 DEGREES 26 MINUTES 49 SECONDS EAST, 3.76 FEET FOR WITNESS AND FROM
27 WHICH A 1/2 INCH STEEL ROD FOUND WITH 1-1/2 INCH ALUMINUM CAP

H.B. No. 5310

1 STAMPED "TARRANT COUNTY" BEARS NORTH 00 DEGREES 36 MINUTES 52
2 SECONDS WEST, 1,515.31 FEET FOR WITNESS;

3 THENCE SOUTH 00 DEGREES 36 MINUTES 52 SECONDS EAST, 344.09
4 FEET ALONG A EAST LINE OF SAID 253.4 ACRES AND THE WEST LINE OF LOTS
5 9 AND 10, BLOCK 1 OF SAID HIDDEN VALLEY ESTATES TO A 1/2 INCH STEEL
6 ROD FOUND CAPPED "HARP 2002" AT AN ANGLE POINT OF SAID 253.4 ACRES,
7 AT THE SOUTHWEST CORNER OF SAID LOT 10 OF HIDDEN VALLEY ESTATES AND
8 AT THE NORTHWEST CORNER OF THAT CALLED 50 ACRES OF LAND DESCRIBED IN
9 A DEED TO RICHARD V. DAUGHERTY AS RECORDED IN VOLUME 11836, PAGE 411
10 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS;

11 THENCE SOUTH 00 DEGREES 45 MINUTES 58 SECONDS EAST, 1,663.93
12 FEET ALONG A EAST LINE OF SAID 253.4 ACRES AND THE WEST LINE OF SAID
13 50 ACRES TO A 1/2 INCH STEEL ROD FOUND AT AN ELL CORNER OF SAID 253.4
14 ACRES AND AT THE SOUTHWEST CORNER OF SAID 50 ACRES;

15 THENCE SOUTH 89 DEGREES 51 MINUTES 09 SECONDS EAST, 1,320.38
16 FEET ALONG A NORTH LINE OF SAID 253.4 ACRES AND THE SOUTH LINE OF
17 SAID 50 ACRES TO A 5/8 INCH STEEL ROD FOUND AT AN ELL CORNER OF SAID
18 253.4 ACRES AND AT THE SOUTHEAST CORNER OF SAID 50 ACRES;

19 THENCE NORTH 00 DEGREES 08 MINUTES 23 SECONDS EAST, 1,643.61
20 FEET ALONG A WEST LINE OF SAID 253.4 ACRES AND THE EAST LINE OF SAID
21 50 ACRES TO A 5/8 INCH STEEL ROD FOUND AT THE MOST EASTERLY
22 NORTHWEST CORNER OF SAID 253.4 ACRES, AT THE NORTHEAST CORNER OF
23 SAID 50 ACRES, AT THE SOUTHEAST CORNER OF LOT 11, BLOCK 1 OF SAID
24 HIDDEN VALLEY ESTATES AND AT THE SOUTHWEST CORNER OF THAT CALLED 40
25 ACRES OF LAND DESCRIBED IN A DEED TO KATHLEEN M. VOELKEL AS RECORDED
26 IN VOLUME 14510, PAGE 40 OF THE DEED RECORDS OF TARRANT COUNTY,
27 TEXAS;

H.B. No. 5310

1 THENCE NORTH 88 DEGREES 57 MINUTES 02 SECONDS EAST, 1,313.56
2 FEET ALONG A NORTH LINE OF SAID 253.4 ACRES, THE SOUTH LINE OF SAID
3 40 ACRES, THE SOUTH LINE OF THAT CALLED 2.151 ACRES OF LAND
4 DESCRIBED AS TRACT 1 IN A DEED TO ANTARES GUY AS RECORDED IN FILE NO.
5 D219049813 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS
6 AND THE SOUTH LINE OF THAT CALLED 1.9332 ACRES OF LAND DESCRIBED AS
7 TRACT 1 IN A DEED TO KATHLEEN VOELKEL AS RECORDED IN FILE NO.
8 D217190898 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS
9 TO A POINT IN A 3 INCH STEEL FENCE POST FOUND AT THE MOST EASTERLY
10 NORTHEAST CORNER OF SAID 253.4 ACRES, AT THE SOUTHEAST CORNER OF
11 SAID 1.9332 ACRES AND IN THE WEST LINE OF THAT CALLED 23.616 ACRES
12 OF LAND DESCRIBED IN A DEED TO JCE TRUST AS RECORDED IN VOLUME 9329,
13 PAGE 731 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS;

14 THENCE SOUTH 00 DEGREES 23 MINUTES 06 SECONDS WEST, 555.35
15 FEET ALONG A EAST LINE OF SAID 253.4 ACRES AND THE WEST LINE OF SAID
16 23.616 ACRES TO A 1/2 INCH STEEL ROD FOUND AT AN ANGLE POINT OF SAID
17 253.4 ACRES, AT A SOUTHWEST CORNER OF SAID 23.616 ACRES AND AT THE
18 NORTHWEST OR NORTH CORNER OF THAT CALLED 5.242 ACRES OF LAND
19 DESCRIBED IN A DEED TO ROBERT PAUL DENTON AS RECORDED IN FILE NO.
20 D220015759 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS;

21 THENCE SOUTH 00 DEGREES 11 MINUTES 09 SECONDS EAST, 2,070.50
22 FEET ALONG A EAST LINE OF SAID 253.4 ACRES, THE WEST LINE OF SAID
23 5.242 ACRES AND THE WEST LINE OF THAT CALLED 6.68 ACRES OF LAND
24 DESCRIBED IN A DEED TO JOSHUA KEVIN TERRY AND RACHEL TERRY AS
25 RECORDED IN FILE NO. D217044342 OF THE OFFICIAL PUBLIC RECORDS OF
26 TARRANT COUNTY, TEXAS TO A 1/2 INCH STEEL ROD FOUND CAPPED
27 "METROPLEX" AT THE MOST EASTERLY SOUTHEAST CORNER OF SAID 253.4

1 ACRES AND IN THE NORTHWEST LINE OF GIBSON CEMETERY ROAD;

2 THENCE SOUTH 58 DEGREES 52 MINUTES 26 SECONDS WEST, 165.76
3 FEET ALONG A SOUTHEAST LINE OF SAID 253.4 ACRES AND THE NORTHWEST
4 LINE OF SAID GIBSON CEMETERY ROAD TO A 1/2 INCH STEEL ROD SET CAPPED
5 "BY-LINE SURVEYING" AT A SOUTH CORNER OF SAID 253.4 ACRES AND AT THE
6 EAST CORNER OF THAT CALLED 0.26 ACRES OF LAND DESCRIBED IN A DEED TO
7 MILTON DELBERT CARTER AND WIFE, JIMMIE D. CARTER AS RECORDED IN
8 VOLUME 12978, PAGE 286 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS;

9 THENCE NORTH 29 DEGREES 48 MINUTES 14 SECONDS WEST, 114.66
10 FEET ALONG A SOUTHWEST LINE OF SAID 253.4 ACRES, THE NORTHEAST LINE
11 OF SAID 0.26 ACRES AND ALONG THE NORTHEAST LINE OF THAT CALLED 0.086
12 ACRES OF LAND DESCRIBED IN A DEED TO E. H. CARTER AND WIFE, VELMA V.
13 CARTER TO A 1/2 INCH STEEL ROD SET CAPPED "BY-LINE SURVEYING" AT AN
14 ELL CORNER OF SAID 253.4 ACRES AND AT THE NORTH CORNER OF SAID 0.086
15 ACRES;

16 THENCE SOUTH 58 DEGREES 58 MINUTES 05 SECONDS WEST, 130.75
17 FEET ALONG A SOUTHEAST LINE OF SAID 253.4 ACRES AND THE NORTHWEST
18 LINE OF SAID 0.086 ACRES TO A 1/2 INCH STEEL ROD FOUND AT AN ANGLE
19 POINT OF SAID 253.4 ACRES, AT THE WEST CORNER OF SAID 0.086 ACRES,
20 AT THE WEST CORNER OF SAID 0.26 ACRES AND AT THE NORTH CORNER OF THAT
21 CALLED 0.669 ACRES OF LAND DESCRIBED IN A DEED TO EL DEAN GRAHAM
22 ALDRICH, SR. AND CATHERINE BENNETH ALDRICH AS RECORDED IN FILE NO.
23 D210061249 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS;

24 THENCE SOUTH 82 DEGREES 50 MINUTES 54 SECONDS WEST, 267.07
25 FEET ALONG A SOUTHEAST LINE OF SAID 253.4 ACRES, THE NORTHWEST LINE
26 OF SAID 0.669 ACRES AND A NORTHWEST LINE OF THAT CALLED 1.78 ACRES
27 OF LAND DESCRIBED IN A DEED TO JOHN WILLIAM WATSON, JR. AND WIFE,

H.B. No. 5310

ELIZABETH ANN WATSON AS RECORDED IN VOLUME 6485, PAGE 933 OF THE
DEED RECORDS OF TARRANT COUNTY, TEXAS;

THENCE SOUTH 89 DEGREES 06 MINUTES 24 SECONDS WEST, 2,043.79
FEET ALONG A SOUTH LINE OF SAID 253.4 ACRES, THE NORTH LINE OF SAID
1.78 ACRES, THE NORTH LINE OF THAT CALLED 1.824 ACRES OF LAND
DESCRIBED IN A DEED TO JOHN P. BLANTON AS RECORDED IN FILE NO.
D222217134 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS,
THE NORTH LINE OF LOT 1 BLOCK 1 OF THE BLANTON ADDITION AS RECORDED
IN FILE NO. D219239213 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT
COUNTY, TEXAS, THE NORTH LINE OF THAT CALLED 2.30 ACRES OF LAND
DESCRIBED IN A DEED TO RENE LUNA AND SANDY LUNA AS RECORDED IN FILE
NO. D216277777 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY,
TEXAS, THE NORTH LINE OF LOTS 1 AND 2 OF THE WRIGHT-MOORE ADDITION
AS RECORDED IN FILE NO. D220136051 OF THE PLAT RECORDS OF TARRANT
COUNTY, TEXAS, THE NORTH LINE OF 3.078 ACRES AND THAT CALLED 3.929
ACRES OF LAND DESCRIBED IN A DEED TO WILLIE S. WRIGHT AND WIFE, EDNA
LEE WRIGHT AS RECORDED IN VOLUME 6610, PAGE 664 OF THE DEED RECORDS
OF TARRANT COUNTY, TEXAS, THE NORTH LINE OF THAT CALLED 3.502 ACRES
OF LAND DESCRIBED IN A DEED TO LARRY E. SMITHERMAN, JR. AS RECORDED
IN FILE NO. D206008331 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT
COUNTY, TEXAS, THE NORTH LINE OF THAT CALLED 6.66 ACRES OF LAND
DESCRIBED IN A DEED TO STREAMLINE LEASING, INC AS RECORDED IN FILE
NO. D218267961 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY,
TEXAS, THE NORTH LINE OF THAT CALLED 2.34 ACRES OF LAND DESCRIBED IN
A DEED TO STREAMLINE LEASING, INC. AS RECORDED IN FILE NO.
D217136197 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS
AND THE NORTH LINE OF THAT CALLED 2.276 ACRES OF LAND DESCRIBED IN A

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1 DEED TO RICHARD WAYNE BROWN AND WIFE, ALISA GAIL BROWN AS RECORDED
2 IN FILE NO. D206366701 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT
3 COUNTY, TEXAS TO A 1/2 INCH STEEL ROD SET CAPPED "BY-LINE SURVEYING"
4 AT AN ELL CORNER OF SAID 253.4 ACRES AND AT THE NORTHWEST CORNER OF
5 SAID 2.276 ACRES, FROM WHICH A 1/2 INCH STEEL ROD FOUND BEARS NORTH
6 89 DEGREES 06 MINUTES 24 SECONDS EAST, 155.57 FEET FOR WITNESS;

7 THENCE SOUTH 00 DEGREES 20 MINUTES 28 SECONDS EAST, 1,237.57
8 FEET ALONG A EAST LINE OF SAID 253.4 ACRES, THE WEST LINE OF SAID
9 2.276 ACRES AND THE WEST LINE OF THAT CALLED 4.683 ACRES OF LAND
10 DESCRIBED IN A DEED TO PATRICIA MARIE BAINES AS RECORDED IN VOLUME
11 15665, PAGE 438 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS TO A
12 1/2 INCH STEEL ROD FOUND AT A SOUTH CORNER OF SAID 253.4 ACRES AND AT
13 THE NORTHEAST CORNER OF THAT CALLED 13.232 ACRES OF LAND DESCRIBED
14 IN A DEED TO TEXAS ELECTRIC SERVICE COMPANY AS RECORDED IN VOLUME
15 4688, PAGE 261 OF THE DEED RECORDS OF TARRANT COUNTY, TEXAS;

16 THENCE NORTH 41 DEGREES 50 MINUTES 59 SECONDS WEST, 3,764.06
17 FEET ALONG A SOUTHWEST LINE OF SAID 253.4 ACRES AND THE NORTHEAST
18 LINE OF SAID 13.232 ACRES TO A 1/2 INCH STEEL ROD SET CAPPED
19 "BY-LINE SURVEYING" AT A NORTHWEST CORNER OF SAID 253.4 ACRES AND IN
20 THE SOUTH LINE OF JESSICA LANE;

21 THENCE NORTH 88 DEGREES 33 MINUTES 15 SECONDS EAST, 634.59
22 FEET ALONG A NORTH LINE OF SAID 253.4 ACRES AND THE SOUTH LINE OF
23 JESSICA LANE TO A 1/2 INCH STEEL ROD FOUND AT AN ANGLE POINT OF SAID
24 253.4 ACRES AND AT THE SOUTHWEST CORNER OF THAT CALLED 4.0 ACRES OF
25 LAND DESCRIBED IN A DEED TO R. H. FINCHER AND WIFE, AUDREY FINCHER
26 AS RECORDED IN VOLUME 6930, PAGE 982 OF THE DEED RECORDS OF TARRANT
27 COUNTY, TEXAS;

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1 THENCE NORTH 88 DEGREES 46 MINUTES 46 SECONDS EAST, 417.28
2 FEET ALONG A NORTH LINE OF SAID 253.4 ACRES AND THE SOUTH LINE OF
3 SAID 4.0 ACRES TO A 1/2 INCH STEEL ROD FOUND AT AN ELL CORNER OF SAID
4 253.4 ACRES AND AT THE SOUTHEAST CORNER OF SAID 4.0 ACRES;

5 THENCE NORTH 00 DEGREES 00 MINUTES 38 SECONDS WEST, 417.23 FEET
6 ALONG A WEST LINE OF SAID 253.4 ACRES AND THE EAST LINE OF SAID 4.0
7 ACRES TO A 1/2 INCH STEEL ROD FOUND AT AN ELL CORNER OF SAID 253.4
8 ACRES AND AT THE NORTHEAST CORNER OF SAID 4.0 ACRES;

9 THENCE SOUTH 88 DEGREES 47 MINUTES 56 SECONDS WEST, 417.75
10 FEET ALONG A SOUTH LINE OF SAID 253.4 ACRES AND THE NORTH LINE OF
11 SAID 4.0 ACRES TO A 1/2 INCH STEEL ROD FOUND AT A SOUTHWEST CORNER OF
12 SAID 253.4 ACRES, AT THE NORTHWEST CORNER OF SAID 4.0 ACRES AND IN
13 THE EAST LINE OF THAT CALLED 1.011 ACRES OF LAND DESCRIBED IN A DEED
14 TO ROXANNA WATSON AS RECORDED IN VOLUME 5390, PAGE 348 OF THE DEED
15 RECORDS OF TARRANT COUNTY, TEXAS, FROM WHICH A 1/2 INCH STEEL ROD
16 FOUND BEARS SOUTH 00 DEGREES 04 MINUTES 29 SECONDS EAST, 417.36 FEET
17 FOR WITNESS;

18 THENCE NORTH 00 DEGREES 04 MINUTES 29 SECONDS WEST, 1,094.19
19 FEET ALONG A WEST LINE OF SAID 253.4 ACRES, THE EAST LINE OF SAID
20 1.011 ACRES, THE EAST LINE OF THAT CALLED 1.003 ACRES OF LAND
21 DESCRIBED IN A DEED TO STEPHEN CALHOUN AS RECORDED IN FILE NO.
22 D222181416 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS,
23 THE EAST LINE OF THAT CALLED 0.70 ACRES OF LAND DESCRIBED AS TRACT
24 ONE AND THAT CALLED 1.31 ACRES OF LAND DESCRIBED AS TRACT TWO IN A
25 DEED TO ROGER STITES AND WIFE, ROSEMARY STITES AS RECORDED IN FILE
26 NO. D213014048 OF THE OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY,
27 TEXAS, THE EAST LINE OF THAT CALLED 1.02 ACRES OF LAND DESCRIBED IN

1 A DEED TO PAMELA K. WILSON AS RECORDED IN FILE NO. D222242637 OF THE
2 OFFICIAL PUBLIC RECORDS OF TARRANT COUNTY, TEXAS, THE EAST LINE OF
3 THAT CALLED 0.4114 ACRES OF LAND DESCRIBED IN A DEED TO JAMES R.
4 PASKEY AS RECORDED IN VOLUME 14715, PAGE 417 OF THE DEED RECORDS OF
5 TARRANT COUNTY, TEXAS, THE EAST LINE OF THAT CALLED 0.53 ACRES OF
6 LAND DESCRIBED IN A DEED TO MARTIN PRECIADO AND LAURENTINA AYALA
7 VELAZQUEZ AS RECORDED IN FILE NO. D217079549 OF THE OFFICIAL PUBLIC
8 RECORDS OF TARRANT COUNTY, TEXAS AND THE EAST LINE OF SAID WYNN
9 TRACT TO THE POINT OF BEGINNING, CONTAINING 253.48 ACRES OF LAND.

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

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

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

24 (d) All requirements of the constitution and laws of this
25 state and the rules and procedures of the legislature with respect
26 to the notice, introduction, and passage of this Act are fulfilled
27 and accomplished.

1 SECTION 4. (a) If this Act does not receive a two-thirds
2 vote of all the members elected to each house, Subchapter C, Chapter
3 8092, Special District Local Laws Code, as added by Section 1 of
4 this Act, is amended by adding Section 8092.0307 to read as follows:

5 Sec. 8092.0307. NO EMINENT DOMAIN POWER. The district may
6 not exercise the power of eminent domain.

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

10 SECTION 5. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2023.

H.B. No. 5310

President of the Senate

Speaker of the House

I certify that H.B. No. 5310 was passed by the House on May 9, 2023, by the following vote: Yeas 108, Nays 34, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 5310 was passed by the Senate on May 19, 2023, by the following vote: Yeas 26, Nays 4, 1 present, not voting.

Secretary of the Senate

APPROVED: _____

Date

Governor