

1-1 By: Huffman S.B. No. 2588
 1-2 (In the Senate - Filed March 28, 2023; April 5, 2023, read
 1-3 first time and referred to Committee on Local Government;
 1-4 April 28, 2023, reported favorably by the following vote: Yeas 7,
 1-5 Nays 0; April 28, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Springer	X			
1-9 Eckhardt	X			
1-10 Gutierrez			X	
1-11 Hall	X			
1-12 Nichols	X			
1-13 Parker			X	
1-14 Paxton	X			
1-15 West	X			

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

1-19 relating to the creation of the Fort Bend County Municipal Utility
 1-20 District No. 264; granting a limited power of eminent domain;
 1-21 providing authority to issue bonds; providing authority to impose
 1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-25 Code, is amended by adding Chapter 7974A to read as follows:

1-26 CHAPTER 7974A. FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 264
 1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 7974A.0101. DEFINITIONS. In this chapter:
 1-29 (1) "Board" means the district's board of directors.
 1-30 (2) "Commission" means the Texas Commission on
 1-31 Environmental Quality.

1-32 (3) "Director" means a board member.
 1-33 (4) "District" means the Fort Bend County Municipal
 1-34 Utility District No. 264.

1-35 Sec. 7974A.0102. NATURE OF DISTRICT. The district is a
 1-36 municipal utility district created under Section 59, Article XVI,
 1-37 Texas Constitution.

1-38 Sec. 7974A.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-39 REQUIRED. The temporary directors shall hold an election to
 1-40 confirm the creation of the district and to elect five permanent
 1-41 directors as provided by Section 49.102, Water Code.

1-42 Sec. 7974A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-43 temporary directors may not hold an election under Section
 1-44 7974A.0103 until each municipality in whose corporate limits or
 1-45 extraterritorial jurisdiction the district is located has
 1-46 consented by ordinance or resolution to the creation of the
 1-47 district and to the inclusion of land in the district as required by
 1-48 applicable law.

1-49 Sec. 7974A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
 1-50 (a) The district is created to serve a public purpose and benefit.

1-51 (b) The district is created to accomplish the purposes of:
 1-52 (1) a municipal utility district as provided by
 1-53 general law and Section 59, Article XVI, Texas Constitution; and
 1-54 (2) Section 52, Article III, Texas Constitution, that
 1-55 relate to the construction, acquisition, improvement, operation,
 1-56 or maintenance of macadamized, graveled, or paved roads, or
 1-57 improvements, including storm drainage, in aid of those roads.

1-58 Sec. 7974A.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-59 district is initially composed of the territory described by
 1-60 Section 2 of the Act enacting this chapter.

1-61 (b) The boundaries and field notes contained in Section 2 of

2-1 the Act enacting this chapter form a closure. A mistake made in the
 2-2 field notes or in copying the field notes in the legislative process
 2-3 does not affect the district's:

- 2-4 (1) organization, existence, or validity;
- 2-5 (2) right to issue any type of bond for the purposes
 2-6 for which the district is created or to pay the principal of and
 2-7 interest on a bond;
- 2-8 (3) right to impose a tax; or
- 2-9 (4) legality or operation.

2-10 SUBCHAPTER B. BOARD OF DIRECTORS

2-11 Sec. 7974A.0201. GOVERNING BODY; TERMS. (a) The district
 2-12 is governed by a board of five elected directors.

2-13 (b) Except as provided by Section 7974A.0202, directors
 2-14 serve staggered four-year terms.

2-15 Sec. 7974A.0202. TEMPORARY DIRECTORS. (a) On or after the
 2-16 effective date of the Act enacting this chapter, the owner or owners
 2-17 of a majority of the assessed value of the real property in the
 2-18 district may submit a petition to the commission requesting that
 2-19 the commission appoint as temporary directors the five persons
 2-20 named in the petition. The commission shall appoint as temporary
 2-21 directors the five persons named in the petition.

2-22 (b) Temporary directors serve until the earlier of:

2-23 (1) the date permanent directors are elected under
 2-24 Section 7974A.0103; or

2-25 (2) the fourth anniversary of the effective date of
 2-26 the Act enacting this chapter.

2-27 (c) If permanent directors have not been elected under
 2-28 Section 7974A.0103 and the terms of the temporary directors have
 2-29 expired, successor temporary directors shall be appointed or
 2-30 reappointed as provided by Subsection (d) to serve terms that
 2-31 expire on the earlier of:

2-32 (1) the date permanent directors are elected under
 2-33 Section 7974A.0103; or

2-34 (2) the fourth anniversary of the date of the
 2-35 appointment or reappointment.

2-36 (d) If Subsection (c) applies, the owner or owners of a
 2-37 majority of the assessed value of the real property in the district
 2-38 may submit a petition to the commission requesting that the
 2-39 commission appoint as successor temporary directors the five
 2-40 persons named in the petition. The commission shall appoint as
 2-41 successor temporary directors the five persons named in the
 2-42 petition.

2-43 SUBCHAPTER C. POWERS AND DUTIES

2-44 Sec. 7974A.0301. GENERAL POWERS AND DUTIES. The district
 2-45 has the powers and duties necessary to accomplish the purposes for
 2-46 which the district is created.

2-47 Sec. 7974A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-48 DUTIES. The district has the powers and duties provided by the
 2-49 general law of this state, including Chapters 49 and 54, Water Code,
 2-50 applicable to municipal utility districts created under Section 59,
 2-51 Article XVI, Texas Constitution.

2-52 Sec. 7974A.0303. AUTHORITY FOR ROAD PROJECTS. Under
 2-53 Section 52, Article III, Texas Constitution, the district may
 2-54 design, acquire, construct, finance, issue bonds for, improve,
 2-55 operate, maintain, and convey to this state, a county, or a
 2-56 municipality for operation and maintenance macadamized, graveled,
 2-57 or paved roads, or improvements, including storm drainage, in aid
 2-58 of those roads.

2-59 Sec. 7974A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-60 road project must meet all applicable construction standards,
 2-61 zoning and subdivision requirements, and regulations of each
 2-62 municipality in whose corporate limits or extraterritorial
 2-63 jurisdiction the road project is located.

2-64 (b) If a road project is not located in the corporate limits
 2-65 or extraterritorial jurisdiction of a municipality, the road
 2-66 project must meet all applicable construction standards,
 2-67 subdivision requirements, and regulations of each county in which
 2-68 the road project is located.

2-69 (c) If the state will maintain and operate the road, the

3-1 Texas Transportation Commission must approve the plans and
 3-2 specifications of the road project.
 3-3 Sec. 7974A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
 3-4 ORDINANCE OR RESOLUTION. The district shall comply with all
 3-5 applicable requirements of any ordinance or resolution that is
 3-6 adopted under Section 54.016 or 54.0165, Water Code, and that
 3-7 consents to the creation of the district or to the inclusion of land
 3-8 in the district.
 3-9 Sec. 7974A.0306. DIVISION OF DISTRICT. (a) The board, on
 3-10 its own motion or on receipt of a petition signed by the owner or
 3-11 owners of a majority of the assessed value of the real property in
 3-12 the district, may adopt an order dividing the district.
 3-13 (b) An order dividing a district may create one or more new
 3-14 districts and may provide for the continuation of the district.
 3-15 (c) An order dividing the district shall:
 3-16 (1) name any new district;
 3-17 (2) include the metes and bounds description of the
 3-18 territory of each of the districts;
 3-19 (3) appoint temporary directors for any new district;
 3-20 and
 3-21 (4) provide for the division of assets and liabilities
 3-22 between the districts.
 3-23 (d) The board may adopt an order dividing the district
 3-24 before or after the date the board holds an election to confirm the
 3-25 district's creation.
 3-26 (e) The district may be divided only if the district:
 3-27 (1) has never issued any bonds; and
 3-28 (2) is not imposing ad valorem taxes.
 3-29 (f) A new district created by the division of the district
 3-30 may not, at the time the new district is created, contain any land
 3-31 outside the area described by Section 2 of the Act enacting this
 3-32 chapter.
 3-33 (g) On or before the 30th day after the date of adoption of
 3-34 an order dividing the district, the district shall file the order
 3-35 with the commission and record the order in the real property
 3-36 records of each county in which the district is located.
 3-37 (h) This chapter applies to any new district created by the
 3-38 division of the district, and a new district has all the powers and
 3-39 duties of the district.
 3-40 (i) A new district created by the division of the district
 3-41 shall hold a confirmation and directors' election.
 3-42 (j) If the creation of the new district is confirmed, the
 3-43 new district shall provide the election date and results to the
 3-44 commission.
 3-45 (k) A new district created by the division of the district
 3-46 must hold an election as required by this chapter to obtain voter
 3-47 approval before the district may impose a maintenance tax or issue
 3-48 bonds payable wholly or partly from ad valorem taxes.
 3-49 (l) The district may continue to rely on confirmation,
 3-50 directors', bond, or tax elections held prior to the division.
 3-51 (m) Municipal consent to the creation of the district and to
 3-52 the inclusion of land in the district acts as municipal consent to
 3-53 the creation of any new district created by the division of the
 3-54 district and to the inclusion of land in the new district.
 3-55 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
 3-56 Sec. 7974A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
 3-57 The district may issue, without an election, bonds and other
 3-58 obligations secured by:
 3-59 (1) revenue other than ad valorem taxes; or
 3-60 (2) contract payments described by Section
 3-61 7974A.0403.
 3-62 (b) The district must hold an election in the manner
 3-63 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 3-64 before the district may impose an ad valorem tax or issue bonds
 3-65 payable from ad valorem taxes.
 3-66 (c) The district may not issue bonds payable from ad valorem
 3-67 taxes to finance a road project unless the issuance is approved by a
 3-68 vote of a two-thirds majority of the district voters voting at an
 3-69 election held for that purpose.

4-1 Sec. 7974A.0402. OPERATION AND MAINTENANCE TAX. (a) If
4-2 authorized at an election held under Section 7974A.0401, the
4-3 district may impose an operation and maintenance tax on taxable
4-4 property in the district in accordance with Section 49.107, Water
4-5 Code.

4-6 (b) The board shall determine the tax rate. The rate may not
4-7 exceed the rate approved at the election.

4-8 Sec. 7974A.0403. CONTRACT TAXES. (a) In accordance with
4-9 Section 49.108, Water Code, the district may impose a tax other than
4-10 an operation and maintenance tax and use the revenue derived from
4-11 the tax to make payments under a contract after the provisions of
4-12 the contract have been approved by a majority of the district voters
4-13 voting at an election held for that purpose.

4-14 (b) A contract approved by the district voters may contain a
4-15 provision stating that the contract may be modified or amended by
4-16 the board without further voter approval.

4-17 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-18 Sec. 7974A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
4-19 OBLIGATIONS. The district may issue bonds or other obligations
4-20 payable wholly or partly from ad valorem taxes, impact fees,
4-21 revenue, contract payments, grants, or other district money, or any
4-22 combination of those sources, to pay for any authorized district
4-23 purpose.

4-24 Sec. 7974A.0502. TAXES FOR BONDS. At the time the district
4-25 issues bonds payable wholly or partly from ad valorem taxes, the
4-26 board shall provide for the annual imposition of a continuing
4-27 direct ad valorem tax, without limit as to rate or amount, while all
4-28 or part of the bonds are outstanding as required and in the manner
4-29 provided by Sections 54.601 and 54.602, Water Code.

4-30 Sec. 7974A.0503. BONDS FOR ROAD PROJECTS. At the time of
4-31 issuance, the total principal amount of bonds or other obligations
4-32 issued or incurred to finance road projects and payable from ad
4-33 valorem taxes may not exceed one-fourth of the assessed value of the
4-34 real property in the district.

4-35 SECTION 2. Fort Bend County Municipal Utility District
4-36 No. 264 initially includes all the territory contained in the
4-37 following area:

4-38 A Field Note Description of 2413.886 Acres of Land, being:

4-39 1. the call J&J Farms call 314 Acre Tract (Volume 27, Page
4-40 206; Deed Records and Volume M, Page 576; Deed Records); being in
4-41 the Elisha Moore League, Abstract No. 439;

4-42 2. the call J. & J. Farms 25.24 Acre Tract (See Volume 100,
4-43 Page 368; Deed Records) being in the Antonio Balle Survey, Abstract
4-44 No. 107;

4-45 3. the call J. & J. Farms 200 Acre Tract. 151.5 Acres & 151.5
4-46 Acre Tracts as described in Volume 88, Page 319; Deed Records and
4-47 Volume 102, Page 339; Deed Records) being in the said Antonio Balle
4-48 Survey, Abstract No. 107;

4-49 4. the call J. & J. Farms call 985.46 Acre Tract described in
4-50 Agreement of Partition and Partition Deed-Tract D, call 1721.397
4-51 Acres (Volume 636, Page 907; Deed Records and FBC 2001041228) in the
4-52 Elizabeth Powell League, Abstract No. 71; and

4-53 5. the call J. & J. Farms call 332 or 302 Acres and call 400
4-54 Acres (See Volume 88, Page 319; Deed Records and Volume 102, Page
4-55 339; Deed Records), being in the E.B. George Survey, Abstract No.
4-56 199; all being in Fort Bend County, Texas.

4-57 For Connection beginning at 2-1/2 inch iron pipe found making
4-58 the East corner of said Elizabeth Powell League, Abstract No. 71 and
4-59 a re-entrant corner of said Antonio Balle Survey, Abstract No. 107;
4-60 THENCE, South 5.8°36'22" West (Base Bearing), along the Southeast
4-61 line of said Elizabeth Powell League, Abstract No. 71, at 4714.27
4-62 feet pass a corner post in the Northeast right-of-way line of Darst
4-63 Road, in all 4775.27 feet to a capped 5/8 inch iron rod stamped
4-64 "1535-4035" set at corner post in the Southwest right-ofway line of
4-65 said Darst Road marking the North corner of and place of beginning
4-66 for this tract;

4-67 THENCE, South 39°26'31" East, 2283.33 feet along said
4-68 Southwest right-of-way line of said Darst Road to a capped 5/8 inch
4-69 iron rod stamped "1535-4035" set marking the Northeast corner for

5-1 this tract;

5-2 THENCE, South 31°48'43" West, 3425.97 feet to a capped 5/8

5-3 inch iron rod stamped "1535-4035" set for angle point in this line;

5-4 THENCE, South 17°40'53" West, 5693.89 feet to a point marking

5-5 the Southeast corner for this tract, a capped 5/8 inch iron rod

5-6 stamped "1535-4035" was set North 20°31'19" East, 3.02 feet in North

5-7 water's edge;

5-8 THENCE, North 72°19'07" West, 5776.57 feet to a capped 5/8

5-9 inch iron rod stamped "1535-4035" set marking a re-entrant corner

5-10 for this tract;

5-11 THENCE, South 17°40'53" West, 2148.44 feet to a capped 5/8

5-12 inch iron rod stamped "1535-4035" set on the Easterly High Bank of

5-13 the San Bernard River and marking the most Southerly South corner of

5-14 this tract;

5-15 THENCE, Northwesterly along the East Bank of said San Bernard

5-16 River with the following courses and distances:

5-17 1. North 54°15'46" West, 397.94 feet to an angle point;

5-18 2. North 33°05'22" East, 100.13 feet to an angle point;

5-19 3. North 54°31'32" East, 225.58 feet to an angle point;

5-20 4. North 73°06'12" East, 82.28 feet to an angle point;

5-21 5. North 02°52'38" West, 91.48 feet to an angle point;

5-22 6. North 60°28'48" West, 204.42 feet to an angle point;

5-23 7. North 30°40'52" East, 129.33 feet to an angle point;

5-24 8. North 25°01'12" East, 185.54 feet to an angle point;

5-25 9. North 00°22'18" West, 65.53 feet to an angle point;

5-26 10. North 58°53'38" West, 111.53 feet to an angle point;

5-27 11. North 14°52'28" West, 140.16 feet to an angle point;

5-28 12. North 13°05'12" East, 191.47 feet to an angle point;

5-29 13. North 45°06'58" West, 88.77 feet to an angle point;

5-30 14. North 09°03'28" West, 167.48 feet to an angle point;

5-31 15. North 16°11'38" West, 182.22 feet to an angle point;

5-32 16. North 42°07'38" West, 221.65 feet to an angle point;

5-33 17. North 56°02'58" West, 198.95 feet to an angle point;

5-34 18. North 36°41'28" West, 211.06 feet to an angle point;

5-35 19. North 24°26'38" West, 133.17 feet to an angle point;

5-36 20. North 23°54'12" East, 106.41 feet to an angle point;

5-37 21. North 41°53'18" West, 174.82 feet to an angle point;

5-38 22. North 02°53'18" West, 197.19 feet to an angle point;

5-39 23. North 39°00'58" West, 148.80 feet to an angle point;

5-40 24. North 67°47'38" West, 137.57 feet to an angle point;

5-41 25. North 17°48'52" East, 193.57 feet to an angle point;

5-42 26. North 30°26'08" West, 128.70 feet to an angle point;

5-43 27. North 76°52'08" West, 228.77 feet to an angle point;

5-44 28. North 18°05'52" East, 98.86 feet to an angle point;

5-45 29. North 78°00'52" East, 268.86 feet to an angle point;

5-46 30. North 46°53'12" East, 113.48 feet to an angle point;

5-47 31. North 04°06'52" East, 103.84 feet to an angle point;

5-48 32. North 54°03'18" West, 184.68 feet to an angle point;

5-49 33. North 08°03'52" East, 135.68 feet to an angle point;

5-50 34. North 24°31'22" East, 233.79 feet to an angle point;

5-51 35. North 19°32'28" West, 202.10 feet to an angle point;

5-52 36. North 70°38'52" East, 315.83 feet to an angle point;

5-53 37. North 15°47'02" East, 196.36 feet to an angle point;

5-54 38. North 15°56'42" East, 233.88 feet to an angle point;

5-55 39. North 00°04'42" East, 157.36 feet to an angle point;

5-56 40. North 50°27'38" West, 174.36 feet to an angle point;

5-57 41. North 60°52'08" West, 212.26 feet to an angle point;

5-58 42. North 61°50'48" West, 249.67 feet to an angle point;

5-59 43. North 06°35'18" West, 243.23 feet to an angle point;

5-60 44. North 15°38'28" West, 217.52 feet to an angle point;

5-61 45. North 05°03'38" West, 126.69 feet to an angle point;

5-62 46. North 45°57'28" West, 103.01 feet to an angle point;

5-63 47. North 21°58'18" West, 122.38 feet to an angle point;

5-64 48. North 29°58'18" West, 92.23 feet to an angle point;

5-65 49. North 73°53'28" West, 186.74 feet to an angle point;

5-66 50. South 68°56'22" West, 345.61 feet to an angle point;

5-67 51. South 77°44'15" West, 351.38 feet to an angle point;

5-68 52. South 80°58'19" West, 142.37 feet to point marking the

5-69 Southerly Southwest corner of this tract;

6-1 THENCE, North 19°09'12" East, at 20.0 feet pass a capped 5/8
6-2 inch iron rod stamped "1535-4035" set, then along a fence line, in
6-3 all 2120.31 feet to a 1-1/4 inch iron pipe found for corner marking
6-4 a re-entrant corner of this tract;
6-5 THENCE, North 69°20'52" West, 372.87 feet to a 1-1/4 inch iron
6-6 pipe found for another Southwest corner of this tract;
6-7 THENCE, North 03°53'32" East, along a fence line, 3945.81
6-8 feet to another 1-1/4 inch iron pipe found for corner;
6-9 THENCE, North 57°20'37" East, along a fence line, 1014.32
6-10 feet to a 1/2 inch iron pipe found for angle point;
6-11 THENCE, North 13°21'07" East, along a fence line, 1247.36
6-12 feet to a capped 5/8 inch iron rod stamped "1535-4035" set for
6-13 corner;
6-14 THENCE, North 32°44'20" West, 140.72 feet to a 1/2 inch iron
6-15 pipe found for corner;
6-16 THENCE, North 57°51'15" East, 1573.14 feet to a capped 5/8
6-17 inch iron rod stamped "1535-4035" set marking the Southeast corner
6-18 of the J.D. Robinson call 15.02 Acre Tract (FBC 2001041228);
6-19 THENCE, North 32°41'23" West, 228.32 feet to a corner post
6-20 marking the Northeast corner of said J.D. Robinson 15.02 Acre
6-21 Tract;
6-22 THENCE, South 58°00'37" West, 1573.41 feet along the
6-23 Northwest line of said call 15.02 Tract to a capped 5/8 inch iron
6-24 rod stamped "1535-4035" set for corner;
6-25 THENCE, North 32°44'11" West, 459.13 feet to a capped 5/8 inch
6-26 iron rod stamped "1535-4035" set marking the most Northerly
6-27 Northwest corner of this tract;
6-28 THENCE, North 57°57'49" East, along a fence line marking the
6-29 Northerly line of a 30 foot wide Road Easement recorded in Partition
6-30 Deed-Volume 636, Page 907; Deed Records of Fort Bend County, Texas,
6-31 3813.7 feet to a capped 5/8 inch iron rod stamped "1535-4035" set
6-32 for the most Northerly North corner of this tract in the
6-33 Southwesterly right-of-way line of said Darst Road as recognized on
6-34 the ground;
6-35 THENCE, South 32°13'30" East, along said Southwesterly
6-36 right-of-way line of said Darst Road, 987.27 feet to a capped 5/8
6-37 inch iron rod stamped "1535-4035" set marking the North corner of
6-38 the Dillard Estate call 1.0 Acre Tract (Volume 587, Page 924; Deed
6-39 Records Fort Bend County, Texas);
6-40 THENCE, South 41°11' West, 208.7 feet to a capped 5/8 inch
6-41 iron rod stamped "1535-4035" set marking the West corner of said
6-42 Dillard 1.0 Acre Tract;
6-43 THENCE, South 48°37'46" East, 208.7 feet to a capped 5/8 inch
6-44 iron rod stamped "1535-4035" set marking the South corner of said
6-45 Dillard 1.0 Acre Tract;
6-46 THENCE, North 41°11' East, 208.7 feet to a capped 5/8 inch
6-47 iron rod stamped "1535-4035" set marking the East corner of said
6-48 Dillard 1.0 Acre Tract;
6-49 THENCE, Southeasterly along the Southerly right-of-way line
6-50 of said Darst Road with the following courses and distances:
6-51 South 57°06'39" East, 26.33 feet to a 60d nail found for
6-52 corner;
6-53 South 60°37'10" East, 143.11 feet to a capped 5/8 inch iron
6-54 rod stamped "1535-4035" set for angle point;
6-55 South 82°12'12" East, 1093.68 feet to a capped 5/8 inch iron
6-56 rod stamped "1535-4035" set for angle point;
6-57 South 69°16' East, 112.14 feet to a capped 5/8 inch iron rod
6-58 stamped "1535-4035" set a corner post marking Northerly Northeast
6-59 corner of this tract;
6-60 South 39°57'59" East, 421.99 feet to a capped 5/8 inch iron
6-61 rod stamped "1535-4035" set at a corner post marking the Northerly
6-62 Northeast corner of this tract;
6-63 THENCE, South 39°45'03" West, leaving said Darst Road, along a
6-64 fence line 800.42 feet to a capped 5/8 inch iron rod stamped
6-65 "1535-4035" set for angle point;
6-66 THENCE, South 30°53'39" West, along a fence line, 1581.12 feet
6-67 to a capped 5/8 inch iron rod stamped "1535-4035" set for angle
6-68 point;
6-69 THENCE, South 61°39'47" West, along a fence line, 440.23 feet

7-1 to a 8 inch corner post found for angle point;
7-2 THENCE, South 49°28'44" West, along a fence line, 591.17 feet
7-3 to a capped 5/8 inch iron rod stamped "1535-4035" set on the North
7-4 side of a 12 inch corner post for a re-entrant corner of this tract;
7-5 THENCE, South 32°40' East, along a fence line, 4691.8 feet to
7-6 a capped 5/8 inch iron rod stamped "1535-4035" set for angle point;
7-7 THENCE, Southeasterly following a fence line with the
7-8 following courses and distances:
7-9 South 35°58'15" East, 40.91 feet to a Railroad Tie for angle
7-10 point;
7-11 South 47°19'54" East, 24.51 feet to a Railroad Tie for angle
7-12 point;
7-13 South 65°08'02" East, 566.63 feet to a corner post found for
7-14 another re-entrant corner of this tract;
7-15 THENCE, North 10°13'40" East, along a fence line 634.47 feet
7-16 to a corner post for angle point;
7-17 THENCE, North 58°36'22" East, along said Northwest line of
7-18 the Antonio Balle Survey, Abstract No. 107 and Southeast line of the
7-19 Elizabeth Powell League, Abstract No. 71, 3186.2 feet to the place
7-20 of beginning and containing 2413.886 Acres of Land.
7-21 SECTION 3. (a) The legal notice of the intention to
7-22 introduce this Act, setting forth the general substance of this
7-23 Act, has been published as provided by law, and the notice and a
7-24 copy of this Act have been furnished to all persons, agencies,
7-25 officials, or entities to which they are required to be furnished
7-26 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-27 Government Code.
7-28 (b) The governor, one of the required recipients, has
7-29 submitted the notice and Act to the Texas Commission on
7-30 Environmental Quality.
7-31 (c) The Texas Commission on Environmental Quality has filed
7-32 its recommendations relating to this Act with the governor, the
7-33 lieutenant governor, and the speaker of the house of
7-34 representatives within the required time.
7-35 (d) All requirements of the constitution and laws of this
7-36 state and the rules and procedures of the legislature with respect
7-37 to the notice, introduction, and passage of this Act are fulfilled
7-38 and accomplished.
7-39 SECTION 4. (a) If this Act does not receive a two-thirds
7-40 vote of all the members elected to each house, Subchapter C, Chapter
7-41 7974A, Special District Local Laws Code, as added by Section 1 of
7-42 this Act, is amended by adding Section 7974A.0307 to read as
7-43 follows:
7-44 Sec. 7974A.0307. NO EMINENT DOMAIN POWER. The district may
7-45 not exercise the power of eminent domain.
7-46 (b) This section is not intended to be an expression of a
7-47 legislative interpretation of the requirements of Section 17(c),
7-48 Article I, Texas Constitution.
7-49 SECTION 5. This Act takes effect immediately if it receives
7-50 a vote of two-thirds of all the members elected to each house, as
7-51 provided by Section 39, Article III, Texas Constitution. If this
7-52 Act does not receive the vote necessary for immediate effect, this
7-53 Act takes effect September 1, 2023.

7-54 * * * * *