

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Raymond

H.B. No. 5405

A BILL TO BE ENTITLED

AN ACT

relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District; 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. The Legacy Water Control and Improvement District is converted to the Legacy Municipal Management District and is governed by Chapter 4008, Special District Local Laws Code, as added by this Act.

SECTION 2. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 4008 to read as follows:

CHAPTER 4008. LEGACY MUNICIPAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 4008.0101. DEFINITIONS. In this chapter:

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

(2) "County" means Webb County.

(3) "Director" means a board member.

(4) "District" means the Legacy Municipal Management District, formerly the Legacy Water Control and Improvement District.

Sec. 4008.0102. NATURE OF DISTRICT; CONVERSION. The Legacy Municipal Management District is a special district created under Section 59, Article XVI, Texas Constitution, as the Legacy Water

1 Control and Improvement District. The district is converted to a  
2 municipal management district known as the Legacy Municipal  
3 Management District under the same constitutional authority.

4 Sec. 4008.0103. PURPOSE; DECLARATION OF INTENT. (a) The  
5 conversion and operation of the district are essential to  
6 accomplish the purposes of Sections 52 and 52-a, Article III, and  
7 Section 59, Article XVI, Texas Constitution, and other public  
8 purposes stated in this chapter. By converting the district to a  
9 municipal management district and in authorizing the county and  
10 other political subdivisions to contract with the district, the  
11 legislature has established a program to accomplish the public  
12 purposes set out in Section 52-a, Article III, Texas Constitution.

13 (b) The conversion and operation of the district are  
14 necessary to promote, develop, encourage, and maintain employment,  
15 commerce, transportation, housing, tourism, recreation, the arts,  
16 entertainment, economic development, safety, and the public  
17 welfare in the district.

18 (c) This chapter and the conversion or operation of the  
19 district may not be interpreted to relieve the county from  
20 providing the level of services provided as of the effective date of  
21 the Act enacting this chapter to the area in the district. The  
22 district is created to supplement and not to supplant county  
23 services provided in the district.

24 Sec. 4008.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

25 (a) The district is converted to a municipal management district to  
26 serve a public use and benefit.

27 (b) All land and other property included in the district

1 will benefit from the improvements and services to be provided by  
2 the district under powers conferred by Sections 52 and 52-a,  
3 Article III, and Section 59, Article XVI, Texas Constitution, and  
4 other powers granted under this chapter.

5 (c) The conversion and operation of the district is in the  
6 public interest and is essential to further the public purposes of:

7 (1) developing and diversifying the economy of the  
8 state;

9 (2) eliminating unemployment and underemployment; and

10 (3) developing or expanding transportation and  
11 commerce.

12 (d) The district will:

13 (1) promote the health, safety, and general welfare of  
14 residents, employers, potential employees, employees, visitors,  
15 and consumers in the district, and of the public;

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

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

24 (4) provide for water, wastewater, drainage, road, and  
25 recreational facilities for the district.

26 (e) Pedestrian ways along or across a street, whether at  
27 grade or above or below the surface, and street lighting, street

1 landscaping, parking, and street art objects are parts of and  
2 necessary components of a street and are considered to be a street  
3 or road improvement.

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

7 Sec. 4008.0105. INITIAL DISTRICT TERRITORY. (a) The  
8 district is initially composed of the territory described by  
9 Section 3 of the Act enacting this chapter.

10 (b) The boundaries and field notes contained in Section 3 of  
11 the Act enacting this chapter form a closure. A mistake in the  
12 field notes or in copying the field notes in the legislative process  
13 does not affect the district's:

14 (1) organization, existence, or validity;

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

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

19 (4) legality or operation.

20 Sec. 4008.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.  
21 All or any part of the area of the district is eligible to be  
22 included in:

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

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

27 Sec. 4008.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT



DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 4008.0108. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 4008.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms.

Sec. 4008.0202. RECOMMENDATIONS FOR SUCCEEDING BOARD. (a) The initial and each succeeding board of directors shall, and the owners of a majority of the assessed value of property subject to assessment by the district may, recommend to the governing body of the county persons to serve on the succeeding board.

(b) After reviewing the recommendations, the governing body shall approve or disapprove the directors recommended under Subsection (a).

(c) If the governing body is not satisfied with the recommendations submitted under Subsection (a), the board, on the request of the governing body, shall submit to the governing body additional recommendations.

(d) Board members may serve successive terms.

Sec. 4008.0203. DISQUALIFICATION OF DIRECTORS. Section 49.052, Water Code, does not apply to the district.

Sec. 4008.0204. REMOVAL OF DIRECTOR. The governing body of the county after notice and hearing may remove a director for misconduct or failure to carry out the director's duties on

petition by a majority of the remaining directors.

Sec. 4008.0205. QUORUM. For purposes of determining the requirements for a quorum of the board, the following are not counted:

(1) a board position vacant for any reason, including death, resignation, or disqualification; or

(2) a director who is abstaining from participation in a vote because of a conflict of interest.

Sec. 4008.0206. COMPENSATION. A director is entitled to receive fees of office and reimbursement for actual expenses as provided by Section 49.060, Water Code. Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

Sec. 4008.0207. INITIAL DIRECTORS ON CONVERSION TO MANAGEMENT DISTRICT. (a) On the conversion of the district to a management district the initial board consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1.</u>	<u>Richard Jones</u>
<u>2.</u>	<u>Michael Olson</u>
<u>3.</u>	<u>Melissa Johnson</u>
<u>4.</u>	<u>Kathleen Walker</u>
<u>5.</u>	<u>William Baize</u>

(b) Notwithstanding Section 4008.0201, of the initial directors, the terms of directors appointed for positions one, two, and three expire June 1, 2024, and the terms of directors appointed for positions four and five expire June 1, 2026.

(c) This section expires September 1, 2026.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 4008.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 4008.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The district, using any money available to the district for the purpose, may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

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

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

Sec. 4008.0303. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the county, to provide law enforcement services in the district for a fee.

Sec. 4008.0304. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. 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.

Sec. 4008.0305. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district may engage in activities that accomplish the economic development purposes of the district.

(b) The district may establish and provide for the

1 administration of one or more programs to promote state or local  
2 economic development and to stimulate business and commercial  
3 activity in the district, including programs to:

4 (1) make loans and grants of public money; and

5 (2) provide district personnel and services.

6 (c) The district may create economic development programs  
7 and exercise the economic development powers provided to  
8 municipalities by:

9 (1) Chapter 380, Local Government Code; and

10 (2) Subchapter A, Chapter 1509, Government Code.

11 Sec. 4008.0306. PARKING FACILITIES. (a) The district may  
12 acquire, lease as lessor or lessee, construct, develop, own,  
13 operate, and maintain parking facilities or a system of parking  
14 facilities, including lots, garages, parking terminals, or other  
15 structures or accommodations for parking motor vehicles off the  
16 streets and related appurtenances.

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

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

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

26 Sec. 4008.0307. ADDING OR EXCLUDING LAND. The district may  
27 add or exclude land in the manner provided by Subchapter J, Chapter

1 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

2 Sec. 4008.0308. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
3 board by resolution shall establish the number of directors'  
4 signatures and the procedure required for a disbursement or  
5 transfer of district money.

6 Sec. 4008.0309. NO EMINENT DOMAIN POWER. The district may  
7 not exercise the power of eminent domain.

8 SUBCHAPTER D. ASSESSMENTS

9 Sec. 4008.0401. PETITION REQUIRED FOR FINANCING SERVICES  
10 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
11 service or improvement project with assessments under this chapter  
12 unless a written petition requesting that service or improvement  
13 has been filed with the board.

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

18 Sec. 4008.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
19 The board by resolution may impose and collect an assessment for any  
20 purpose authorized by this chapter in all or any part of the  
21 district.

22 (b) An assessment, a reassessment, or an assessment  
23 resulting from an addition to or correction of the assessment roll  
24 by the district, penalties and interest on an assessment or  
25 reassessment, an expense of collection, and reasonable attorney's  
26 fees incurred by the district:

27 (1) are a first and prior lien against the property

1 assessed;

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

5 (3) are the personal liability of and a charge against  
6 the owners of the property even if the owners are not named in the  
7 assessment proceedings.

8 (c) The lien is effective from the date of the board's  
9 resolution imposing the assessment until the date the assessment is  
10 paid. The board may enforce the lien in the same manner that the  
11 board may enforce an ad valorem tax lien against real property.

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

16 SUBCHAPTER E. TAXES AND BONDS

17 Sec. 4008.0501. TAX ELECTION REQUIRED. (a) The district  
18 must hold an election in the manner provided by Chapter 49, Water  
19 Code, or, if applicable, Chapter 375, Local Government Code, to  
20 obtain voter approval before the district may impose an ad valorem  
21 tax.

22 (b) Section 375.243, Local Government Code, does not apply  
23 to the district.

24 Sec. 4008.0502. OPERATION AND MAINTENANCE TAX. (a) If  
25 authorized by a majority of the district voters voting at an  
26 election under or in accordance with Section 4008.0501, the  
27 district may impose an operation and maintenance tax on taxable

property in the district in the manner provided by or in accordance with Section 49.107, Water Code, for any district purpose, including to:

(1) maintain and operate the district;

(2) construct or acquire improvements; or

(3) provide a service.

(b) The district may impose an operation and maintenance tax previously approved by a majority of the voters of the former Legacy Water Control and Improvement District.

(c) The board shall determine the operation and maintenance tax rate. The rate may not exceed:

(1) if the district has not held an election under Subsection (a), the rate approved at an election described by Subsection (b); or

(2) if the district has held an election under Subsection (a), the rate approved at that election.

Sec. 4008.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board.

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

Sec. 4008.0504. OBLIGATIONS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds, notes, and other obligations secured by:

1           (1) revenue other than ad valorem taxes, including  
2 contract revenues; or

3           (2) contract payments, provided that the requirements  
4 of Section 49.108, Water Code, have been met.

5           Sec. 4008.0505. BONDS SECURED BY AD VALOREM TAXES;  
6 ELECTIONS. (a) If authorized at an election under Section  
7 4008.0501, the district may issue bonds payable from ad valorem  
8 taxes.

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

15           (c) All or any part of any facilities or improvements that  
16 may be acquired by a district by the issuance of its bonds may be  
17 submitted as a single proposition or as several propositions to be  
18 voted on at the election.

19           Sec. 4008.0506. CONSENT OF COUNTY REQUIRED. (a) The board  
20 may not issue bonds until the county has consented by resolution to  
21 the conversion of the Legacy Water Control and Improvement District  
22 to a municipal management district and to the inclusion of land in  
23 the district.

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

26           SUBCHAPTER I. DISSOLUTION AND MUNICIPAL ANNEXATION

27           Sec. 4008.0901. DISSOLUTION. (a) The board shall dissolve



1 the district on written petition filed with the board by the owners  
2 of:

3 (1) at least two-thirds of the assessed value of the  
4 property subject to assessment by the district based on the most  
5 recent certified county property tax rolls; or

6 (2) at least two-thirds of the surface area of the  
7 district, excluding roads, streets, highways, utility  
8 rights-of-way, other public areas, and other property exempt from  
9 assessment by the district according to the most recent certified  
10 county property tax rolls.

11 (b) The board by majority vote may dissolve the district at  
12 any time.

13 (c) The district may not be dissolved by its board under  
14 Subsection (a) or (b) if the district:

15 (1) has any outstanding bonded indebtedness until that  
16 bonded indebtedness has been repaid or defeased in accordance with  
17 the order or resolution authorizing the issuance of the bonds;

18 (2) has a contractual obligation to pay money until  
19 that obligation has been fully paid in accordance with the  
20 contract; or

21 (3) owns, operates, or maintains public works,  
22 facilities, or improvements unless the district contracts with  
23 another person for the ownership, operation, or maintenance of the  
24 public works, facilities, or improvements.

25 (d) Sections 375.261, 375.262, and 375.264, Local  
26 Government Code, do not apply to the district.

27 Sec. 4008.0902. MUNICIPAL ANNEXATION. The district is a

1 "water or sewer district" under Section 43.071, Local Government  
2 Code.

3 SECTION 3. The Legacy Municipal Management District  
4 initially includes all territory contained in the following area:

5 Pilas Tract: Being a tract or parcel containing 3,971.307  
6 acres (172,990,131 square feet) of land situated in Webb County,  
7 Texas and being all of a called 1,613.545 acre tract described in  
8 deed to Huisache Cattle Company, Ltd. recorded in Volume 645, Page,  
9 72 of the Webb County Deed Records (having 9.217 acres (401,478  
10 square feet) within the right-of-way of U.S. Highway 83 per  
11 right-of-way map of State Highway No.(4) U.S. 83, File Number  
12 SP718F - Control 37-10-1 and being combined with all of a called  
13 2,357.64 acres described in deed to Huisache Cattle Company, Ltd.  
14 recorded in Volume 87, Page 876 of the Webb County Deed Records,  
15 said 3,971.307 acres tract being more particularly described by  
16 metes and bounds as follows: (Bearings cited herein are based on the  
17 Texas State Plane Coordinate System, South Zone, NAD 83, are  
18 surface and may be converted to grid applying a combined scale  
19 factor of 1.00003144444054)

20 BEGINNING at a point in the centerline of U.S. Highway 83,  
21 north line of Section 1712 and the south line of Section 1932 for  
22 the northwest corner of the herein described tract;

23 THENCE, North 89°57'16" East, along the north line of Section  
24 1712 and the south line of Section 1932, at a distance of 50.21 feet  
25 passing a fence on the east right-of-way line of said U.S. Highway  
26 83, continuing for a total distance of 1,520.63 feet to a point for  
27 corner;

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1           THENCE, North 89°53'33" East, a distance of 10,741.46 feet to  
2 a point in the west line of Section Number 161 for the southeast  
3 corner of Section Number 1864, the northwest corner of said called  
4 2,357.64 acre tract, the northeast corner of Section Number 1711  
5 and said called 1,613.545 acre tract and an angle corner of the  
6 herein described tract;

7           THENCE, North 65°39'04" East, a distance of 30.49 feet to a  
8 point for corner;

9           THENCE, North 89°33'48" East, a distance of 4,238.72 feet to a  
10 found 1/2-inch iron rod marking an angle corner of the herein  
11 described tract;

12          THENCE, South 01°13'56" West, a distance of 218.76 feet to a  
13 point for corner;

14          THENCE, South 16°54'50" East, a distance of 1,161.67 feet to a  
15 found 1/2-inch iron rod marking an angle corner of the herein  
16 described tract;

17          THENCE, South 88°10'20" East, a distance of 5,602.88 feet to a  
18 fence corner in the westline of the Missouri Railroad right-of-way  
19 line marking the northeast corner of said called 2,357.64 acre  
20 tract and of the herein described tract;

21          THENCE, South 04°24'06" West, a distance of 1,545.87 feet to a  
22 point for corner;

23          THENCE, South 06°21'24" West, a distance of 401.86 feet to a  
24 point for corner;

25          THENCE, South 10°41'28" West, a distance of 415.71 feet to a  
26 point for corner;

27          THENCE, South 13°24'58" West, a distance of 258.75 feet to a

1 point for corner;

2       THENCE, South 15°19'45" West, a distance of 8,091.98 feet to a  
3 found magnail in fence line marking the southeast corner of said  
4 called 2,357.64 acre tract and of the herein described tract;

5       THENCE, South 89°57'45" West, a distance of 2,483.67 feet to a  
6 1/2-inch iron rod in the east line of Section Number 1321 marking  
7 the northwest corner of Section Number 302, the southwest corner of  
8 Section Number 301 and an angle corner of the herein described  
9 tract;

10       THENCE, South 00°31'20" East, along the east line of Section  
11 Number 1321 and the west line of Section Number 302, a distance of  
12 1,202.46 feet to a fence corner marking the northeast corner of  
13 Section Number 1322, the southeast corner of Section Number 1321  
14 and an angle corner of the herein described tract;

15       THENCE, South 89°32'30" West, along the north line of Section  
16 Number 1322, the south line of Section Number 1321, a distance of  
17 4,733.14 feet to a fence corner marking the most southeasterly  
18 northeast corner of Section Number 2311, the southwest corner of  
19 Section Number 1321 and an angle corner of the herein described  
20 tract;

21       THENCE, North 00°15'07" West, along the east line of Section  
22 Number 2311 and the west line of Section Number 1321, a distance of  
23 762.70 feet to a found 2-inch iron pipe marking the northeast corner  
24 of Section Number 2311, the southeast corner of Section Number 739  
25 and an angle corner of the herein described tract;

26       THENCE, North 09°40'01" East, along the east line of Section  
27 Number 739 and the west line of Section Number 132,1 a distance of

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1 5,475.68 feet to a fence corner in the south line of Section Number  
2 162 marking the northeast corner of Section Number 739, the  
3 northwest corner of Section Number 1321 and an angle corner of the  
4 herein described tract;

5       THENCE, South 89°47'03" West, along the south line of Section  
6 Number 162 and the north line of Section Number 739, a distance of  
7 1,428.41 feet to a fence corner marking the southwest corner of  
8 Section Number 162 and an angle corner of the herein described  
9 tract;

10       THENCE, North 00°10'20" West, a distance of 71.90 feet to a  
11 fence corner marking the southeast corner of Section Number 1711  
12 and an angle corner of the herein described tract;

13       THENCE, North 80°11'08" West, along the south line of Section  
14 Numbers 1711 and 1712, along the north line of Section Numbers 739,  
15 1711 and 430, a distance of 11,354.62 feet to a found 5/8-inch iron  
16 rod with plastic cap stamped "Howland Survey" marking the northwest  
17 corner of Section Number 430, the northeast corner of Section  
18 Number 429 and an angle corner of the herein described tract;

19       THENCE, North 80°01'11" West, along the north line of Section  
20 Number 429 and the south line of Section Number 1712, a distance of  
21 693.31 feet to a point in the centerline of U.S. Highway 83 for the  
22 southwest corner of the herein described tract;

23       THENCE, North 05°09'04" West, along the centerline of U.S.  
24 Highway 83, a distance of 4,835.30 feet to the POINT OF BEGINNING  
25 and containing 3,971.307 acres (172,990,131 square feet) of land.

26       Colorados Tract: Being a tract or parcel containing 2809.853  
27 acres (122,397,204 square feet) of land situated in Webb County,

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1 Texas and being the remainder of a called 6,354.8676 acre tract  
2 described in deed to Huisache Cattle Company, Ltd. Recorded in  
3 Volume 1109, Page, 632 of the Webb County Deed Records (having 7.474  
4 acres (325,559 square feet) within the right-of-way of U.S. Highway  
5 83 per right-of-way map of State Highway No.(4) U.S. 83, File Number  
6 SP718F - Control 37-10-1), said 2809.853 acres tract being more  
7 particularly described by metes and bounds as follows: (Bearings  
8 cited herein are based on the Texas State Plane Coordinate System,  
9 South Zone, NAD 83, are surface and may be converted to grid  
10 applying a combined scale factor of 1.00003144444054)

11 BEGINNING at a fence corner in the west line of Section Number  
12 429, the northeast corner of Section Number 431, the southeast  
13 corner of Section Number 432, the southwest corner of a 60 foot wide  
14 access lane connecting with U.S. Highway 83, an angle corner and  
15 POINT OF BEGINNING of the herein described tract;

16 THENCE, North 09°59'17" East, along the east line of Section  
17 Number 432 and the west line of Section Number 429, a distance of  
18 30.00 feet to a point for corner;

19 THENCE, South 79°48'51" East, along the center of said 60 foot  
20 wide access lane, a distance of 5,442.91 feet to a point in the west  
21 right-of-way line of U.S. Highway 83 for the northeast corner of the  
22 herein described tract;

23 THENCE with the west right-of-way line of U.S. Highway 83 the  
24 following seven (7) courses and distances:

25 South 05°07'37" East, a distance of 130.69 feet to a point for  
26 corner;

27 South 84°52'23" West, a distance of 100.00 feet to a point for

1 corner;  
2 South 05°07'37' East, a distance of 700.00 feet to a point for  
3 corner;  
4 North 84°52'23" East, a distance of 100.00 feet to a point of  
5 corner;  
6 South 05°07'37" East, a distance of 300.00 feet to a point for  
7 corner;  
8 South 84°52'23" West, a distance of 10.00 feet to a point for  
9 corner;  
10 South 05°07'37" East, a distance of 857.39 feet to a point in  
11 the south line of Section 430 and the north line of Section Number  
12 427 for corner;  
13 THENCE, South 80°03'43" East, along the south line of Section  
14 430 and the north line of Section Number 427, a distance of 113.92  
15 feet to a point in the east right-of-way line of U.S. Highway 83 for  
16 corner;  
17 THENCE with the east right-of-way line of U.S. Highway 83 the  
18 following five (5) courses and distances:  
19 South 05°07'37" East, a distance of 1,213.00 feet to a point  
20 for corner;  
21 North 84°52'23" East, a distance of 100.00 feet to a point for  
22 corner;  
23 South 05°07'37" East, a distance of 600.00 feet to a point for  
24 corner;  
25 South 84°52'23" West, a distance of 100.00 feet to a point for  
26 corner;  
27 South 05°07'37" East, a distance of 509.15 feet to a point of

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intersection with the east line of Section Number 427 and the west line of Section Number 428 for corner;

THENCE, South 09°56'17" West, crossing U.S. Highway 83 with the east line of Section Number 427 and the west line of Section Number 428, a distance of 384.74 feet to a point in the west right-of-way line of U.S. Highway 83 for corner;

THENCE with the west right-of-way line of U.S. Highway 83 the following five (5) courses and distances:

South 05°07'37" East, a distance of 3,709.34 feet to a point for corner;

South 84°52'23" West, a distance of 200.00 feet to a point for corner;

South 05°07'37" East, a distance of 20.00 feet to a point for corner;

North 84°52'23" East, a distance of 200.00 feet to a point for corner;

South 05°14'13" East, a distance of 1,851.67 feet to a point in the north right-of-way line of State Highway 255 (Camino Colombia Toll Road) for the southeast corner of the herein described tract;

THENCE with the north right-of-way line of State Highway 255 (Camino Colombia Toll Road) the following three (3) courses and distances:

South 66°09'45" West, a distance of 1,170.41 feet to a point for corner;

South 69°13'50" West, a distance of 5,500.00 feet to a point for corner;



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1 South 73°38'56" West, a distance of 1009.82 feet to a point in  
2 the west right-of-way line of Jefferies Road (40 foot wide) for the  
3 southwest corner of the herein described tract;

4 THENCE, North 21°46'40" West, along the west right-of-way  
5 line of Jefferies Road, a distance of 2,101.65 feet to a point for  
6 corner;

7 THENCE, North 21°46'40" West, continuing along the west  
8 right-of-way line of Jefferies Road, a distance of 5,282.14 feet to  
9 a point for corner;

10 THENCE, North 21°44'42" West, a distance of 39.79 feet to a  
11 point for corner;

12 THENCE, North 68°10'39" East, a distance of 41.03 feet to a  
13 point for corner;

14 THENCE, North 21°15'49" West, a distance of 5,690.77 feet to a  
15 fence corner in the west line of Section 431 and for the southeast  
16 corner of Section Number 433, the northeast corner of Section  
17 Number 437, the most southerly corner of Section Number 2148, and an  
18 angle corner of the herein described tract;

19 THENCE, North 10°08'29" East, along the east line of Section  
20 Number 2148 and the west line of Section Number 431, a distance of  
21 2,654.82 feet to a point for corner;

22 THENCE, South 79°44'21" East, along the south line of Section  
23 Number 432 and the north line of Section Number 431, a distance of  
24 2,670.37 feet to a point for corner;

25 THENCE, South 79°55'39" East, continuing along the south line  
26 of Section Number 432 and the north line of Section Number 431, a  
27 distance of 2,621.70 feet to the POINT OF BEGINNING and containing

2809.853 acres (122,397,204 square feet) of land.

Mary Kay Tract: Being a tract or parcel containing 2,828.368 acres (123,203,717 square feet) of land situated in Webb County, Texas and being all of a called 2,827.868 acre tract described in deed to Simeon Escondido, LLC recorded in Volume 5058, Page, 145 of the Official Public Records of Webb County (having 8.764 acres (381,751 square feet) within the right-of-way of U.S. Highway 83 per right-of-way map of State Highway No.(4) U.S. 83, File Number SP718F - Control 37-10-1), said 2,828.37 acres tract being more particularly described by metes and bounds as follows: (Bearings cited herein are based on the Texas State Plane Coordinate System, South Zone, NAD 83, are surface and may be converted to grid applying a combined scale factor of 1.00003144444054)

BEGINNING at a fence corner marking the northwest corner of a called 2,079.865 acre tract described in deed to Huisache Cattle Company, Ltd. recorded in Volume 166, Page 832 of the Webb County Deed Records and the northwest corner of Section Number 365;

THENCE, North 89°46'52" East, a distance of 4,226.45 feet to a fence corner marking the northeast corner of Section Number 365;

THENCE, North 00°15'28" West, a distance of 1,766.62 feet to a found 1/2-inch iron rod marking the northwest corner of Section Number 364;

THENCE, North 89°49'03" East, a distance of 6,325.20 feet to a found 1/2-inch iron rod in the west right-of-way line of Missouri Pacific Railway and marking the northwest corner of Section Number 364 and the northeast corner of said called 2,079.865 acre tract;

THENCE along said west right-of-way line of Missouri Pacific

1 Railway the following three (3) courses and distances:

2 South 15°15'10" West, a distance of 975.41 feet to a fence  
3 corner;

4 South 15°22'36" West, a distance of 5,850.97 feet to a fence  
5 corner;

6 South 15°14'37" West, a distance of 4,422.42 feet to a found  
7 1/2-inch iron rod marking the intersection of said west  
8 right-of-way line of Missouri Pacific Railway and the north  
9 right-of-way line of Webb Road (variable width) marking the  
10 southeast corner of said called 2,079.865 acre tract;

11 THENCE along said north right-of-way line of Webb Road the  
12 following sixteen (16) courses and distances:

13 South 89°09'29" West, a distance of 1,193.75 feet to a point  
14 for corner;

15 North 58°07'19" West, a distance of 103.62 feet to a point for  
16 corner;

17 South 89°39'12" West, a distance of 2,146.38 feet to a point  
18 for corner;

19 North 50°14'54" West, a distance of 17.15 feet to a point for  
20 corner;

21 North 66°50'21" West, a distance of 190.16 feet to a point for  
22 corner;

23 North 61°02'47" West, a distance of 784.40 feet to a point for  
24 corner;

25 North 59°54'12" West, a distance of 852.49 feet to a point for  
26 corner;

27 North 55°19'56" West, a distance of 298.30 feet to a point for

1 corner;  
2 North 85°28'43" West, a distance of 130.46 feet to a point for  
3 corner;  
4 South 82°11'14" West, a distance of 370.50 feet to a point for  
5 corner;  
6 North 86°09'22" West, a distance of 93.50 feet to a point for  
7 corner;  
8 North 78°36'04" West, a distance of 493.77 feet to a point for  
9 corner;  
10 North 71°50'14" West, a distance of 76.42 feet to a point for  
11 corner;  
12 North 61°10'29" West, a distance of 446.90 feet to a point for  
13 corner;  
14 North 47°43'13" West, a distance of 623.92 feet to a fence  
15 corner;  
16 North 86°18'49" West, a distance of 1,355.92 feet to a point  
17 in an east line of a called 748.003 acre tract described in deed to  
18 Huisache Cattle Company, Ltd. recorded in Volume 166, Page 832 of  
19 the Webb County Deed Records and the southwest corner of said called  
20 2,079.865 acre tract;  
21 THENCE, South 02°36'57" West, over and across said Webb Road,  
22 a distance of 47.72 feet to a point in the south right-of-way line  
23 of said Webb Road;  
24 THENCE along said south right-of-way line of Webb Road the  
25 following three (3) courses and distances:  
26 North 80°08'21" West, a distance of 1,032.58 feet;  
27 North 80°13'29" West, a distance of 32.50 feet;

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1 North 73°38'40" West, a distance of 3,821.11 feet to a point  
2 for the intersection of said Webb Road and the centerline of U.S.  
3 Highway 83 (variable width) for the southwest corner of said called  
4 748.003 acre tract;

5 THENCE, North 05°10'00" West, along said centerline of U.S.  
6 Highway 83, a distance of 5,896.54 feet to a point for the northwest  
7 corner of said called 748.003 acre tract;

8 THENCE, South 80°01'13" East, a distance of 6,230.95 feet to a  
9 fence corner;

10 THENCE, North 08°49'51" East, a distance of 1,159.98 feet to  
11 the POINT OF BEGINNING and containing 2,828.368 acres (123,203,717  
12 square feet) of land.

13 Webb Tract: Being a tract or parcel containing 1,696.848  
14 acres (73,914,677 square feet) of land situated in Webb County,  
15 Texas and being out of and a part of a called 1,822.50 acre tract  
16 described in deed to Huisache Cattle Company, Ltd. recorded in  
17 Volume 841, Page, 814 of the Webb County Deed Records, said  
18 1,696.848 acres tract being more particularly described by metes  
19 and bounds as follows: (Bearings cited herein are based on the Texas  
20 State Plane Coordinate System, South Zone, NAD 83, are surface and  
21 may be converted to grid applying a combined scale factor of  
22 1.00003144444054)

23 BEGINNING at a fence corner marking the common corners of  
24 Section Number 362, 363, 1606, 1593 and an angle corner of the  
25 herein described tract;

26 THENCE, North 89°25'08" West, a distance of 1,318.28 feet to a  
27 found 1/2-inch iron rod in the east right-of-way line of Interstate

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1 Highway 35 (variable width) marking the southwest corner of the  
2 herein described tract;

3       THENCE with said east right-of-way line of Interstate Highway  
4 35 the following nine (9) courses and distances:

5       North  $12^{\circ}32'12''$  East, a distance of 1,260.55 feet to a fence  
6 post for corner and beginning of a curve to the left;

7       Northeasterly, along a non-tangent curve to the left, having  
8 a radius of 1,948.57 feet, with an arc length of 422.06 feet, a  
9 chord bearing and distance of North  $06^{\circ}18'36''$  East, 421.24 feet to a  
10 fence post for corner;

11       North  $00^{\circ}00'40''$  East, a distance of 296.40 feet to a fence  
12 post for corner;

13       North  $66^{\circ}59'21''$  East, a distance of 40.19 feet to a fence post  
14 for corner;

15       North  $12^{\circ}08'53''$  East, a distance of 70.85 feet to a fence post  
16 for corner;

17       North  $48^{\circ}56'46''$  West, a distance of 64.62 feet to a fence post  
18 for corner and the beginning of a curve to the right;

19       Northeasterly, along a non-tangent curve to the right, having  
20 a radius of 1,888.99 feet, with an arc length of 374.29 feet, a  
21 chord bearing and distance of North  $09^{\circ}43'00''$  East, 373.68 feet to a  
22 fence post for corner;

23       North  $15^{\circ}17'07''$  East, a distance of 610.18 feet to a fence  
24 post for corner;

25       North  $15^{\circ}18'24''$  East, a distance of 495.69 feet to a fence  
26 post for the northwest corner of the herein described tract;

27       THENCE, North  $89^{\circ}29'54''$  East, a distance of 15,726.16 feet to

1 a fence post for the northeast corner of the herein described tract;

2       THENCE, South 00°32'58" East, a distance of 1,914.30 feet to a  
3 fence post for corner;

4       THENCE, South 89°29'51" West, a distance of 6,231.04 feet to a  
5 fence post for corner;

6       THENCE, South 00°12'48" East, a distance of 5,187.59 feet to a  
7 fence post for the southeast corner of Section Number 1963 and the  
8 herein described tract;

9       THENCE, North 89°46'59" West, a distance of 1,927.01 feet to a  
10 fence post for corner;

11       THENCE, South 00°26'24" East, a distance of 187.62 feet to a  
12 fence post for corner;

13       THENCE, North 89°57'49" West, a distance of 1,596.00 feet to a  
14 fence post for corner;

15       THENCE, North 69°14'50" West, a distance of 5,746.17 feet to a  
16 fence post for corner;

17       THENCE, North 00°05'46" East, a distance of 1,640.56 feet to  
18 the POINT OF BEGINNING and containing 1,696.848 acres (73,914,677  
19 square feet) of land.

20       SECTION 4. The Legacy Municipal Management District retains  
21 all rights, powers, privileges, authority, duties, and functions  
22 that the Legacy Water Control and Improvement District had before  
23 the effective date of this Act, except as otherwise expressly  
24 provided by Chapter 4008, Special District Local Laws Code, as  
25 added by this Act.

26       SECTION 5. (a) The legislature validates and confirms all  
27 governmental acts and proceedings of the Legacy Water Control and

1 Improvement District that were taken before the effective date of  
2 this Act.

3 (b) This section does not apply to any matter that on the  
4 effective date of this Act:

5 (1) is involved in litigation if the litigation  
6 ultimately results in the matter being held invalid by a final court  
7 judgment; or

8 (2) has been held invalid by a final court judgment.

9 SECTION 6. (a) The legal notice of the intention to  
10 introduce this Act, setting forth the general substance of this  
11 Act, has been published as provided by law, and the notice and a  
12 copy of this Act have been furnished to all persons, agencies,  
13 officials, or entities to which they are required to be furnished  
14 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
15 Government Code.

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

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

23 (d) The general law relating to consent by political  
24 subdivisions to the creation of districts with conservation,  
25 reclamation, and road powers and the inclusion of land in those  
26 districts has been complied with.

27 (e) All requirements of the constitution and laws of this



1 state and the rules and procedures of the legislature with respect  
2 to the notice, introduction, and passage of this Act have been  
3 fulfilled and accomplished.

4       SECTION 7. This Act takes effect immediately if it receives  
5 a vote of two-thirds of all the members elected to each house, as  
6 provided by Section 39, Article III, Texas Constitution. If this  
7 Act does not receive the vote necessary for immediate effect, this  
8 Act takes effect September 1, 2023.

ADOPTED

By: Zaffirini

MAY 24 2023 B. No. \_\_\_\_\_

Substitute the following for \_\_\_\_B. No. \_\_\_\_\_

By: SEC

Lacey Shaw  
Secretary of the Senate B. No. 5405

A BILL TO BE ENTITLED

AN ACT

relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District; 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. The Legacy Water Control and Improvement District is converted to the Legacy Municipal Management District and is governed by Chapter 4008, Special District Local Laws Code, as added by this Act.

SECTION 2. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 4008 to read as follows:

CHAPTER 4008. LEGACY MUNICIPAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 4008.0101. DEFINITIONS. In this chapter:

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

(2) "County" means Webb County.

(3) "Director" means a board member.

(4) "District" means the Legacy Municipal Management District, formerly the Legacy Water Control and Improvement District.

Sec. 4008.0102. NATURE OF DISTRICT; CONVERSION. The Legacy Municipal Management District is a special district created under Section 59, Article XVI, Texas Constitution, as the Legacy Water

1 Control and Improvement District. The district is converted to a  
2 municipal management district known as the Legacy Municipal  
3 Management District under the same constitutional authority.

4 Sec. 4008.0103. PURPOSE; DECLARATION OF INTENT. (a) The  
5 conversion and operation of the district are essential to  
6 accomplish the purposes of Sections 52 and 52-a, Article III, and  
7 Section 59, Article XVI, Texas Constitution, and other public  
8 purposes stated in this chapter. By converting the district to a  
9 municipal management district and in authorizing the county and  
10 other political subdivisions to contract with the district, the  
11 legislature has established a program to accomplish the public  
12 purposes set out in Section 52-a, Article III, Texas Constitution.

13 (b) The conversion and operation of the district are  
14 necessary to promote, develop, encourage, and maintain employment,  
15 commerce, transportation, housing, tourism, recreation, the arts,  
16 entertainment, economic development, safety, and the public  
17 welfare in the district.

18 (c) This chapter and the conversion or operation of the  
19 district may not be interpreted to relieve the county from  
20 providing the level of services provided as of the effective date of  
21 the Act enacting this chapter to the area in the district. The  
22 district is created to supplement and not to supplant county  
23 services provided in the district.

24 Sec. 4008.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

25 (a) The district is converted to a municipal management district to  
26 serve a public use and benefit.

27 (b) All land and other property included in the district

1 will benefit from the improvements and services to be provided by  
2 the district under powers conferred by Sections 52 and 52-a,  
3 Article III, and Section 59, Article XVI, Texas Constitution, and  
4 other powers granted under this chapter.

5 (c) The conversion and operation of the district is in the  
6 public interest and is essential to further the public purposes of:

7 (1) developing and diversifying the economy of the  
8 state;

9 (2) eliminating unemployment and underemployment; and

10 (3) developing or expanding transportation and  
11 commerce.

12 (d) The district will:

13 (1) promote the health, safety, and general welfare of  
14 residents, employers, potential employees, employees, visitors,  
15 and consumers in the district, and of the public;

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

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

24 (4) provide for water, wastewater, drainage, road, and  
25 recreational facilities for the district.

26 (e) Pedestrian ways along or across a street, whether at  
27 grade or above or below the surface, and street lighting, street

1 landscaping, parking, and street art objects are parts of and  
2 necessary components of a street and are considered to be a street  
3 or road improvement.

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

7 Sec. 4008.0105. INITIAL DISTRICT TERRITORY. (a) The  
8 district is initially composed of the territory described by  
9 Section 3 of the Act enacting this chapter.

10 (b) The boundaries and field notes contained in Section 3 of  
11 the Act enacting this chapter form a closure. A mistake in the  
12 field notes or in copying the field notes in the legislative process  
13 does not affect the district's:

14 (1) organization, existence, or validity;

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

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

19 (4) legality or operation.

20 Sec. 4008.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.  
21 All or any part of the area of the district is eligible to be  
22 included in:

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

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

27 Sec. 4008.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT

1 DISTRICTS LAW. Except as otherwise provided by this chapter,  
2 Chapter 375, Local Government Code, applies to the district.

3 Sec. 4008.0108. CONSTRUCTION OF CHAPTER. This chapter  
4 shall be liberally construed in conformity with the findings and  
5 purposes stated in this chapter.

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. 4008.0201. GOVERNING BODY; TERMS. (a) The district is  
8 governed by a board of five directors.

9 (b) Directors serve staggered four-year terms.

10 Sec. 4008.0202. RECOMMENDATIONS FOR SUCCEEDING BOARD. (a)  
11 The initial and each succeeding board of directors shall, and the  
12 owners of a majority of the assessed value of property subject to  
13 assessment by the district may, recommend to the governing body of  
14 the county persons to serve on the succeeding board.

15 (b) After reviewing the recommendations, the governing body  
16 shall approve or disapprove the directors recommended under  
17 Subsection (a).

18 (c) If the governing body is not satisfied with the  
19 recommendations submitted under Subsection (a), the board, on the  
20 request of the governing body, shall submit to the governing body  
21 additional recommendations.

22 (d) Board members may serve successive terms.

23 Sec. 4008.0203. REMOVAL OF DIRECTOR. The governing body of  
24 the county after notice and hearing may remove a director for  
25 misconduct or failure to carry out the director's duties on  
26 petition by a majority of the remaining directors.

27 Sec. 4008.0204. QUORUM. For purposes of determining the

1 requirements for a quorum of the board, the following are not  
2 counted:

3 (1) a board position vacant for any reason, including  
4 death, resignation, or disqualification; or

5 (2) a director who is abstaining from participation in  
6 a vote because of a conflict of interest.

7 Sec. 4008.0205. COMPENSATION. A director is entitled to  
8 receive fees of office and reimbursement for actual expenses as  
9 provided by Section 49.060, Water Code. Sections 375.069 and  
10 375.070, Local Government Code, do not apply to the board.

11 Sec. 4008.0206. INITIAL DIRECTORS ON CONVERSION TO  
12 MANAGEMENT DISTRICT. (a) On the conversion of the district to a  
13 management district the initial board consists of the following  
14 directors:

	<u>Pos. No.</u>	<u>Name of Director</u>
15		
16	<u>1.</u>	<u>Richard Jones</u>
17	<u>2.</u>	<u>Michael Olson</u>
18	<u>3.</u>	<u>Melissa Johnson</u>
19	<u>4.</u>	<u>Kathleen Walker</u>
20	<u>5.</u>	<u>William Baize</u>

21 (b) Notwithstanding Section 4008.0201, of the initial  
22 directors, the terms of directors appointed for positions one, two,  
23 and three expire June 1, 2024, and the terms of directors appointed  
24 for positions four and five expire June 1, 2026.

25 (c) This section expires September 1, 2026.

26 SUBCHAPTER C. POWERS AND DUTIES

27 Sec. 4008.0301. GENERAL POWERS AND DUTIES. The district

1 has the powers and duties necessary to accomplish the purposes for  
2 which the district is created.

3 Sec. 4008.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The  
4 district, using any money available to the district for the  
5 purpose, may provide, design, construct, acquire, improve,  
6 relocate, operate, maintain, or finance an improvement project or  
7 service authorized under this chapter or Chapter 375, Local  
8 Government Code.

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

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

14 Sec. 4008.0303. LAW ENFORCEMENT SERVICES. To protect the  
15 public interest, the district may contract with a qualified party,  
16 including the county, to provide law enforcement services in the  
17 district for a fee.

18 Sec. 4008.0304. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.  
19 The district may join and pay dues to a charitable or nonprofit  
20 organization that performs a service or provides an activity  
21 consistent with the furtherance of a district purpose.

22 Sec. 4008.0305. ECONOMIC DEVELOPMENT PROGRAMS. (a) The  
23 district may engage in activities that accomplish the economic  
24 development purposes of the district.

25 (b) The district may establish and provide for the  
26 administration of one or more programs to promote state or local  
27 economic development and to stimulate business and commercial



1 activity in the district, including programs to:

2 (1) make loans and grants of public money; and

3 (2) provide district personnel and services.

4 (c) The district may create economic development programs  
5 and exercise the economic development powers provided to  
6 municipalities by:

7 (1) Chapter 380, Local Government Code; and

8 (2) Subchapter A, Chapter 1509, Government Code.

9 Sec. 4008.0306. PARKING FACILITIES. (a) The district may  
10 acquire, lease as lessor or lessee, construct, develop, own,  
11 operate, and maintain parking facilities or a system of parking  
12 facilities, including lots, garages, parking terminals, or other  
13 structures or accommodations for parking motor vehicles off the  
14 streets and related appurtenances.

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

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

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

24 Sec. 4008.0307. ADDING OR EXCLUDING LAND. The district may  
25 add or exclude land in the manner provided by Subchapter J, Chapter  
26 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

27 Sec. 4008.0308. DISBURSEMENTS AND TRANSFERS OF MONEY. The

1 board by resolution shall establish the number of directors'  
2 signatures and the procedure required for a disbursement or  
3 transfer of district money.

4 Sec. 4008.0309. NO EMINENT DOMAIN POWER. The district may  
5 not exercise the power of eminent domain.

6 SUBCHAPTER D. ASSESSMENTS

7 Sec. 4008.0401. PETITION REQUIRED FOR FINANCING SERVICES  
8 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a  
9 service or improvement project with assessments under this chapter  
10 unless a written petition requesting that service or improvement  
11 has been filed with the board.

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

16 Sec. 4008.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
17 The board by resolution may impose and collect an assessment for any  
18 purpose authorized by this chapter in all or any part of the  
19 district.

20 (b) An assessment, a reassessment, or an assessment  
21 resulting from an addition to or correction of the assessment roll  
22 by the district, penalties and interest on an assessment or  
23 reassessment, an expense of collection, and reasonable attorney's  
24 fees incurred by the district:

25 (1) are a first and prior lien against the property  
26 assessed;

27 (2) are superior to any other lien or claim other than

1 a lien or claim for county, school district, or municipal ad valorem  
2 taxes; and

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

6 (c) The lien is effective from the date of the board's  
7 resolution imposing the assessment until the date the assessment is  
8 paid. The board may enforce the lien in the same manner that the  
9 board may enforce an ad valorem tax lien against real property.

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

#### 14 SUBCHAPTER E. TAXES AND BONDS

15 Sec. 4008.0501. TAX ELECTION REQUIRED. (a) The district  
16 must hold an election in the manner provided by Chapter 49, Water  
17 Code, or, if applicable, Chapter 375, Local Government Code, to  
18 obtain voter approval before the district may impose an ad valorem  
19 tax.

20 (b) Section 375.243, Local Government Code, does not apply  
21 to the district.

22 Sec. 4008.0502. OPERATION AND MAINTENANCE TAX. (a) If  
23 authorized by a majority of the district voters voting at an  
24 election under or in accordance with Section 4008.0501, the  
25 district may impose an operation and maintenance tax on taxable  
26 property in the district in the manner provided by or in accordance  
27 with Section 49.107, Water Code, for any district purpose,

1 including to:

2 (1) maintain and operate the district;

3 (2) construct or acquire improvements; or

4 (3) provide a service.

5 (b) The district may impose an operation and maintenance tax  
6 previously approved by a majority of the voters of the former Legacy  
7 Water Control and Improvement District.

8 (c) The board shall determine the operation and maintenance  
9 tax rate. The rate may not exceed:

10 (1) if the district has not held an election under  
11 Subsection (a), the rate approved at an election described by  
12 Subsection (b); or

13 (2) if the district has held an election under  
14 Subsection (a), the rate approved at that election.

15 Sec. 4008.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE  
16 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on  
17 terms determined by the board.

18 (b) The district may issue bonds, notes, or other  
19 obligations payable wholly or partly from ad valorem taxes,  
20 assessments, impact fees, revenue, contract payments, grants, or  
21 other district money, or any combination of those sources of money,  
22 to pay for any authorized district purpose.

23 Sec. 4008.0504. OBLIGATIONS SECURED BY REVENUE OR CONTRACT  
24 PAYMENTS. The district may issue, without an election, bonds,  
25 notes, and other obligations secured by:

26 (1) revenue other than ad valorem taxes, including  
27 contract revenues; or

1           (2) contract payments, provided that the requirements  
2 of Section 49.108, Water Code, have been met.

3           Sec. 4008.0505. BONDS SECURED BY AD VALOREM TAXES;  
4 ELECTIONS. (a) If authorized at an election under Section  
5 4008.0501, the district may issue bonds payable from ad valorem  
6 taxes.

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

13           (c) All or any part of any facilities or improvements that  
14 may be acquired by a district by the issuance of its bonds may be  
15 submitted as a single proposition or as several propositions to be  
16 voted on at the election.

17           Sec. 4008.0506. CONSENT OF COUNTY REQUIRED. (a) The board  
18 may not issue bonds until the county has consented by resolution to  
19 the conversion of the Legacy Water Control and Improvement District  
20 to a municipal management district and to the inclusion of land in  
21 the district.

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

24           SUBCHAPTER I. DISSOLUTION AND MUNICIPAL ANNEXATION

25           Sec. 4008.0901. DISSOLUTION. (a) The board shall dissolve  
26 the district on written petition filed with the board by the owners  
27 of:

1           (1) at least two-thirds of the assessed value of the  
2 property subject to assessment by the district based on the most  
3 recent certified county property tax rolls; or

4           (2) at least two-thirds of the surface area of the  
5 district, excluding roads, streets, highways, utility  
6 rights-of-way, other public areas, and other property exempt from  
7 assessment by the district according to the most recent certified  
8 county property tax rolls.

9           (b) The board by majority vote may dissolve the district at  
10 any time.

11           (c) The district may not be dissolved by its board under  
12 Subsection (a) or (b) if the district:

13           (1) has any outstanding bonded indebtedness until that  
14 bonded indebtedness has been repaid or defeased in accordance with  
15 the order or resolution authorizing the issuance of the bonds;

16           (2) has a contractual obligation to pay money until  
17 that obligation has been fully paid in accordance with the  
18 contract; or

19           (3) owns, operates, or maintains public works,  
20 facilities, or improvements unless the district contracts with  
21 another person for the ownership, operation, or maintenance of the  
22 public works, facilities, or improvements.

23           (d) Sections 375.261, 375.262, and 375.264, Local  
24 Government Code, do not apply to the district.

25           Sec. 4008.0902. MUNICIPAL ANNEXATION. The district is a  
26 "water or sewer district" under Section 43.071, Local Government  
27 Code.

1           SECTION 3. The Legacy Municipal Management District  
2 initially includes all territory contained in the following area:

3           Pilas Tract: Being a tract or parcel containing 3,971.307  
4 acres (172,990,131 square feet) of land situated in Webb County,  
5 Texas and being all of a called 1,613.545 acre tract described in  
6 deed to Huisache Cattle Company, Ltd. recorded in Volume 645, Page,  
7 72 of the Webb County Deed Records (having 9.217 acres (401,478  
8 square feet) within the right-of-way of U.S. Highway 83 per  
9 right-of-way map of State Highway No.(4) U.S. 83, File Number  
10 SP718F - Control 37-10-1 and being combined with all of a called  
11 2,357.64 acres described in deed to Huisache Cattle Company, Ltd.  
12 recorded in Volume 87, Page 876 of the Webb County Deed Records,  
13 said 3,971.307 acres tract being more particularly described by  
14 metes and bounds as follows: (Bearings cited herein are based on the  
15 Texas State Plane Coordinate System, South Zone, NAD 83, are  
16 surface and may be converted to grid applying a combined scale  
17 factor of 1.00003144444054)

18           BEGINNING at a point in the centerline of U.S. Highway 83,  
19 north line of Section 1712 and the south line of Section 1932 for  
20 the northwest corner of the herein described tract;

21           THENCE, North 89°57'16" East, along the north line of Section  
22 1712 and the south line of Section 1932, at a distance of 50.21 feet  
23 passing a fence on the east right-of-way line of said U.S. Highway  
24 83, continuing for a total distance of 1,520.63 feet to a point for  
25 corner;

26           THENCE, North 89°53'33" East, a distance of 10,741.46 feet to  
27 a point in the west line of Section Number 161 for the southeast

1 corner of Section Number 1864, the northwest corner of said called  
2 2,357.64 acre tract, the northeast corner of Section Number 1711  
3 and said called 1,613.545 acre tract and an angle corner of the  
4 herein described tract;

5       THENCE, North 65°39'04" East, a distance of 30.49 feet to a  
6 point for corner;

7       THENCE, North 89°33'48" East, a distance of 4,238.72 feet to a  
8 found 1/2-inch iron rod marking an angle corner of the herein  
9 described tract;

10       THENCE, South 01°13'56" West, a distance of 218.76 feet to a  
11 point for corner;

12       THENCE, South 16°54'50" East, a distance of 1,161.67 feet to a  
13 found 1/2-inch iron rod marking an angle corner of the herein  
14 described tract;

15       THENCE, South 88°10'20" East, a distance of 5,602.88 feet to a  
16 fence corner in the west line of the Missouri Railroad right-of-way  
17 line marking the northeast corner of said called 2,357.64 acre  
18 tract and of the herein described tract;

19       THENCE, South 04°24'06" West, a distance of 1,545.87 feet to a  
20 point for corner;

21       THENCE, South 06°21'24" West, a distance of 401.86 feet to a  
22 point for corner;

23       THENCE, South 10°41'28" West, a distance of 415.71 feet to a  
24 point for corner;

25       THENCE, South 13°24'58" West, a distance of 258.75 feet to a  
26 point for corner;

27       THENCE, South 15°19'45" West, a distance of 8,091.98 feet to a



1 found magnail in fence line marking the southeast corner of said  
2 called 2,357.64 acre tract and of the herein described tract;

3       THENCE, South 89°57'45" West, a distance of 2,483.67 feet to a  
4 1/2-inch iron rod in the east line of Section Number 1321 marking  
5 the northwest corner of Section Number 302, the southwest corner of  
6 Section Number 301 and an angle corner of the herein described  
7 tract;

8       THENCE, South 00°31'20" East, along the east line of Section  
9 Number 1321 and the west line of Section Number 302, a distance of  
10 1,202.46 feet to a fence corner marking the northeast corner of  
11 Section Number 1322, the southeast corner of Section Number 1321  
12 and an angle corner of the herein described tract;

13       THENCE, South 89°32'30" West, along the north line of Section  
14 Number 1322, the south line of Section Number 1321, a distance of  
15 4,733.14 feet to a fence corner marking the most southeasterly  
16 northeast corner of Section Number 2311, the southwest corner of  
17 Section Number 1321 and an angle corner of the herein described  
18 tract;

19       THENCE, North 00°15'07" West, along the east line of Section  
20 Number 2311 and the west line of Section Number 1321, a distance of  
21 762.70 feet to a found 2-inch iron pipe marking the northeast corner  
22 of Section Number 2311, the southeast corner of Section Number 739  
23 and an angle corner of the herein described tract;

24       THENCE, North 09°40'01" East, along the east line of Section  
25 Number 739 and the west line of Section Number 132,1 a distance of  
26 5,475.68 feet to a fence corner in the south line of Section Number  
27 162 marking the northeast corner of Section Number 739, the

1 northwest corner of Section Number 1321 and an angle corner of the  
2 herein described tract;

3       THENCE, South 89°47'03" West, along the south line of Section  
4 Number 162 and the north line of Section Number 739, a distance of  
5 1,428.41 feet to a fence corner marking the southwest corner of  
6 Section Number 162 and an angle corner of the herein described  
7 tract;

8       THENCE, North 00°10'20" West, a distance of 71.90 feet to a  
9 fence corner marking the southeast corner of Section Number 1711  
10 and an angle corner of the herein described tract;

11       THENCE, North 80°11'08" West, along the south line of Section  
12 Numbers 1711 and 1712, along the north line of Section Numbers 739,  
13 1711 and 430, a distance of 11,354.62 feet to a found 5/8-inch iron  
14 rod with plastic cap stamped "Howland Survey" marking the northwest  
15 corner of Section Number 430, the northeast corner of Section  
16 Number 429 and an angle corner of the herein described tract;

17       THENCE, North 80°01'11" West, along the north line of Section  
18 Number 429 and the south line of Section Number 1712, a distance of  
19 693.31 feet to a point in the centerline of U.S. Highway 83 for the  
20 southwest corner of the herein described tract;

21       THENCE, North 05°09'04" West, along the centerline of U.S.  
22 Highway 83, a distance of 4,835.30 feet to the POINT OF BEGINNING  
23 and containing 3,971.307 acres (172,990,131 square feet) of land.

24       Colorados Tract: Being a tract or parcel containing 2809.853  
25 acres (122,397,204 square feet) of land situated in Webb County,  
26 Texas and being the remainder of a called 6,354.8676 acre tract  
27 described in deed to Huisache Cattle Company, Ltd. Recorded in

1 Volume 1109, Page, 632 of the Webb County Deed Records (having 7.474  
2 acres (325,559 square feet) within the right-of-way of U.S. Highway  
3 83 per right-of-way map of State Highway No.(4) U.S. 83, File Number  
4 SP718F - Control 37-10-1), said 2809.853 acres tract being more  
5 particularly described by metes and bounds as follows: (Bearings  
6 cited herein are based on the Texas State Plane Coordinate System,  
7 South Zone, NAD 83, are surface and may be converted to grid  
8 applying a combined scale factor of 1.00003144444054)

9 BEGINNING at a fence corner in the west line of Section Number  
10 429, the northeast corner of Section Number 431, the southeast  
11 corner of Section Number 432, the southwest corner of a 60 foot wide  
12 access lane connecting with U.S. Highway 83, an angle corner and  
13 POINT OF BEGINNING of the herein described tract;

14 THENCE, North 09°59'17" East, along the east line of Section  
15 Number 432 and the west line of Section Number 429, a distance of  
16 30.00 feet to a point for corner;

17 THENCE, South 79°48'51" East, along the center of said 60 foot  
18 wide access lane, a distance of 5,442.91 feet to a point in the west  
19 right-of-way line of U.S. Highway 83 for the northeast corner of the  
20 herein described tract;

21 THENCE with the west right-of-way line of U.S. Highway 83 the  
22 following seven (7) courses and distances:

23 South 05°07'37" East, a distance of 130.69 feet to a point for  
24 corner;

25 South 84°52'23" West, a distance of 100.00 feet to a point for  
26 corner;

27 South 05°07'37' East, a distance of 700.00 feet to a point for

1 corner;  
2 North 84°52'23" East, a distance of 100.00 feet to a point of  
3 corner;  
4 South 05°07'37" East, a distance of 300.00 feet to a point for  
5 corner;  
6 South 84°52'23" West, a distance of 10.00 feet to a point for  
7 corner;  
8 South 05°07'37" East, a distance of 857.39 feet to a point in  
9 the south line of Section 430 and the north line of Section Number  
10 427 for corner;  
11 THENCE, South 80°03'43" East, along the south line of Section  
12 430 and the north line of Section Number 427, a distance of 113.92  
13 feet to a point in the east right-of-way line of U.S. Highway 83 for  
14 corner;  
15 THENCE with the east right-of-way line of U.S. Highway 83 the  
16 following five (5) courses and distances:  
17 South 05°07'37" East, a distance of 1,213.00 feet to a point  
18 for corner;  
19 North 84°52'23" East, a distance of 100.00 feet to a point for  
20 corner;  
21 South 05°07'37" East, a distance of 600.00 feet to a point for  
22 corner;  
23 South 84°52'23" West, a distance of 100.00 feet to a point for  
24 corner;  
25 South 05°07'37" East, a distance of 509.15 feet to a point of  
26 intersection with the east line of Section Number 427 and the west  
27 line of Section Number 428 for corner;

1       THENCE, South 09°56'17" West, crossing U.S. Highway 83 with  
2 the east line of Section Number 427 and the west line of Section  
3 Number 428, a distance of 384.74 feet to a point in the west  
4 right-of-way line of U.S. Highway 83 for corner;

5       THENCE with the west right-of-way line of U.S. Highway 83 the  
6 following five (5) courses and distances:

7       South 05°07'37" East, a distance of 3,709.34 feet to a point  
8 for corner;

9       South 84°52'23" West, a distance of 200.00 feet to a point for  
10 corner;

11       South 05°07'37" East, a distance of 20.00 feet to a point for  
12 corner;

13       North 84°52'23" East, a distance of 200.00 feet to a point for  
14 corner;

15       South 05°14'13" East, a distance of 1,851.67 feet to a point  
16 in the north right-of-way line of State Highway 255 (Camino  
17 Colombia Toll Road) for the southeast corner of the herein  
18 described tract;

19       THENCE with the north right-of-way line of State Highway 255  
20 (Camino Colombia Toll Road) the following three (3) courses and  
21 distances:

22       South 66°09'45" West, a distance of 1,170.41 feet to a point  
23 for corner;

24       South 69°13'50" West, a distance of 5,500.00 feet to a point  
25 for corner;

26       South 73°38'56" West, a distance of 1009.82 feet to a point in  
27 the west right-of-way line of Jefferies Road (40 foot wide) for the

1 southwest corner of the herein described tract;

2       THENCE, North 21°46'40" West, along the west right-of-way  
3 line of Jefferies Road, a distance of 2,101.65 feet to a point for  
4 corner;

5       THENCE, North 21°46'40" West, continuing along the west  
6 right-of-way line of Jefferies Road, a distance of 5,282.14 feet to  
7 a point for corner;

8       THENCE, North 21°44'42" West, a distance of 39.79 feet to a  
9 point for corner;

10       THENCE, North 68°10'39" East, a distance of 41.03 feet to a  
11 point for corner;

12       THENCE, North 21°15'49" West, a distance of 5,690.77 feet to a  
13 fence corner in the west line of Section 431 and for the southeast  
14 corner of Section Number 433, the northeast corner of Section  
15 Number 437, the most southerly corner of Section Number 2148, and an  
16 angle corner of the herein described tract;

17       THENCE, North 10°08'29" East, along the east line of Section  
18 Number 2148 and the west line of Section Number 431, a distance of  
19 2,654.82 feet to a point for corner;

20       THENCE, South 79°44'21" East, along the south line of Section  
21 Number 432 and the north line of Section Number 431, a distance of  
22 2,670.37 feet to a point for corner;

23       THENCE, South 79°55'39" East, continuing along the south line  
24 of Section Number 432 and the north line of Section Number 431, a  
25 distance of 2,621.70 feet to the POINT OF BEGINNING and containing  
26 2809.853 acres (122,397,204 square feet) of land.

27       Mary Kay Tract: Being a tract or parcel containing 2,828.368

1 acres (123,203,717 square feet) of land situated in Webb County,  
2 Texas and being all of a called 2,827.868 acre tract described in  
3 deed to Simeon Escondido, LLC recorded in Volume 5058, Page, 145 of  
4 the Official Public Records of Webb County (having 8.764 acres  
5 (381,751 square feet) within the right-of-way of U.S. Highway 83  
6 per right-of-way map of State Highway No.(4) U.S. 83, File Number  
7 SP718F - Control 37-10-1), said 2,828.37 acres tract being more  
8 particularly described by metes and bounds as follows: (Bearings  
9 cited herein are based on the Texas State Plane Coordinate System,  
10 South Zone, NAD 83, are surface and may be converted to grid  
11 applying a combined scale factor of 1.00003144444054)

12 BEGINNING at a fence corner marking the northwest corner of a  
13 called 2,079.865 acre tract described in deed to Huisache Cattle  
14 Company, Ltd. recorded in Volume 166, Page 832 of the Webb County  
15 Deed Records and the northwest corner of Section Number 365;

16 THENCE, North 89°46'52" East, a distance of 4,226.45 feet to a  
17 fence corner marking the northeast corner of Section Number 365;

18 THENCE, North 00°15'28" West, a distance of 1,766.62 feet to a  
19 found 1/2-inch iron rod marking the northwest corner of Section  
20 Number 364;

21 THENCE, North 89°49'03" East, a distance of 6,325.20 feet to a  
22 found 1/2-inch iron rod in the west right-of-way line of Missouri  
23 Pacific Railway and marking the northwest corner of Section Number  
24 364 and the northeast corner of said called 2,079.865 acre tract;

25 THENCE along said west right-of-way line of Missouri Pacific  
26 Railway the following three (3) courses and distances:

27 South 15°15'10" West, a distance of 975.41 feet to a fence

1 corner;  
2 South 15°22'36" West, a distance of 5,850.97 feet to a fence  
3 corner;  
4 South 15°14'37" West, a distance of 4,422.42 feet to a found  
5 1/2-inch iron rod marking the intersection of said west  
6 right-of-way line of Missouri Pacific Railway and the north  
7 right-of-way line of Webb Road (variable width) marking the  
8 southeast corner of said called 2,079.865 acre tract;  
9 THENCE along said north right-of-way line of Webb Road the  
10 following sixteen (16) courses and distances:  
11 South 89°09'29" West, a distance of 1,193.75 feet to a point  
12 for corner;  
13 North 58°07'19" West, a distance of 103.62 feet to a point for  
14 corner;  
15 South 89°39'12" West, a distance of 2,146.38 feet to a point  
16 for corner;  
17 North 50°14'54" West, a distance of 17.15 feet to a point for  
18 corner;  
19 North 66°50'21" West, a distance of 190.16 feet to a point for  
20 corner;  
21 North 61°02'47" West, a distance of 784.40 feet to a point for  
22 corner;  
23 North 59°54'12" West, a distance of 852.49 feet to a point for  
24 corner;  
25 North 55°19'56" West, a distance of 298.30 feet to a point for  
26 corner;  
27 North 85°28'43" West, a distance of 130.46 feet to a point for



1 corner;  
2 South 82°11'14" West, a distance of 370.50 feet to a point for  
3 corner;  
4 North 86°09'22" West, a distance of 93.50 feet to a point for  
5 corner;  
6 North 78°36'04" West, a distance of 493.77 feet to a point for  
7 corner;  
8 North 71°50'14" West, a distance of 76.42 feet to a point for  
9 corner;  
10 North 61°10'29" West, a distance of 446.90 feet to a point for  
11 corner;  
12 North 47°43'13" West, a distance of 623.92 feet to a fence  
13 corner;  
14 North 86°18'49" West, a distance of 1,355.92 feet to a point  
15 in an east line of a called 748.003 acre tract described in deed to  
16 Huisache Cattle Company, Ltd. recorded in Volume 166, Page 832 of  
17 the Webb County Deed Records and the southwest corner of said called  
18 2,079.865 acre tract;  
19 THENCE, South 02°36'57" West, over and across said Webb Road,  
20 a distance of 47.72 feet to a point in the south right-of-way line  
21 of said Webb Road;  
22 THENCE along said south right-of-way line of Webb Road the  
23 following three (3) courses and distances:  
24 North 80°08'21" West, a distance of 1,032.58 feet;  
25 North 80°13'29" West, a distance of 32.50 feet;  
26 North 73°38'40" West, a distance of 3,821.11 feet to a point  
27 for the intersection of said Webb Road and the centerline of U.S.

1 Highway 83 (variable width) for the southwest corner of said called  
2 748.003 acre tract;

3       THENCE, North 05°10'00" West, along said centerline of U.S.  
4 Highway 83, a distance of 5,896.54 feet to a point for the northwest  
5 corner of said called 748.003 acre tract;

6       THENCE, South 80°01'13" East, a distance of 6,230.95 feet to a  
7 fence corner;

8       THENCE, North 08°49'51" East, a distance of 1,159.98 feet to  
9 the POINT OF BEGINNING and containing 2,828.368 acres (123,203,717  
10 square feet) of land.

11       Webb Tract: Being a tract or parcel containing 1,696.848  
12 acres (73,914,677 square feet) of land situated in Webb County,  
13 Texas and being out of and a part of a called 1,822.50 acre tract  
14 described in deed to Huisache Cattle Company, Ltd. recorded in  
15 Volume 841, Page, 814 of the Webb County Deed Records, said  
16 1,696.848 acres tract being more particularly described by metes  
17 and bounds as follows: (Bearings cited herein are based on the Texas  
18 State Plane Coordinate System, South Zone, NAD 83, are surface and  
19 may be converted to grid applying a combined scale factor of  
20 1.00003144444054)

21       BEGINNING at a fence corner marking the common corners of  
22 Section Number 362, 363, 1606, 1593 and an angle corner of the  
23 herein described tract;

24       THENCE, North 89°25'08" West, a distance of 1,318.28 feet to a  
25 found 1/2-inch iron rod in the east right-of-way line of Interstate  
26 Highway 35 (variable width) marking the southwest corner of the  
27 herein described tract;

1           THENCE with said east right-of-way line of Interstate Highway  
2 35 the following nine (9) courses and distances:  
3           North 12°32'12" East, a distance of 1,260.55 feet to a fence  
4 post for corner and beginning of a curve to the left;  
5           Northeasterly, along a non-tangent curve to the left, having  
6 a radius of 1,948.57 feet, with an arc length of 422.06 feet, a  
7 chord bearing and distance of North 06°18'36" East, 421.24 feet to a  
8 fence post for corner;  
9           North 00°00'40" East, a distance of 296.40 feet to a fence  
10 post for corner;  
11          North 66°59'21" East, a distance of 40.19 feet to a fence post  
12 for corner;  
13          North 12°08'53" East, a distance of 70.85 feet to a fence post  
14 for corner;  
15          North 48°56'46" West, a distance of 64.62 feet to a fence post  
16 for corner and the beginning of a curve to the right;  
17          Northeasterly, along a non-tangent curve to the right, having  
18 a radius of 1,888.99 feet, with an arc length of 374.29 feet, a  
19 chord bearing and distance of North 09°43'00" East, 373.68 feet to a  
20 fence post for corner;  
21          North 15°17'07" East, a distance of 610.18 feet to a fence  
22 post for corner;  
23          North 15°18'24" East, a distance of 495.69 feet to a fence  
24 post for the northwest corner of the herein described tract;  
25          THENCE, North 89°29'54" East, a distance of 15,726.16 feet to  
26 a fence post for the northeast corner of the herein described tract;  
27          THENCE, South 00°32'58" East, a distance of 1,914.30 feet to a

1 fence post for corner;

2       THENCE, South 89°29'51" West, a distance of 6,231.04 feet to a  
3 fence post for corner;

4       THENCE, South 00°12'48" East, a distance of 5,187.59 feet to a  
5 fence post for the southeast corner of Section Number 1963 and the  
6 herein described tract;

7       THENCE, North 89°46'59" West, a distance of 1,927.01 feet to a  
8 fence post for corner;

9       THENCE, South 00°26'24" East, a distance of 187.62 feet to a  
10 fence post for corner;

11       THENCE, North 89°57'49" West, a distance of 1,596.00 feet to a  
12 fence post for corner;

13       THENCE, North 69°14'50" West, a distance of 5,746.17 feet to a  
14 fence post for corner;

15       THENCE, North 00°05'46" East, a distance of 1,640.56 feet to  
16 the POINT OF BEGINNING and containing 1,696.848 acres (73,914,677  
17 square feet) of land.

18       SECTION 4. The Legacy Municipal Management District retains  
19 all rights, powers, privileges, authority, duties, and functions  
20 that the Legacy Water Control and Improvement District had before  
21 the effective date of this Act, except as otherwise expressly  
22 provided by Chapter 4008, Special District Local Laws Code, as  
23 added by this Act.

24       SECTION 5. (a) The legislature validates and confirms all  
25 governmental acts and proceedings of the Legacy Water Control and  
26 Improvement District that were taken before the effective date of  
27 this Act.

1 (b) This section does not apply to any matter that on the  
2 effective date of this Act:

3 (1) is involved in litigation if the litigation  
4 ultimately results in the matter being held invalid by a final court  
5 judgment; or

6 (2) has been held invalid by a final court judgment.

7 SECTION 6. (a) The legal notice of the intention to  
8 introduce this Act, setting forth the general substance of this  
9 Act, has been published as provided by law, and the notice and a  
10 copy of this Act have been furnished to all persons, agencies,  
11 officials, or entities to which they are required to be furnished  
12 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
13 Government Code.

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

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

21 (d) The general law relating to consent by political  
22 subdivisions to the creation of districts with conservation,  
23 reclamation, and road powers and the inclusion of land in those  
24 districts has been complied with.

25 (e) All requirements of the constitution and laws of this  
26 state and the rules and procedures of the legislature with respect  
27 to the notice, introduction, and passage of this Act have been

1 fulfilled and accomplished.

2       SECTION 7. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2023.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 25, 2023**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB5405** by Raymond (Relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **As Passed 2nd House**

<b>No significant fiscal implication to the State is anticipated.</b>
---

It is assumed that any costs associated with the bill could be absorbed using existing resources.

**Local Government Impact**

The fiscal implications of the bill to the district cannot be determined due to the circumstances relating to the district's issuance of bonds or imposition of assessments, fees, and taxes being unknown. No fiscal implication to other units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, SD, AF, KDw, DPE, BC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 20, 2023**

**TO:** Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB5405** by Raymond (relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **Committee Report 2nd House, Substituted**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
--

It is assumed that any costs associated with the bill could be absorbed using existing resources.

**Local Government Impact**

The fiscal implications of the bill to the district cannot be determined due to the circumstances relating to the district's issuance of bonds or imposition of assessments, fees, and taxes being unknown. No fiscal implication to other units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AF, KDw, DPE, BC



**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 19, 2023**

**TO:** Honorable Paul Bettencourt, Chair, Senate Committee on Local Government

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB5405** by Raymond (Relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **As Engrossed**

**No significant fiscal implication to the State is anticipated.**

It is assumed that any costs associated with the bill could be absorbed using existing resources.

**Local Government Impact**

The fiscal implications of the bill to the district cannot be determined due to the circumstances relating to the district's issuance of bonds or imposition of assessments, fees, and taxes being unknown. No fiscal implication to other units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, AF, KDw, DPE, BC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**May 4, 2023**

**TO:** Honorable Tracy O. King, Chair, House Committee on Natural Resources

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB5405** by Raymond (relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **Committee Report 1st House, Substituted**

<b>No significant fiscal implication to the State is anticipated.</b>
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It is assumed that any costs associated with the bill could be absorbed using existing resources.

**Local Government Impact**

The fiscal implications of the bill to the district cannot be determined due to the circumstances relating to the district's issuance of bonds or imposition of assessments, fees, and taxes being unknown. No fiscal implication to other units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, KDw, DPE, BC

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 88TH LEGISLATIVE REGULAR SESSION**

**April 27, 2023**

**TO:** Honorable Tracy O. King, Chair, House Committee on Natural Resources

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB5405** by Raymond (Relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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It is assumed that any costs associated with the bill could be absorbed using existing resources.

**Local Government Impact**

The fiscal implications of the bill to the district cannot be determined due to the circumstances relating to the district's issuance of bonds or imposition of assessments, fees, and taxes being unknown. No fiscal implication to other units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** JMc, KDw, BC, DPE

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**WATER DEVELOPMENT POLICY IMPACT STATEMENT**

**88TH LEGISLATIVE REGULAR SESSION**

**May 8, 2023**

**TO:** Honorable Tracy O. King, Chair, House Committee on Natural Resources

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB5405** by Raymond (relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **Committee Report 1st House, Substituted**

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 Legacy Municipal Management District (the "District"), by way of conversion from the Legacy Water Control and Improvement District, with the powers and duties of a standard municipal management district under Local Government Code Chapter 375.

**Population:** The very specific description of the proposed boundaries does not allow staff to develop precise population estimates.

The 2020 population estimate for areas of Webb County served by small water systems or private wells ('County-Other') was 2,403. The Webb County-Other population projections adopted for the 2022 State Water Plan projects the population to grow to 3,199 in 2030 and 3,781 in 2040.

**Location:** The proposed district's initial boundaries are described with a combination of Original Texas Land Surveys, Webb County Deed Records, Official Public Records of Webb County, and metes and bounds. Due to the complexity of these boundaries for the various subareas of the district, staff is only able to determine the general location of the proposed district.

The proposed district's area is approximately 17.67 square miles in Webb County, located north of the City of Laredo and near the intersections of Interstate Highway 35, State Highway 255, and U.S. Highway 83.

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

The District may provide for water, wastewater, drainage, road, and recreational facilities for the District. The bill specifies that the provisions of Sections 375.063, and 375.066 through 375.072, related to director requirements, apply to the District. The bill specifies that Section 49.052, Water Code, related to the disqualification of directors does not apply to the District. After a notice and hearing, the bill allows the county to remove a board member for misconduct or failure to carry out the director's duties on petition by a majority of the remaining directors. 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 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 not exercise the power of eminent domain. The board may not finance a service or improvement project with assessments unless a written petition requesting that service or improvement has been filed with the board. 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 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 the limitation on the 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 the county has consented by ordinance or resolution to the conversion of the Legacy Water Control and Improvement District to the District.

The bill specifies that the board shall dissolve the district on written petition filed with the board by owners of at least two-thirds of the assessed value of the property subject to assessment by the District or by at least two-thirds of the surface area of the District. The bill specifies that the board by majority vote may dissolve the District at any time. The bill specifies that 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 Sections 375.261, 375.262, and 375.264, Local Government Code, do not apply to the District. The bill states that the general law relating to consent by political subdivisions to the creation of districts with conservation, reclamation, and road powers and the inclusion of land in those districts has been complied with.

**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.

**Water Use:** Within Webb County, 89% of the total water use was supplied by surface water, and municipal was the largest volume water use category comprising 88% of the county total water use in 2020. The water source the proposed district might pursue is unknown.

**Source** 580 Water Development Board, 582 Commission on Environmental Quality  
**Agencies:**  
**LBB Staff:** JMc, AF

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**WATER DEVELOPMENT POLICY IMPACT STATEMENT**

**88TH LEGISLATIVE REGULAR SESSION**

**April 28, 2023**

**TO:** Honorable Tracy O. King, Chair, House Committee on Natural Resources

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB5405** by Raymond (Relating to the conversion of the Legacy Water Control and Improvement District to the Legacy Municipal Management District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.), **As Introduced**

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The bill specifies that the board by majority vote may dissolve the District at any time. The bill specifies that 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 Sections 375.261, 375.262, and 375.264, Local Government Code, do not apply to the District.

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