

By: Morales of Maverick

H.B. No. 74

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Puerto Verde Port Authority District; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes; granting a limited power of eminent domain.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 4011 to read as follows:

CHAPTER 4011. PUERTO VERDE PORT AUTHORITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 4011.0101. DEFINITIONS. In this chapter:

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

(2) "County" means Maverick County.

(3) "Director" means a board member.

(4) "District" means the Puerto Verde Port Authority District.

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

Sec. 4011.0102. NATURE OF DISTRICT. The Puerto Verde Port Authority District is a special district created under Section 59,

Article XVI, Texas Constitution.

Sec. 4011.0103. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter.

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

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

Sec. 4011.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

(a) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

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

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

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

1 (2) eliminating unemployment and underemployment; and
2 (3) developing or expanding transportation and
3 commerce.

4 (d) The district will:

5 (1) promote the health, safety, and general welfare of
6 residents, employers, potential employees, employees, visitors,
7 and consumers in the district, and of the public;

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

11 (3) promote the health, safety, welfare, and enjoyment
12 of the public by providing pedestrian ways and by landscaping and
13 developing certain areas in the district, which are necessary for
14 the restoration, preservation, and enhancement of scenic beauty;
15 and

16 (4) provide for water, wastewater, drainage, road,
17 rail, port, navigation, and recreational facilities for the
18 district.

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

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

27 Sec. 4011.0105. INITIAL DISTRICT TERRITORY. (a) The

district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

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

(1) organization, existence, or validity;

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

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

(4) legality or operation.

Sec. 4011.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

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

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

Sec. 4011.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 4011.0108. 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. 4011.0201. GOVERNING BODY; TERMS. (a) The district is

governed by a board of five elected voting directors who serve staggered terms of four years.

(b) Voting directors are elected in the manner provided by Subchapter D, Chapter 49, Water Code.

Sec. 4011.0202. COMPENSATION; EXPENSES. (a) The district may compensate each voting director in an amount not to exceed \$150 for each board meeting. The total amount of compensation for each voting director in one year may not exceed \$7,200.

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

(c) Sections 375.069 and 375.070, Local Government Code, do not apply to a voting director.

Sec. 4011.0203. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Ruben Garibay</u>
<u>2</u>	<u>David Higgerson</u>
<u>3</u>	<u>Bobby Babcock</u>
<u>4</u>	<u>Rob Russell</u>
<u>5</u>	<u>Benito Martinez III</u>

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2027, and the terms of directors appointed for positions four and five expire June 1, 2029.

Sec. 4011.0204. EX OFFICIO DIRECTORS. (a) In addition to directors elected under Section 4011.0201, the commissioners court

1 of the county may appoint up to two persons who are officials of or
2 employed by the county to serve as nonvoting ex officio directors.
3 An ex officio director serves a term of four years.

4 (b) An ex officio director is not counted as a voting
5 director for purposes of establishing a quorum.

6 (c) An ex officio director:

7 (1) is entitled to receive the same notices and
8 information regarding the district as a voting director; and

9 (2) may attend any board meeting, regardless of
10 whether the meeting is open or closed to the public.

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 4011.0301. GENERAL POWERS AND DUTIES. (a) The
13 district has the powers and duties necessary to accomplish the
14 purposes for which the district is created.

15 (b) The district may contract with a governmental or private
16 entity, including the county, to carry out an action, power, or duty
17 authorized by this chapter or to accomplish the purposes for which
18 the district is created.

19 Sec. 4011.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The
20 district, using any money available to the district for the
21 purpose, may provide, design, construct, acquire, improve,
22 relocate, operate, maintain, or finance an improvement project or
23 service authorized under this chapter or Chapter 375, Local
24 Government Code.

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

1 Sec. 4011.0303. NONPROFIT CORPORATION. (a) The board by
2 resolution may authorize the creation of a nonprofit corporation to
3 assist and act for the district in implementing a project or
4 providing a service authorized by this chapter.

5 (b) The nonprofit corporation:

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

9 (2) may implement any project and provide any service
10 authorized by this chapter.

11 (c) The board shall appoint the board of directors of the
12 nonprofit corporation. The board of directors of the nonprofit
13 corporation shall serve in the same manner as the board of directors
14 of a local government corporation created under Subchapter D,
15 Chapter 431, Transportation Code, except that a board member is not
16 required to reside in the district.

17 Sec. 4011.0304. NAVIGATION DISTRICT POWERS. The district
18 has the powers provided by the general law of this state applicable
19 to navigation districts created under Section 59, Article XVI,
20 Texas Constitution, including Chapters 60 and 62, Water Code.

21 Sec. 4011.0305. LAW ENFORCEMENT SERVICES. To protect the
22 public interest, the district may contract with a qualified party,
23 including the county, to provide law enforcement services in the
24 district for a fee.

25 Sec. 4011.0306. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
26 The district may join and pay dues to a charitable or nonprofit
27 organization that performs a service or provides an activity

consistent with the furtherance of a district purpose.

Sec. 4011.0307. 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 administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the district, including programs to:

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

(2) provide district personnel and services.

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

(1) Chapter 380, Local Government Code; and

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

Sec. 4011.0308. PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

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

(c) The district's parking facilities are parts of and necessary components of a street and are considered to be a street

1 or road improvement.

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

4 Sec. 4011.0309. ADDING OR EXCLUDING LAND. The district may
5 add or exclude land in the manner provided by Subchapter J, Chapter
6 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

7 Sec. 4011.0310. DISBURSEMENTS AND TRANSFERS OF MONEY. The
8 board by resolution shall establish the number of directors'
9 signatures and the procedure required for a disbursement or
10 transfer of district money.

11 Sec. 4011.0311. RAIL FACILITIES. The district may
12 construct, acquire, improve, maintain, finance, and operate rail
13 facilities, and improvements in aid of those facilities, for
14 commuter, freight, and other rail purposes.

15 Sec. 4011.0312. BRIDGE FACILITIES. The district may
16 construct, acquire, improve, maintain, finance, and operate bridge
17 facilities and improvements, including toll bridges.

18 Sec. 4011.0313. EMINENT DOMAIN. The district may exercise
19 the power of eminent domain in the manner provided by Section
20 49.222, Water Code.

21 SUBCHAPTER D. ASSESSMENTS

22 Sec. 4011.0401. PETITION REQUIRED FOR FINANCING SERVICES
23 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
24 service or improvement project with assessments under this chapter
25 unless a written petition requesting that service or improvement
26 has been filed with the board.

27 (b) A petition filed under Subsection (a) must be signed by

1 the owners of a majority of the assessed value of real property in
2 the district subject to assessment according to the most recent
3 certified tax appraisal roll for the county.

4 Sec. 4011.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
5 The board by resolution may impose and collect an assessment for any
6 purpose authorized by this chapter in all or any part of the
7 district.

8 (b) An assessment, a reassessment, or an assessment
9 resulting from an addition to or correction of the assessment roll
10 by the district, penalties and interest on an assessment or
11 reassessment, an expense of collection, and reasonable attorney's
12 fees incurred by the district:

13 (1) are a first and prior lien against the property
14 assessed;

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

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

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

25 (d) The board may make a correction to or deletion from the
26 assessment roll that does not increase the amount of assessment of
27 any parcel of land without providing notice and holding a hearing in

1 the manner required for additional assessments.

2 SUBCHAPTER E. TAXES AND BONDS

3 Sec. 4011.0501. TAX ELECTION REQUIRED. (a) The district
4 must hold an election in the manner provided by Chapter 49, Water
5 Code, or, if applicable, Chapter 375, Local Government Code, to
6 obtain voter approval before the district may impose an ad valorem
7 tax.

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

10 Sec. 4011.0502. OPERATION AND MAINTENANCE TAX. (a) If
11 authorized by a majority of the district voters voting at an
12 election under Section 4011.0501, the district may impose an
13 operation and maintenance tax on taxable property in the district
14 in the manner provided by Section 49.107, Water Code, for any
15 district purpose, including to:

16 (1) maintain and operate the district;

17 (2) construct or acquire improvements; or

18 (3) provide a service.

19 (b) The board shall determine the operation and maintenance
20 tax rate. The rate may not exceed the rate approved at the
21 election.

22 Sec. 4011.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE
23 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
24 terms determined by the board.

25 (b) The district may issue bonds, notes, or other
26 obligations payable wholly or partly from ad valorem taxes,
27 assessments, impact fees, tolls, fares, charges, 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. 4011.0504. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds secured by:

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

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

Sec. 4011.0505. BONDS SECURED BY AD VALOREM TAXES; ELECTIONS. (a) If authorized at an election under Section 4011.0501, the district may issue bonds payable from ad valorem taxes.

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

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

SUBCHAPTER I. DISSOLUTION

Sec. 4011.0901. DISSOLUTION. (a) The board shall dissolve the district on written petition filed with the board by the owners

1 of:

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

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

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

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

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

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 SECTION 2. The Puerto Verde Port Authority District

initially includes all territory contained in the following area:

FIELD NOTES FOR A BOUNDARY SURVEY OF 1898.24 ACRES, MORE OR LESS
Being a boundary survey of 1898.24 acres, more or less, of land
lying in Maverick County, Texas, being out of and parts of P. W.
Thomason Survey 12, Abstract No. 1321, L. Castanon Survey 10,
Abstract No. 1039, J. Conti Survey 9, Abstract No. 1037, F. F.
Fevre Survey 38, Abstract No. 109, T. Osborn Survey 11, Abstract
No. 1167, I. & G. N. RR. Co. Block 7, Survey 257, Abstract No. 434,
I. & G. N. RR. Co. Block 7, Survey 256, Abstract No. 433, W. B.
Scates Survey 7, Abstract No. 1088, and J. Navarro Survey 8,
Abstract No. 1076, and also being comprised of a composite of those
same certain tracts called Tract 3 (8.84 acres), Tract 4 (327.89
acres), Tract 5 (1212.08 acres), Tract 6 (107.43 acres), and Tract 7
(241.98 acres) as described in conveyance document to Farming
Hydrasource, LLC, recorded in Document Number 2112789 of the
Maverick County Official Public Records, Maverick County, Texas.

BEGINNING at a found 1/2" diameter rebar marking the ostensible
common survey corner of said Survey 12 and G. C. & S. F. RR. Co.
Survey 11, Abstract No. 1049, at a point on the ostensible
southerly line of F. Valdez Survey 22, Page 1142, and marking the
northwest corner of the herein described tract;

THENCE: S 89°36'51" E, with the ostensible common survey line of
said Survey 12 and said Survey 22, passing the ostensible common
survey corner of said Survey 22 and S. F. 016195 Abstract No. 1388,
continuing on the same course for a distance of 5382.03 feet to an
unmarked corner marking the ostensible common corner of said Survey
12 and said Abstract No. 1388, at a point on the ostensible westerly

1 line of said Survey 10, and marking an interior corner of the herein
2 described tract;

3 THENCE: N 00°10'32" E, with the ostensible common survey line of
4 said Survey 10 and said Abstract No. 1388 for a distance of 703.00
5 feet to an unmarked corner marking the ostensible common survey
6 corner of said Survey 10 and said Abstract No. 1388, and marking an
7 exterior corner of the herein described tract;

8 THENCE: S 89°30'14" E, with the ostensible survey line of said
9 Survey 10 and said Abstract No. 1388, passing the ostensible common
10 survey corner of said Abstract No. 1388 and said Survey 11,
11 continuing on the same course for a distance of 4612.79 feet to an
12 unmarked corner marking the ostensible common survey corner of said
13 Survey 10 and said Survey 11, at a point on the ostensible westerly
14 line of said Survey 9, and marking an interior corner of the herein
15 described tract;

16 THENCE: N 01°07'34" E, with the ostensible common survey line of
17 said Survey 9 and said Survey 11 for a distance of 98.24 feet to an
18 unmarked corner marking the ostensible common corner of said Survey
19 9 and said Survey 11, and marking an exterior corner of the herein
20 described tract;

21 THENCE: S 89°37'58" E, with the ostensible common survey line of
22 said Survey 9 and said Survey 11, passing the ostensible common
23 corner of said Survey 9 and said Survey 38, continuing on the same
24 course for a distance of 4916.07 feet to an unmarked corner marking
25 the ostensible common survey corner of said Survey 38 and said
26 Survey 11, and marking an interior corner of the herein described
27 tract;

1 THENCE: N 00°21'17" E, for a distance of 286.12 feet to an unmarked
2 corner marking an exterior corner of the herein described tract;
3 THENCE: S 89°41'52" E, passing the ostensible common survey corner
4 of said Survey 11 and said Survey 257, continuing on the same
5 course, passing the ostensible common survey corner o of said
6 Survey 11 and S. Tovar Survey 50, Abstract No. 1027, continuing on
7 the same course for a distance of 4476.51 feet to a found steel
8 stake at a point on the northwesterly margin of Union Pacific
9 Railroad, and marking the northeast corner of the herein described
10 tract;
11 THENCE: S 13°41'48" W, with the northwesterly margin of said
12 railroad for a distance of 923.69 feet to an unmarked corner marking
13 an exterior corner of the herein described tract;
14 THENCE: S 89°36'21" W, passing the ostensible common survey line of
15 said Survey 257 and said Survey 11, continuing on the same course,
16 passing the ostensible common survey line of said Survey 11 and said
17 Survey 38, continuing on the same course, passing the ostensible
18 common survey line of said Survey 38 and said Survey 9, continuing
19 on the same course for a distance of 6943.84 feet to an unmarked
20 corner marking an interior corner of the herein described tract;
21 THENCE: S 00°23'19" E, for a distance of 361.26 feet to an unmarked
22 corner marking a deflection point of the herein described tract;
23 THENCE: S 02°12'56" E, for a distance of 1620.21 feet to an unmarked
24 corner marking a deflection point of the herein described tract;
25 THENCE: S 32°36'41" W, for a distance of 1914.67 feet to an unmarked
26 corner marking a deflection point of the herein described tract;
27 THENCE: S 28°41'44" E, for a distance of 1078.51 feet to an unmarked

1 corner marking a deflection point of the herein described tract;
2 THENCE: S 32°13'35" E, for a distance of 680.42 feet to an unmarked
3 corner marking a deflection point of the herein described tract;
4 THENCE: S 26°07'58" E, for a distance of 515.73 feet to an unmarked
5 corner marking a deflection point of the herein described tract;
6 THENCE: S 48°47'36" E, passing the ostensible common survey line of
7 said Survey 9 and said Survey 8 for a distance of 630.27 feet to an
8 unmarked corner marking a deflection point of the herein described
9 tract;
10 THENCE: S 38°38'57" E, for a distance of 358.52 feet to an unmarked
11 corner marking a deflection point of the herein described tract;
12 THENCE: S 22°23'06" E, for a distance of 264.97 feet to an unmarked
13 corner marking a deflection point of the herein described tract;
14 THENCE: S 00°51'26" W, for a distance of 267.24 feet to an unmarked
15 corner marking a deflection point of the herein described tract;
16 THENCE: S 12°13'35" W, for a distance of 289.36 feet to an unmarked
17 corner marking a deflection point of the herein described tract;
18 THENCE: S 00°25'00" E, for a distance of 290.01 feet to an unmarked
19 corner marking a deflection point of the herein described tract;
20 THENCE: S 17°36'57" E, for a distance of 212.04 feet to an unmarked
21 corner marking a deflection point of the herein described tract;
22 THENCE: S 43°27'27" E, for a distance of 262.59 feet to an unmarked
23 corner marking a deflection point of the herein described tract;
24 THENCE: S 68°16'26" E, for a distance of 277.25 feet to an unmarked
25 corner marking a deflection point of the herein described tract;
26 THENCE: S 83°26'23" E, for a distance of 697.32 feet to an unmarked
27 corner marking a deflection point of the herein described tract;

1 THENCE: S 85°32'56" E, for a distance of 600.89 feet to an unmarked
2 corner marking a deflection point of the herein described tract;
3 THENCE: S 66°14'24" E, passing the ostensible common survey line of
4 said Survey 8 and said Survey 256, continuing on the same course for
5 a distance of 562.69 feet to an unmarked corner marking a deflection
6 point of the herein described tract;
7 THENCE: S 29°47'54" E, for a distance of 533.68 feet to an unmarked
8 corner marking a deflection point of the herein described tract;
9 THENCE: S 12°21'24" W, for a distance of 305.23 feet to an unmarked
10 corner marking a deflection point of the herein described tract;
11 THENCE: S 44°38'30" E, for a distance of 53.29 feet to an unmarked
12 corner at a point on the northwesterly margin of said railroad, at a
13 point on a curve to the right whose radius is 2796.50 feet;
14 THENCE: Southwesterly with said curve for an arc length of 1620.93
15 feet, (chord bearing of S 41°55'34" W, with a chord length of 1598.33
16 feet) marking the end of said curve;
17 THENCE: S 58°31'51" W, passing the ostensible common survey line of
18 said Survey 256 and said Survey 7, continuing on the same course for
19 a distance of 914.35 feet to an unmarked corner marking the south
20 corner of the herein described tract;
21 THENCE: N 21°45'13" E, for a distance of 189.30 feet to an unmarked
22 corner marking a deflection point of the herein described tract;
23 THENCE: N 35°51'28" E, for a distance of 121.15 feet to an unmarked
24 corner marking a deflection point of the herein described tract;
25 THENCE: N 49°03'50" E, for a distance of 188.08 feet to an unmarked
26 corner marking a deflection point of the herein described tract;
27 THENCE: N 59°01'13" E, for a distance of 303.45 feet to an unmarked

1 corner marking a deflection point of the herein described tract;
2 THENCE: N 57°21'33" E, passing the ostensible common survey line of
3 said Survey 7 and said Survey 256, continuing on the same course for
4 a distance of 323.10 feet to an unmarked corner marking a deflection
5 point of the herein described tract;
6 THENCE: N 55°46'58" E, for a distance of 303.71 feet to an unmarked
7 corner marking a deflection point of the herein described tract;
8 THENCE: N 41°10'40" E, for a distance of 334.00 feet to an unmarked
9 corner marking a deflection point of the herein described tract;
10 THENCE: N 32°17'45" E, for a distance of 235.02 feet to an unmarked
11 corner marking a deflection point of the herein described tract;
12 THENCE: N 23°47'36" E, for a distance of 154.48 feet to an unmarked
13 corner marking a deflection point of the herein described tract;
14 THENCE: N 23°47'36" E, for a distance of 139.86 feet to an unmarked
15 corner marking a deflection point of the herein described tract;
16 THENCE: N 10°49'52" E, for a distance of 241.31 feet to an unmarked
17 corner marking a deflection point of the herein described tract;
18 THENCE: N 00°00'00" W, for a distance of 167.30 feet to an unmarked
19 corner marking a deflection point of the herein described tract;
20 THENCE: N 24°52'49" W, for a distance of 157.52 feet to an unmarked
21 corner marking a deflection point of the herein described tract;
22 THENCE: N 41°19'51" W, for a distance of 153.17 feet to an unmarked
23 corner marking a deflection point of the herein described tract;
24 THENCE: N 61°24'30" W, for a distance of 131.09 feet to an unmarked
25 corner marking a deflection point of the herein described tract;
26 THENCE: N 88°20'48" W, passing the ostensible common survey line of
27 said Survey 256 and said Survey 8, continuing on the same course for

1 a distance of 571.01 feet to an unmarked corner marking a deflection
2 point of the herein described tract;
3 THENCE: S 60°53'05" W, passing the ostensible common survey line of
4 said Survey 8 and said Survey 7, continuing on the same course for a
5 distance of 2868.10 feet to an unmarked corner marking an exterior
6 corner of the herein described tract;
7 THENCE: N 02°17'56" W, passing the ostensible common survey line of
8 said Survey 7 and said Survey 8, continuing on the same course for a
9 distance of 1653.76 feet to an unmarked corner marking an interior
10 corner of the herein described tract;
11 THENCE: N 83°48'33" W, for a distance of 2875.14 feet to an unmarked
12 corner marking an exterior corner of the herein described tract;
13 THENCE: N 02°27'16" E, for a distance of 831.29 feet to an unmarked
14 corner marking an interior corner of the herein described tract;
15 THENCE: S 85°53'50" W, for a distance of 1219.80 feet to a found 1/2"
16 diameter rebar marking an exterior corner of the herein described
17 tract;
18 THENCE: N 21°17'24" W, passing the ostensible common survey line of
19 said Survey 8 and said Survey 10, continuing on the same course for
20 a distance of 2944.17 feet to a found 1/2" diameter rebar marking an
21 interior corner of the herein described tract;
22 THENCE: S 89°59'58" W; passing the ostensible common survey line of
23 said Survey 10 and said Survey 12, continuing on the same course for
24 a distance of 6918.89 feet to a found 1/2" diameter rebar at a point
25 on the ostensible common survey line of said Survey 12 and said
26 Survey 11, and marking an exterior corner of the herein described
27 tract;

1 THENCE: N 00°57'05" E, with the ostensible common survey line of
2 said Survey 12 and said Survey 11 for a distance of 3804.24 feet to
3 an unmarked corner marking a deflection point of the herein
4 described tract;

5 THENCE: N 00°57'05" E, with the ostensible common survey line of
6 said Survey 12 and said Survey 11 for a distance of 444.79 feet to
7 the Place of Beginning and containing 1898.24 acres, more or less,
8 of land within the herein described boundary.

9 FIELD NOTES FOR A BOUNDARY SURVEY OF 244.80 ACRES, MORE OR LESS

10 Being a boundary survey of 244.80 acres, more or less, of land lying
11 in Maverick County, Texas, being out of and parts of A. Whittaker
12 Survey 1, Abstract No. 854, Uvalde Co. School Lands Survey 4,
13 Abstract No. 845, B. Diaz Survey 4-1/2, Abstract No. 1217, and W.
14 B. Scates Survey 7, Abstract No. 1088, and also being that same
15 certain tract called Tract 1 (244.80 acres) as described in
16 conveyance document to Farming Hydrasource, LLC, recorded in
17 Document Number 2112789 of the Maverick County Official Public
18 Records, Maverick County, Texas.

19 BEGINNING at a found steel stake at a point on the southeasterly
20 margin of Union Pacific Railroad, marking the ostensible common
21 survey deflection point of said Survey 4-1/2 and I. & G. N. RR. Co.
22 Block 7, Survey 256, Abstract No. 433, and marking a deflection
23 point of the herein described tract;

24 THENCE: N 44° 39' 52" E, with the ostensible common survey line of
25 said Survey 4-1/2 and said Survey 256 for a distance of 825.73 feet
26 to an unmarked corner marking the ostensible common survey corner
27 of said Survey 4-1/2 and said Survey 256, and marking the north

1 corner of the herein described tract;

2 THENCE: S 45° 15' 08" E, with the ostensible common survey line of
3 said Survey 4-1/2 and said Survey 256 for a distance of 1761.00 feet
4 to an unmarked corner marking the ostensible common survey corner
5 of said Survey 4-1/2, said Survey 256, and I. & G. N. RR. Co. Block
6 7, Survey 166, Abstract No. 177, and marking the east corner of the
7 herein described tract;

8 THENCE: S 44° 44' 52" W, with the ostensible common survey line of
9 said Survey 4-1/2 and said Survey 166 for a distance of 1466.70 feet
10 to an unmarked corner marking the common corner of said Survey 4-1/2
11 and said Survey 166, at a point on the ostensible northeasterly line
12 of said Survey 4, and marking an interior corner of the herein
13 described tract;

14 THENCE: S 44° 09' 48" E, with the ostensible common survey line of
15 said Survey 4 and said Survey 166 for a distance of 210.42 feet to an
16 unmarked corner marking the common corner of said Survey 4 and said
17 Survey 166, and marking an exterior corner of the herein described
18 tract;

19 THENCE: S 46° 08' 38" W, with the ostensible common survey line of
20 said Survey 4 and said Survey 166, passing the ostensible common
21 survey corner of said Survey 166 and W. R. Ruffin Survey 1-1/2,
22 Abstract No. 1187, continuing on the same course for a distance of
23 2799.50 feet to an unmarked corner at a point on the ostensible
24 common survey line of said Survey 4 and said Survey 1-1/2, and
25 marking an exterior corner of the herein described tract;

26 THENCE: N 81° 50' 43" W, for a distance of 133.37 feet to an unmarked
27 corner marking a deflection point of the herein described tract;

1 THENCE: S 67° 52' 55" W, for a distance of 330.00 feet to an unmarked
2 corner marking a deflection point of the herein described tract;
3 THENCE: N 74° 49' 04" W, for a distance of 260.00 feet to an unmarked
4 corner marking an interior corner of the herein described tract;
5 THENCE: S 29° 28' 56" W, for a distance of 610.00 feet to an unmarked
6 corner marking a deflection point of the herein described tract;
7 THENCE: S 42° 15' 56" W, for a distance of 540.00 feet to an unmarked
8 corner marking a deflection point of the herein described tract;
9 THENCE: S 59° 10' 56" W, passing the ostensible common survey line of
10 said Survey 4 and said Survey 1, continuing on the same course for a
11 distance of 255.00 feet to an unmarked corner marking a deflection
12 point of the herein described tract;
13 THENCE: S 86° 34' 52" W, for a distance of 689.65 feet to an unmarked
14 corner marking the south corner of the herein described tract;
15 THENCE: N 04° 41' 22" W, for a distance of 589.46 feet to a found
16 steel stake marking an exterior corner of the herein described
17 tract;
18 THENCE: N 48° 07' 53" E, for a distance of 389.01 feet to an unmarked
19 corner marking an interior corner of the herein described tract;
20 THENCE: N 18° 23' 08" W, passing the ostensible common survey line of
21 said Survey 1 and said Survey 7, continuing on the same course for a
22 distance of 1149.38 feet to an unmarked corner at a point on the
23 southeasterly margin of said railroad, and marking an exterior
24 corner of the herein described tract;
25 THENCE: With the southeasterly margin of said railroad and the
26 herein described tract for the following five (5) calls:
27 1.) N 58° 31' 51" E, passing the ostensible common survey line of

1 said Survey 7 and said Survey 4, continuing on the same course for a
2 distance of 2459.31 feet to an unknown corner marking the beginning
3 of a curve to the left whose radius is 2896.50 feet;

4 2.) Northeasterly with said curve for an arc distance of 1571.66
5 feet (chord = N 42° 59' 11" E, 1552.45 feet) to an unmarked corner
6 marking the end of said curve, and marking the ostensible common
7 survey corner of said Survey 4, said Survey 4-1/2, and said Survey
8 256;

9 3.) S 44° 11' 17" E, with the ostensible common survey line of said
10 Survey 4 and said Survey 4-1/2 for a distance of 52.64 feet to an
11 unknown corner marking the beginning of a curve to the left whose
12 radius is 2946.50 feet;

13 4.) Northeasterly with said curve for an arc distance of 290.54
14 feet (chord = N 24° 56' 28" E, 290.43 feet) to an unmarked corner
15 marking the end of said curve, and marking the ostensible common
16 survey corner of said Survey 4-1/2 and said Survey 256;

17 5.) N 22° 06' 52" E, with the ostensible common survey line of said
18 Survey 4-1/2 and said Survey 256 for a distance of 368.50 feet to
19 the Place of Beginning and containing 244.80 acres, more or less, of
20 land within the herein described boundary.

21 FIELD NOTES FOR A BOUNDARY SURVEY OF 879.49 ACRES

22 Being a boundary survey of 879.49 acres of land located in Maverick
23 County, Texas, being out of and parts of John Potter Survey 65,
24 Abstract No. 767, G. C. & S. F. RR. Co. Survey 17, Abstract
25 No. 1178, G. C. & S. F. RR. Co. Survey 15, Abstract No. 1177, J.
26 Wipff Survey 14, Abstract No. 1265, and J. Wipff Survey 14,
27 Abstract No. 1266, and also being that same certain tract called

1 879.49 acres as described in conveyance document to MAVERICK HEAVY
2 CAST & HAUL, LLC, recorded in Document Number 2325007 of the
3 Maverick County Official Public Records, Maverick County, Texas.
4 BEGINNING at a found 1/2" diameter rebar at a point along the
5 easterly margin of Maverick Industrial Park Road, and marking the
6 northwest corner of the herein described tract;
7 THENCE: S 89° 57' 15" E, generally parallel with the fence, passing
8 the ostensible common survey line of said Survey 65 and said Survey
9 17, continuing on the same course passing the ostensible common
10 survey line of said Survey 17 and said Survey 15, continuing on the
11 same course for a distance of 3802.75 feet to a found 5/8" diameter
12 rebar with a plastic cap marked "RPLS 1753/PROP. COR." marking the
13 northeast corner of the herein described tract;
14 THENCE: S 44° 13' 13" E, generally with the fence, passing the
15 ostensible common survey line of said Survey 15 and said Survey 14
16 (A-1265), continuing on the same course for a distance of 3559.14
17 feet to a 4.5" diameter pipe 2-way fence corner post at a point on
18 the ostensible common survey line of said Survey 14 (A-1265) and I.
19 & G. N. RR. Co. Survey 1, Abstract No. 418, and marking a deflection
20 point of the herein described tract;
21 THENCE: Generally with the fence for the following three (3) calls:
22 1.) S 00° 02' 31" W, with the ostensible common survey line
23 of said Survey 14 (A-1265) and said Survey 1, passing the ostensible
24 common survey line of said Survey 1 and F. Valdez Survey 22,
25 Abstract No. 1142, continuing on the same course and now with the
26 ostensible common survey line of said Survey 14 (A-1265) and said
27 Survey 22 for a distance of 2728.47 feet to a 4.5" diameter pipe

2-way fence corner post marking an exterior corner of the herein described tract;

2.) N 89° 34' 25" W, with the ostensible common survey line of said Survey 14 (A-1265) and said Survey 22 for a distance of 93.77 feet to a 4.5" diameter pipe 2-way fence corner post marking an interior corner of the herein described tract;

3.) S 00° 04' 14" W, with the ostensible common survey line of said Survey 14 (A-1265) and said Survey 22 for a distance of 1075.79 feet to a 4.5" diameter pipe 3-way fence corner post at a point on the ostensible common survey line of said Survey 14 (A-1265) and G. C. & S. F. RR. Co. Survey 11, Abstract 1049, and marking an exterior corner of the herein described tract;

THENCE: Generally with the fence, and with the ostensible common survey line of said Survey 14 (A-1265) and said Survey 11 for the following two (2) calls:

1.) N 89° 12' 41" W, for a distance of 1938.35 feet to a found 1/2" diameter rebar marking the ostensible northwest survey corner of said Survey 11, marking an ostensible interior survey corner of said Survey 14 (A-1265), and marking an interior corner of the herein described tract;

2.) S 01° 32' 13" W, for a distance of 1370.61 feet to a found 1/2" diameter rebar marking the south corner of the herein described tract;

THENCE: S 89° 59' 58" W, for a distance of 2325.38 feet to a found 1/2" diameter rebar marking the southwest corner of the herein described tract;

THENCE: With the herein described tract for the following two (2)

1 calls:

2 1.) N 00° 00' 46" E, passing the ostensible common survey
3 line of said Survey 14 (A-1265) and said Survey 14 (A-1266),
4 continuing on the same course for a distance of 310.01 feet to a
5 found 1/2" diameter rebar marking an interior corner of the herein
6 described tract;

7 2.) N 89° 59' 50" W, for a distance of 1461.79 feet to a found
8 1/2" diameter rebar at a point on the northeasterly margin of U.S.
9 Highway 277, and marking an exterior corner of the herein described
10 tract;

11 THENCE: N 19° 20' 14" W, with the northeasterly margin of U.S.
12 Highway 277 and the herein described tract for a distance of 84.72
13 feet to a found 1/2" diameter rebar marking an exterior corner of
14 the herein described tract;

15 THENCE: With the herein described tract for the following three (3)
16 calls:

17 1.) N 89° 59' 55" E, for a distance of 1401.19 feet to a
18 found 1/2" diameter rebar marking an interior corner of the herein
19 described tract;

20 2.) N 00° 00' 29" W, for a distance of 299.93 feet to a found
21 1/2" diameter rebar marking an interior corner of the herein
22 described tract;

23 3.) S 89° 59' 40" W, for a distance of 105.08 feet to a found
24 1/2" diameter rebar marking an exterior corner of the herein
25 described tract;

26 THENCE: With the herein described tract for the following two (2)
27 calls:

1 1.) N 00° 00' 33" W, for a distance of 300.01 feet to a found
2 1/2" diameter rebar marking an interior corner of the herein
3 described tract;

4 2.) N 89° 59' 48" W, for a distance of 1507.17 feet to a found
5 1/2" diameter rebar at a point on the northeasterly margin of U.S.
6 Highway 277, and marking an exterior corner of the herein described
7 tract;

8 THENCE: N 19° 22' 52" W, with the northeasterly margin of U.S.
9 Highway 277 and the herein described tract for a distance of 84.76
10 feet to a found 1/2" diameter rebar marking an exterior corner of
11 the herein described tract;

12 THENCE: With the herein described tract for the following three (3)
13 calls:

14 1.) N 89° 59' 59" E, for a distance of 1401.22 feet to a found
15 1/2" diameter rebar marking an interior corner of the herein
16 described tract;

17 2.) N 00° 00' 36" W, for a distance of 299.89 feet to a found
18 1/2" diameter rebar marking an interior corner of the herein
19 described tract;

20 3.) N 89° 59' 11" W, for a distance of 105.57 feet to a found
21 1/2" diameter rebar marking an exterior corner of the herein
22 described tract;

23 THENCE: With the herein described tract for the following two (2)
24 calls:

25 1.) N 00° 00' 27" E, for a distance of 300.09 feet to a found
26 1/2" diameter rebar marking an interior corner of the herein
27 described tract;

2.) N 89° 59' 55" W, for a distance of 1506.77 feet to a found 1/2" diameter rebar at a point on the northeasterly margin of U.S. Highway 277, and marking an exterior corner of the herein described tract;

THENCE: N 19° 20' 35" W, with the northeasterly margin of U.S. Highway 277 and the herein described tract for a distance of 63.59 feet to a found 1/2" diameter rebar marking an exterior corner of the herein described tract;

THENCE: With the herein described tract for the following three (3) calls:

1.) S 89° 59' 55" E, passing the ostensible common survey line of said Survey 14 (A-1266) and said Survey 14 (A-1265), continuing on the same course for a distance of 2669.59 feet to an unmarked corner marking an interior corner of the herein described tract, from which point a found 1/2" diameter rebar in concrete bears N 14° 19' 01" W at a distance of 0.12 feet;

2.) N 00° 00' 00" W, for a distance of 320.00 feet to an unmarked corner marking an interior corner of the herein described tract, from which point a found 1/2" diameter rebar in concrete bears S 28° 33' 56" W at a distance of 0.19 feet;

3.) N 90° 00' 00" W, passing the ostensible common survey line of said Survey 14 (A-1265) and said Survey 14 (A-1266), continuing on the same course for a distance of 1381.04 feet to a 2.5" diameter pipe 3-way fence corner post marking an exterior corner of the herein described tract;

THENCE: With the herein described tract for the following two (2) calls:

1 1.) N 00° 00' 00" W, for a distance of 300.00 feet to an
2 unmarked corner marking an interior corner of the herein described
3 tract, from which a 4.5" diameter pipe 2-way fence corner post bears
4 S 64° 12' 27" W at a distance of 0.47 feet;

5 2.) N 90° 00' 00" W, at 1505.99 feet passing a 3" diameter
6 pipe 2-way fence corner post, continuing on the same course for a
7 total distance of 1506.73 feet to an unmarked corner at a point on
8 the northeasterly margin of U.S. Highway 277, and marking an
9 exterior corner of the herein described tract;

10 THENCE: N 19° 24' 27" W, with the northeasterly margin of U.S.
11 Highway 277 and the herein described tract for a distance of 84.85
12 feet to a found 1/2" diameter rebar marking an exterior corner of
13 the herein described tract;

14 THENCE: With the herein described tract for the following three (3)
15 calls:

16 1.) S 89° 59' 48" E, for a distance of 1402.72 feet to a found
17 1/2" diameter rebar marking an interior corner of the herein
18 described tract;

19 2.) N 00° 00' 01" E, for a distance of 300.08 feet to a found
20 1/2" diameter rebar marking an interior corner of the herein
21 described tract;

22 3.) S 89° 59' 02" W, for a distance of 69.05 feet to an
23 unmarked corner marking an exterior corner of the herein described
24 tract, from which a 4.5" diameter pipe 2-way fence corner post bears
25 S 67° 48' 44" W at a distance of 0.48 feet;

26 THENCE: With the herein described tract for the following two (2)
27 calls:

1 1.) N 00° 00' 00" W, for a distance of 300.00 feet to an
2 unmarked corner marking an interior corner of the herein described
3 tract, from which a 4.5" diameter pipe 2-way fence corner post bears
4 S 26° 03' 27" W at a distance of 0.45 feet;

5 2.) N 90° 00' 00" W, at 1473.34 feet passing a 9" diameter
6 pipe 2-way fence corner post, continuing on the same course for a
7 total distance of 1476.08 feet to an unmarked corner at a point on
8 the northeasterly margin of U.S. Highway 277, at a point along a
9 curve to the right whose radius is 2838.31 feet, and marking an
10 exterior corner of the herein described tract;

11 THENCE: Northeasterly with said curve deflecting continuously and
12 uniformly to the right, for an arc distance of 80.39 feet (chord = N
13 05° 37' 13" W, 80.39 feet, D = 01° 37' 22") to a found 1/2" diameter
14 rebar marking an exterior corner of the herein described tract;

15 THENCE: With the herein described tract for the following two (2)
16 calls:

17 1.) S 89° 59' 58" E, for a distance of 1446.15 feet to a found
18 1/2" diameter rebar marking an interior corner of the herein
19 described tract;

20 2.) N 00° 00' 24" E, for a distance of 300.06 feet to a found
21 1/2" diameter rebar marking an exterior corner of the herein
22 described tract;

23 THENCE: With the herein described tract for the following three (3)
24 calls:

25 1.) S 89° 31' 57" E, for a distance of 7.23 feet to a found
26 1/2" diameter rebar marking an interior corner of the herein
27 described tract;

2.) N 00° 00' 38" W, for a distance of 300.06 feet to a found
1/2" diameter rebar marking an interior corner of the herein
described tract;

3.) S 89° 59' 44" W, for a distance of 1440.32 feet to a found
1/2" diameter rebar at a point on the southeasterly margin of
Maverick Industrial Park Road, marking an exterior corner of the
herein described tract;

THENCE: N 06° 32' 13" E, generally with the converging fence, and
with the southeasterly margin of Maverick Industrial Park Road and
the herein described tract for a distance of 4016.93 feet to the
Place of Beginning and containing 879.49 acres, more or less, of
land within the herein described boundary.

FIELD NOTES FOR A BOUNDARY SURVEY OF 300.04 ACRES, MORE OR LESS
Being a boundary survey of 300.04 acres, more or less, of land lying
in Maverick County, Texas, being out of and parts of G. C. & S. F.
RR. Co. Survey 11, Abstract No. 1049, and G. C. & S. F. RR. Co.
Survey 13, Abstract No. 1052, and also being that same certain
tract called 300.04 acres as described in conveyance document to
Farming Hydrasource, LLC, recorded in Document Number 2324278 of
the Maverick County Official Public Records, Maverick County,
Texas.

BEGINNING at a found 1/2" diameter rebar marking the ostensible
common survey corner of said Survey 11 and J. Wipff Survey 14,
Abstract No. 1265, and marking the northwest corner of the herein
described tract;

THENCE: S 89° 12' 41" E, generally with the fence, and with the
ostensible common survey line of said Survey 11 and said Survey 14

1 for a distance of 1938.35 feet to a 4.5" diameter pipe 3-way fence
2 corner post marking the ostensible common survey corner of said
3 Survey 14 and F. Valdez Survey 22, Abstract No. 1142, and marking a
4 deflection point of the herein described tract;
5 THENCE: S 88° 53' 30" E, generally with the fence, and with the
6 ostensible common survey line of said Survey 11 and said Survey 22
7 for a distance of 3460.03 feet to a found 1/2" diameter rebar
8 marking the ostensible common survey corner of said Survey 11 and P.
9 W. Thomason Survey 12, Abstract No. 1321, and marking the northeast
10 corner of the herein described tract;
11 THENCE: S 00° 57' 57" W, generally with the fence, and with the
12 ostensible common survey line of said Survey 11 and said Survey 12
13 for a distance of 2419.98 feet to a found 1/2" diameter rebar
14 marking the southeast corner of the herein described tract, from
15 which a found 5/8" diameter rebar with a plastic cap marked "RPLS
16 1753/PROP. COR." bears S 00° 57' 57" W at a distance of 2957.62 feet;
17 THENCE: N 88° 47' 00" W, for a distance of 5393.91 feet to a leaning
18 6.5" diameter pipe 2-way fence corner post marking a deflection
19 point of the herein described tract;
20 THENCE: Generally with the fence for the following two (2) calls:
21 1.) N 89° 05' 00" W, passing the ostensible common survey line of
22 said Survey 11 and said Survey 13, continuing on the same course for
23 a distance of 318.43 feet to a 6.5" diameter pipe 3-way fence corner
24 post marking the southwest corner of the herein described tract;
25 2.) N 00° 19' 13" W, for a distance of 50.45 feet to a found 5/8"
26 diameter rebar with a plastic cap marked "RPLS 1753/ PROP. COR." at
27 a point on the ostensible common survey line of said Survey 13 and

1 said Survey 14, and marking an exterior corner of the herein
2 described tract;

3 THENCE: Generally with the fence for the following two (2) calls:

4 1.) S 89° 31' 33" E, with the ostensible common survey line of said
5 Survey 13 and said Survey 14 for a distance of 291.46 feet to a found
6 1/2" diameter rebar marking the ostensible common survey corner of
7 said Survey 13 and said Survey 14, at a point on the ostensible
8 westerly line of said Survey 11, marking an exterior corner of said
9 1076.653 acres, and marking a reentrant corner of the herein
10 described tract;

11 2.) N 01° 32' 33" E, with the ostensible common survey line of said
12 Survey 11 and said Survey 14 for a distance of 2346.43 feet to the
13 Place of Beginning and containing 300.04 acres, more or less, of
14 land within the herein described boundary.

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

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

25 (c) The Texas Commission on Environmental Quality has filed
26 its recommendations relating to this Act with the governor,
27 lieutenant governor, and speaker of the house of representatives

1 within the required time.

2 (d) All requirements of the constitution and laws of this
3 state and the rules and procedures of the legislature with respect
4 to the notice, introduction, and passage of this Act have been
5 fulfilled and accomplished.

6 SECTION 4. (a) Section 4011.0313, Special District Local
7 Laws Code, as added by Section 1 of this Act, takes effect only if
8 this Act receives a two-thirds vote of all the members elected to
9 each house.

10 (b) If this Act does not receive a two-thirds vote of all the
11 members elected to each house, Subchapter C, Chapter 4011, Special
12 District Local Laws Code, as added by Section 1 of this Act, is
13 amended by adding Section 4011.0313 to read as follows:

14 Sec. 4011.0313. NO EMINENT DOMAIN POWER. The district may
15 not exercise the power of eminent domain.

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

19 SECTION 5. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2025.