

AN ACT

relating to the creation of the Montgomery County Municipal Utility District No. 259; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8012A to read as follows:

CHAPTER 8012A. MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT

NO. 259

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8012A.0101. DEFINITIONS. In this chapter:

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

(2) "Commission" means the Texas Commission on Environmental Quality.

(3) "Director" means a board member.

(4) "District" means the Montgomery County Municipal Utility District No. 259.

Sec. 8012A.0102. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8012A.0103. CONFIRMATION AND DIRECTOR ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent

directors as provided by Section 49.102, Water Code.

Sec. 8012A.0104. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8012A.0103 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district as required by applicable law.

Sec. 8012A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

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

(b) The district is created to accomplish the purposes of:

(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution; and

(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 8012A.0106. 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 made 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 bond for the purposes for which the district is created or to pay the principal of and

interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8012A.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8012A.0202, directors serve staggered four-year terms.

Sec. 8012A.0202. TEMPORARY DIRECTORS. (a) The temporary board consists of:

(1) Jerry Everhard;

(2) Darby Oldham Kent;

(3) Troy A. Brown;

(4) Brett West; and

(5) Caleb Davis.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8012A.0103; or

(2) September 1, 2029.

(c) If permanent directors have not been elected under Section 8012A.0103 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 8012A.0103; or

(2) the fourth anniversary of the date of the

1 appointment or reappointment.

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

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 8012A.0301. GENERAL POWERS AND DUTIES. The district  
11 has the powers and duties necessary to accomplish the purposes for  
12 which the district is created.

13 Sec. 8012A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
14 DUTIES. The district has the powers and duties provided by the  
15 general law of this state, including Chapters 49 and 54, Water Code,  
16 applicable to municipal utility districts created under Section 59,  
17 Article XVI, Texas Constitution.

18 Sec. 8012A.0303. AUTHORITY FOR ROAD PROJECTS. Under  
19 Section 52, Article III, Texas Constitution, the district may  
20 design, acquire, construct, finance, issue bonds for, improve,  
21 operate, maintain, and convey to this state, a county, or a  
22 municipality for operation and maintenance macadamized, graveled,  
23 or paved roads, or improvements, including storm drainage, in aid  
24 of those roads.

25 Sec. 8012A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
26 road project must meet all applicable construction standards,  
27 zoning and subdivision requirements, and regulations of each

municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

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

Sec. 8012A.0305. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 8012A.0306. DIVISION OF DISTRICT. This chapter applies to any new district created by the division of the district under Section 49.316, Water Code, and a new district has all the powers and duties of the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8012A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

- (1) revenue other than ad valorem taxes; or
- (2) contract payments described by Section 8012A.0403.

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

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

9        Sec. 8012A.0402. OPERATION AND MAINTENANCE TAX. (a) If  
10 authorized at an election held under Section 8012A.0401, the  
11 district may impose an operation and maintenance tax on taxable  
12 property in the district in accordance with Section 49.107, Water  
13 Code.

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

16        Sec. 8012A.0403. CONTRACT TAXES. (a) In accordance with  
17 Section 49.108, Water Code, the district may impose a tax other than  
18 an operation and maintenance tax and use the revenue derived from  
19 the tax to make payments under a contract after the provisions of  
20 the contract have been approved by a majority of the district voters  
21 voting at an election held for that purpose.

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

25                SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

26        Sec. 8012A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
27 OBLIGATIONS. The district may issue bonds or other obligations

payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8012A.0502. TAXES FOR BONDS. 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 ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections [54.601](#) and [54.602](#), Water Code.

Sec. 8012A.0503. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. The Montgomery County Municipal Utility District No. 259 initially includes all the territory contained in the following area:

342.736 ACRES

(342.386-acre tract and 0.350-acre tract)

FIELD NOTES FOR 342.386 ACRES

Being a 342.386 acre tract of land located within the Thomas J. Williams Survey, Abstract No. 593, the Martin B. Lawrence Survey, Abstract No. 310, and the Presley Gill Survey, Abstract No. 230, Montgomery County, Texas, being all of a called 342.655 acre tract, as recorded in County Clerks File No. (C.C.F.N.) 2024083985 of the Official Public Records of Montgomery County, Texas

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1 (O.P.R.M.C.T.), and all of a called 0.343 acre tract, as recorded in  
2 C.C.F.N. 2024083985 of the O.P.R.M.C.T., combined referred to  
3 hereafter as the above referenced tract of land, said 342.386 acre  
4 tract being more particularly described by metes and bounds as  
5 follows (bearings are based on the Texas Coordinate System of 1983,  
6 (NAD83) Central Zone, per GPS observations):

7 BEGINNING at a 3/4-inch iron pipe found (pinched) for corner, being  
8 the Northeast corner of the above referenced tract, same being the  
9 Southeast corner of a called 94.699 acre tract, as recorded in  
10 C.C.F.N. 2022149597 of the O.P.R.M.C.T., same being the Southwest  
11 corner of a called 114.235 acre tract, as recorded in C.C.F.N.  
12 2022149965 of the O.P.R.M.C.T., same being the Northwest corner of  
13 a called 190.3782 acre tract, as recorded in C.C.F.N. 9329517 of the  
14 O.P.R.M.C.T.;

15 THENCE South 03°30'21" East, along the East line of the above  
16 referenced tract, same being the West line of said called 190.3782  
17 acre tract, and the West line of a called 277.3296 acre tract, as  
18 recorded in C.C.F.N. 2006119068 of the O.P.R.M.C.T., a distance of  
19 3,908.80 feet to a 3/4-inch iron pipe found (pinched) for corner,  
20 being an angle point in the East line of the above referenced tract;

21 THENCE South 56°46'57" East, along the Easterly line of the above  
22 referenced tract, same being the Westerly line of said called  
23 277.3296 acre tract, a distance of 672.27 feet to a point;

24 THENCE South 06°03'09" East, over and across the above referenced  
25 tract, a distance of 160.45 feet to a point for corner, being in  
26 Peach Creek;

27 THENCE North 69°00'30" West, along said Peach Creek, a distance of



1 81.97 feet to a point for corner;  
2 THENCE North 84°04'48" West, along said Peach Creek, a distance of  
3 186.94 feet to a point for corner;  
4 THENCE North 83°05'29" West, along said Peach Creek, a distance of  
5 103.60 feet to a point for corner;  
6 THENCE North 89°23'55" West, along said Peach Creek, a distance of  
7 99.30 feet to a point for corner;  
8 THENCE South 83°06'59" West, along said Peach Creek, a distance of  
9 85.86 feet to a point for corner;  
10 THENCE South 67°33'36" West, along said Peach Creek, a distance of  
11 96.43 feet to a point for corner;  
12 THENCE North 85°03'20" West, along said Peach Creek, a distance of  
13 139.37 feet to a point for corner;  
14 THENCE North 36°52'04" West, along said Peach Creek, a distance of  
15 71.26 feet to a point for corner;  
16 THENCE South 83°16'48" West, along said Peach Creek, a distance of  
17 50.98 feet to a point for corner;  
18 THENCE South 21°21'04" West, along said Peach Creek, a distance of  
19 73.24 feet to a point for corner;  
20 THENCE South 71°51'57" West, along said Peach Creek, a distance of  
21 93.60 feet to a point for corner;  
22 THENCE North 72°46'17" West, along said Peach Creek, a distance of  
23 71.92 feet to a point for corner;  
24 THENCE South 73°06'31" West, along said Peach Creek, a distance of  
25 136.79 feet to a point for corner;  
26 THENCE North 87°54'03" West, along said Peach Creek, a distance of  
27 198.79 feet to a point for corner;

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1 THENCE North 63°27'29" West, along said Peach Creek, a distance of  
2 182.42 feet to a point for corner;  
3 THENCE North 75°57'05" West, along said Peach Creek, a distance of  
4 75.96 feet to a point for corner;  
5 THENCE South 40°27'42" West, along said Peach Creek, a distance of  
6 80.51 feet to a point for corner;  
7 THENCE North 51°33'56" West, along said Peach Creek, a distance of  
8 167.25 feet to a point for corner;  
9 THENCE South 78°34'17" West, along said Peach Creek, a distance of  
10 114.32 feet to a point for corner;  
11 THENCE South 36°53'39" West, along said Peach Creek, a distance of  
12 44.03 feet to a point for corner;  
13 THENCE South 35°07'20" East, along said Peach Creek, a distance of  
14 70.81 feet to a point for corner;  
15 THENCE South 61°41'14" East, along said Peach Creek, a distance of  
16 74.58 feet to a point for corner;  
17 THENCE South 50°41'44" West, along said Peach Creek, a distance of  
18 257.15 feet to a point for corner;  
19 THENCE South 43°26'06" West, along said Peach Creek, a distance of  
20 146.31 feet to a point for corner;  
21 THENCE North 85°36'57" West, along said Peach Creek, a distance of  
22 65.71 feet to a point for corner;  
23 THENCE North 05°46'04" East, along said Peach Creek, a distance of  
24 71.43 feet to a point for corner;  
25 THENCE North 83°44'36" West, along said Peach Creek, a distance of  
26 155.13 feet to a point for corner;  
27 THENCE North 72°21'48" West, along said Peach Creek, a distance of

1 197.06 feet to a point for corner;  
2 THENCE South 88°30'59" West, along said Peach Creek, a distance of  
3 63.87 feet to a point for corner;  
4 THENCE North 06°09'14" East, along said Peach Creek, a distance of  
5 45.98 feet to a point for corner;  
6 THENCE North 54°34'31" East, along said Peach Creek, a distance of  
7 150.69 feet to a point for corner;  
8 THENCE North 12°41'45" East, along said Peach Creek, a distance of  
9 60.84 feet to a point for corner;  
10 THENCE North 38°16'33" West, along said Peach Creek, a distance of  
11 125.36 feet to a point for corner;  
12 THENCE North 84°39'10" West, along said Peach Creek, a distance of  
13 94.40 feet to a point for corner;  
14 THENCE North 29°23'50" West, along said Peach Creek, a distance of  
15 105.19 feet to a point for corner;  
16 THENCE North 45°14'51" West, along said Peach Creek, a distance of  
17 369.11 feet to a point for corner;  
18 THENCE South 29°28'04" West, along said Peach Creek, a distance of  
19 111.97 feet to a point for corner;  
20 THENCE North 89°46'10" West, along said Peach Creek, a distance of  
21 318.26 feet to a point for corner;  
22 THENCE South 81°03'28" West, along said Peach Creek, a distance of  
23 291.98 feet to a point for corner;  
24 THENCE North 24°28'50" West, along said Peach Creek, a distance of  
25 86.81 feet to a point for corner;  
26 THENCE North 54°41'25" East, along said Peach Creek, a distance of  
27 85.59 feet to a point for corner;

1 THENCE North 57°52'48" East, along said Peach Creek, a distance of  
2 90.25 feet to a point for corner;  
3 THENCE North 02°58'50" West, along said Peach Creek, a distance of  
4 81.02 feet to a point for corner;  
5 THENCE South 52°39'33" West, along said Peach Creek, a distance of  
6 109.86 feet to a point for corner;  
7 THENCE South 82°57'52" West, along said Peach Creek, a distance of  
8 232.05 feet to a point for corner;  
9 THENCE South 60°59'56" West, along said Peach Creek, a distance of  
10 163.99 feet to a point for corner;  
11 THENCE North 43°31'56" West, along said Peach Creek, a distance of  
12 117.90 feet to a point for corner;  
13 THENCE North 11°08'12" West, along said Peach Creek, a distance of  
14 119.61 feet to a point for corner;  
15 THENCE North 52°07'38" West, along said Peach Creek, a distance of  
16 128.29 feet to a point for corner;  
17 THENCE North 42°30'46" East, along said Peach Creek, a distance of  
18 94.55 feet to a point for corner;  
19 THENCE North 59°04'41" West, along said Peach Creek, a distance of  
20 244.51 feet to a point for corner;  
21 THENCE North 71°46'08" West, along said Peach Creek, a distance of  
22 359.19 feet to a point for corner;  
23 THENCE South 57°31'02" West, along said Peach Creek, a distance of  
24 88.00 feet to a point for corner;  
25 THENCE North 72°08'50" West, along said Peach Creek, a distance of  
26 227.08 feet to a point for corner;  
27 THENCE North 40°33'43" West, along said Peach Creek, a distance of

1 172.91 feet to a point for corner;  
2 THENCE North 86°07'03" West, along said Peach Creek, a distance of  
3 79.01 feet to a point for corner;  
4 THENCE North 23°17'34" West, along said Peach Creek, a distance of  
5 168.60 feet to a point for corner;  
6 THENCE North 03°07'09" West, along said Peach Creek, a distance of  
7 216.10 feet to a point for corner;  
8 THENCE North 52°19'34" East, along said Peach Creek, a distance of  
9 94.33 feet to a point for corner;  
10 THENCE South 46°59'09" East, along said Peach Creek, a distance of  
11 91.22 feet to a point for corner;  
12 THENCE North 02°40'53" East, along said Peach Creek, a distance of  
13 115.82 feet to a point for corner;  
14 THENCE North 09°11'34" West, along said Peach Creek, a distance of  
15 313.08 feet to a point for corner;  
16 THENCE North 08°03'36" West, along said Peach Creek, a distance of  
17 315.49 feet to a point for corner;  
18 THENCE North 13°03'08" West, along said Peach Creek, a distance of  
19 36.21 feet to a point for corner, being the Northwest corner of the  
20 above referenced tract, same being on the South Right-of-Way  
21 (R.O.W.) line of Faulkner Road;  
22 THENCE North 69°36'15" East, along the Westerly line of the above  
23 referenced tract, same being the South R.O.W. line of said Faulkner  
24 Road, a distance of 110.48 feet to a 5/8-inch capped iron rod,  
25 stamped "Baker & Lawson" set for corner;  
26 THENCE, along the Westerly line of the above referenced tract, same  
27 being the South R.O.W. line of said Faulkner Road, and a curve to

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1 the left, an arc distance of 23.30 feet to a 3/4-inch iron rod  
2 (pinched) found for corner, said curve having a radius of 264.39  
3 feet, a central angle of 05°02'56", a chord which bears  
4 North 64°43'44" East a distance of 23.29 feet;  
5 THENCE North 84°31'42" East, along an interior North line of the  
6 above referenced tract, same being the South line of a called 50.621  
7 acre tract, as recorded in C.C.F.N. 2017045300 of the O.P.R.B.C.T.,  
8 a distance of 1,434.04 feet to a concrete monument found for corner,  
9 from which a 3/4-inch iron pipe found bears, South 51°26'30" East, a  
10 distance of 0.53 feet, said concrete monument being an interior  
11 corner of the above referenced tract;  
12 THENCE North 03°44'42" West, along an interior West line of the  
13 above referenced tract, same being the East line of said called  
14 50.621 acre tract, a distance of 668.60 feet to a 3/4-inch iron pipe  
15 found for corner, being an interior corner of the above referenced  
16 tract;  
17 THENCE South 87°38'38" West, along an interior South line of the  
18 above referenced tract, same being the North line of said called  
19 50.621 acre tract, a distance of 479.20 feet to a 5/8-inch iron rod  
20 with cap stamped "Cleveland Surveying 2056" found for corner, being  
21 a Southwest corner of the above referenced tract;  
22 THENCE North 03°39'19" West, along the West line of the above  
23 referenced tract, same being the East line of said called 50.621  
24 acre tract, and the East line of a called 11.6 acre tract, as  
25 recorded in Volume 504, Page 45 of the Deed Records, Montgomery  
26 County, Texas (D.R.M.C.T.), a distance of 122.58 feet to a fence  
27 corner post found for corner;

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1 THENCE South 86°47'53" West, along the South line of said called  
2 0.3400 acre tract, same being the North line of said called 50.621  
3 acre tract, a distance of 85.02 feet to a 5/8-inch iron rod found  
4 for corner, being on the East R.O.W. line of said Faulkner Road;  
5 THENCE North 03°23'24" East, along the West line of said called  
6 0.3400 acre tract, same being the East R.O.W. line of said Faulkner  
7 Road, a distance of 33.31 feet to a 5/8-inch iron rod with cap,  
8 stamped "Baker & Lawson" set for corner;  
9 THENCE North 23°59'28" West, along the West line of said called  
10 0.3400 acre tract, same being the East R.O.W. line of said Faulkner  
11 Road, a distance of 124.80 feet to a 5/8-inch iron rod found for  
12 corner;  
13 THENCE North 85°15'42" East, along the North line of said called  
14 0.3400 acre tract, same being the South line of a called 20 acre  
15 tract, as recorded in Volume 682, Page 50 of the D.R.M.C.T., a  
16 distance of 124.33 feet to a 3/4-inch iron pipe found for corner,  
17 being the Northeast corner of said called 0.3400 acre tract, same  
18 being the Northwest corner of said called 50 acre tract;  
19 THENCE North 86°25'07" East, along the North line of the above  
20 referenced tract, same being the South line of said called 20 acre  
21 tract, distance of 849.56 feet to a 5/8-inch iron rod found for  
22 corner, being an interior corner of the above referenced tract;  
23 THENCE North 02°56'18" West, along the West line of the above  
24 referenced tract, same being the East line of said called 20 acre  
25 tract, a distance of 694.00 feet to a 5/8-inch capped iron rod,  
26 stamped "Baker & Lawson" set for corner, being a Northwest corner of  
27 the above referenced tract;

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1 THENCE North 86°43'15" East, along the North line of the above  
2 referenced tract, same being the South line of a called 18.0355 acre  
3 tract, as recorded in C.C.F.N. 2005007070 of the O.P.R.M.C.T., a  
4 distance of 1,039.00 feet to a 3/8-inch iron pipe found for corner,  
5 being an interior corner of the above referenced tract;

6 THENCE North 03°38'33" West, along the West line of the above  
7 referenced tract, same being the East line of said called 18.0355  
8 are tract, a distance of 103.01 feet to a 3/4-inch iron pipe  
9 (pinched) found for corner, being the Northwest corner of the above  
10 referenced tract;

11 THENCE North 86°31'26" East, along the North line of the above  
12 referenced tract, same being the South line of said called 94.699  
13 acre tract, a distance of 1499.68 feet to the POINT OF BEGINNING of  
14 the herein described tract of and containing 342.386 acres of land,  
15 more or less.

16 FIELD NOTES FOR 0.350 ACRES

17 Being a 0.350 acre tract of land located within the Thomas J.  
18 Williams Survey, Abstract No. 593, the Martin B. Lawrence Survey,  
19 Abstract No. 310, and the Presley Gill Survey, Abstract No. 310,  
20 Montgomery County, Texas, being all of a called 0.3497 acre tract,  
21 as recorded in County Clerks File No. (C.C.F.N.) 2019019044 of the  
22 Official Public Records of Montgomery County, Texas  
23 (O.P.R.B.C.T.), referred to hereafter as the above referenced tract  
24 of land, said 0.350 acre tract being more particularly described by  
25 metes and bounds as follows (bearings are based on the Texas  
26 Coordinate System of 1983, (NAD83) Central Zone, per GPS  
27 observations):



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1 BEGINNING at a concrete monument found for corner, being the  
2 Northwest corner of the above referenced tract, same being on the  
3 South line of a called 50.621 acre tract, as recorded in C.C.F.N.  
4 2017045300 of the O.P.R.M.C.T.;  
5 THENCE North 84°17'50" East, along the North line of the above  
6 referenced tract, same being the South line of said called 50.621  
7 acre tract, a distance of 292.35 feet to a 5/8-inch iron rod found  
8 for corner, being the Northeast corner of the above referenced  
9 tract, same being on the Northwest Right-of-Way (R.O.W.) line of  
10 Faulker Road;  
11 THENCE South 70°56'30" West, along the South line of the above  
12 referenced tract, same being the North R.O.W. line of said Faulker  
13 Road, distance of 25.15 feet to a 5/8-inch capped iron rod, stamped  
14 "Baker & Lawson" set for corner;  
15 THENCE South 66°47'37" West, along the South line of the above  
16 referenced tract, same being the North R.O.W. line of said Faulker  
17 Road a distance of 122.21 feet to a 5/8-inch capped iron rod,  
18 stamped "Baker & Lawson" set for corner;  
19 THENCE South 58°31'21" West, along the South line of the above  
20 referenced tract, same being the North R.O.W. line of said Faulker  
21 Road a distance of 175.22 feet to a 5/8-inch capped iron rod,  
22 stamped "Baker & Lawson" set for corner, being the Southwest corner  
23 of the above referenced tract;  
24 THENCE North 02°35'21" West, along the West line of the above  
25 referenced tract, same being the East line of a called 8.67 acre  
26 tract, as recorded in C.C.F.N. 2013035955 of the O.P.R.B.C.T., a  
27 distance of 118.93 feet to the POINT OF BEGINNING of the herein

1 described tract of and containing 0.350 acres of land, more or less.

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

9       (b) The governor, one of the required recipients, has  
10 submitted the notice and Act to the Texas Commission on  
11 Environmental Quality.

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

16       (d) All requirements of the constitution and laws of this  
17 state and the rules and procedures of the legislature with respect  
18 to the notice, introduction, and passage of this Act are fulfilled  
19 and accomplished.

20       SECTION 4. (a) If this Act does not receive a two-thirds  
21 vote of all the members elected to each house, Subchapter C, Chapter  
22 8012A, Special District Local Laws Code, as added by Section 1 of  
23 this Act, is amended by adding Section 8012A.0307 to read as  
24 follows:

25       Sec. 8012A.0307. NO EMINENT DOMAIN POWER. The district may  
26 not exercise the power of eminent domain.

27       (b) This section is not intended to be an expression of a

H.B. No. 5670

1 legislative interpretation of the requirements of Section 17(c),  
2 Article I, Texas Constitution.

3 SECTION 5. This Act takes effect September 1, 2025.

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I certify that H.B. No. 5670 was passed by the House on May 10, 2025, by the following vote: Yeas 81, Nays 47, 2 present, not voting.

\_\_\_\_\_  
Chief Clerk of the House

I certify that H.B. No. 5670 was passed by the Senate on May 28, 2025, by the following vote: Yeas 28, Nays 3.

\_\_\_\_\_  
Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

\_\_\_\_\_  
Governor