

1-1 By: Thompson of Brazoria H.B. No. 3081  
 1-2 (Senate Sponsor - Taylor of Galveston)  
 1-3 (In the Senate - Received from the House April 27, 2015;  
 1-4 April 27, 2015, read first time and referred to Committee on  
 1-5 Intergovernmental Relations; May 5, 2015, reported favorably by  
 1-6 the following vote: Yeas 5, Nays 0; May 5, 2015, sent to printer.)

1-7 COMMITTEE VOTE

|      | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-8  | X   |     |        |     |
| 1-9  |     |     |        |     |
| 1-10 |     |     | X      |     |
| 1-11 | X   |     |        |     |
| 1-12 | X   |     |        |     |
| 1-13 | X   |     |        |     |
| 1-14 | X   |     |        |     |
| 1-15 |     |     | X      |     |

1-16 A BILL TO BE ENTITLED  
 1-17 AN ACT

1-18 relating to the creation of the Brazoria County Municipal Utility  
 1-19 District No. 68; granting a limited power of eminent domain;  
 1-20 providing authority to issue bonds; providing authority to impose  
 1-21 assessments, fees, or taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
 1-23 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
 1-24 Code, is amended by adding Chapter 8493 to read as follows:

1-25 CHAPTER 8493. BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 68

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 8493.001. DEFINITIONS. In this chapter:

1-28 (1) "Board" means the district's board of directors.  
 1-29 (2) "Commission" means the Texas Commission on  
 1-30 Environmental Quality.

1-31 (3) "Director" means a board member.  
 1-32 (4) "District" means the Brazoria County Municipal  
 1-33 Utility District No. 68.

1-34 Sec. 8493.002. NATURE OF DISTRICT. The district is a  
 1-35 municipal utility district created under Section 59, Article XVI,  
 1-36 Texas Constitution.

1-37 Sec. 8493.003. CONFIRMATION AND DIRECTORS' ELECTION  
 1-38 REQUIRED. The temporary directors shall hold an election to  
 1-39 confirm the creation of the district and to elect five permanent  
 1-40 directors as provided by Section 49.102, Water Code.

1-41 Sec. 8493.004. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)  
 1-42 The district is created to serve a public purpose and benefit.

1-43 (b) The district is created to accomplish the purposes of:  
 1-44 (1) a municipal utility district as provided by  
 1-45 general law and Section 59, Article XVI, Texas Constitution; and  
 1-46 (2) Section 52, Article III, Texas Constitution, that  
 1-47 relate to the construction, acquisition, improvement, operation,  
 1-48 or maintenance of macadamized, graveled, or paved roads, or  
 1-49 improvements, including storm drainage, in aid of those roads.

1-50 Sec. 8493.005. INITIAL DISTRICT TERRITORY. (a) The  
 1-51 district is initially composed of the territory described by  
 1-52 Section 2 of the Act enacting this chapter.

1-53 (b) The boundaries and field notes contained in Section 2 of  
 1-54 the Act enacting this chapter form a closure. A mistake made in the  
 1-55 field notes or in copying the field notes in the legislative process  
 1-56 does not affect the district's:

1-57 (1) organization, existence, or validity;  
 1-58 (2) right to issue any type of bond for the purposes  
 1-59 for which the district is created or to pay the principal of and  
 1-60 interest on a bond;  
 1-61 (3) right to impose a tax; or

2-1 (4) legality or operation.

2-2 Sec. 8493.006. CONSENT OF MUNICIPALITY. Municipal consent  
 2-3 to the creation of the district acts as municipal consent to the  
 2-4 creation of any new district created by the division of the district  
 2-5 under Section 8493.107.

2-6 SUBCHAPTER B. BOARD OF DIRECTORS

2-7 Sec. 8493.051. GOVERNING BODY; TERMS. (a) The district is  
 2-8 governed by a board of five elected directors.

2-9 (b) Except as provided by Section 8493.052, directors serve  
 2-10 staggered four-year terms.

2-11 Sec. 8493.052. TEMPORARY DIRECTORS. (a) On or after the  
 2-12 effective date of the Act enacting this chapter, the owner or owners  
 2-13 of a majority of the assessed value of the real property in the  
 2-14 district may submit a petition to the commission requesting that  
 2-15 the commission appoint as temporary directors the five persons  
 2-16 named in the petition. The commission shall appoint as temporary  
 2-17 directors the five persons named in the petition.

2-18 (b) Temporary directors serve until the earlier of:

2-19 (1) the date permanent directors are elected under  
 2-20 Section 8493.003; or

2-21 (2) the fourth anniversary of the effective date of  
 2-22 the Act enacting this chapter.

2-23 (c) If permanent directors have not been elected under  
 2-24 Section 8493.003 and the terms of the temporary directors have  
 2-25 expired, successor temporary directors shall be appointed or  
 2-26 reappointed as provided by Subsection (d) to serve terms that  
 2-27 expire on the earlier of:

2-28 (1) the date permanent directors are elected under  
 2-29 Section 8493.003; or

2-30 (2) the fourth anniversary of the date of the  
 2-31 appointment or reappointment.

2-32 (d) If Subsection (c) applies, the owner or owners of a  
 2-33 majority of the assessed value of the real property in the district  
 2-34 may submit a petition to the commission requesting that the  
 2-35 commission appoint as successor temporary directors the five  
 2-36 persons named in the petition. The commission shall appoint as  
 2-37 successor temporary directors the five persons named in the  
 2-38 petition.

2-39 SUBCHAPTER C. POWERS AND DUTIES

2-40 Sec. 8493.101. GENERAL POWERS AND DUTIES. The district has  
 2-41 the powers and duties necessary to accomplish the purposes for  
 2-42 which the district is created.

2-43 Sec. 8493.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-44 DUTIES. The district has the powers and duties provided by the  
 2-45 general law of this state, including Chapters 49 and 54, Water Code,  
 2-46 applicable to municipal utility districts created under Section 59,  
 2-47 Article XVI, Texas Constitution.

2-48 Sec. 8493.103. LEVEE IMPROVEMENT DISTRICT POWERS AND  
 2-49 DUTIES. The district has the powers and duties provided by the  
 2-50 general law of this state, including Chapter 57, Water Code,  
 2-51 applicable to levee improvement districts created under Section 59,  
 2-52 Article XVI, Texas Constitution.

2-53 Sec. 8493.104. AUTHORITY FOR ROAD PROJECTS. Under Section  
 2-54 52, Article III, Texas Constitution, the district may design,  
 2-55 acquire, construct, finance, issue bonds for, improve, operate,  
 2-56 maintain, and convey to this state, a county, or a municipality for  
 2-57 operation and maintenance macadamized, graveled, or paved roads, or  
 2-58 improvements, including storm drainage, in aid of those roads.

2-59 Sec. 8493.105. ROAD STANDARDS AND REQUIREMENTS. (a) A road  
 2-60 project must meet all applicable construction standards, zoning and  
 2-61 subdivision requirements, and regulations of each municipality in  
 2-62 whose corporate limits or extraterritorial jurisdiction the road  
 2-63 project is located.

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

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

3-1 Texas Transportation Commission must approve the plans and  
 3-2 specifications of the road project.

3-3 Sec. 8493.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
 3-4 OR RESOLUTION. The district shall comply with all applicable  
 3-5 requirements of any ordinance or resolution that is adopted under  
 3-6 Section 54.016 or 54.0165, Water Code, and that consents to the  
 3-7 creation of the district or to the inclusion of land in the  
 3-8 district.

3-9 Sec. 8493.107. DIVISION OF DISTRICT. (a) The district may  
 3-10 be divided into two or more new districts only if:

3-11 (1) the district has no outstanding bonded debt; and

3-12 (2) the district is not imposing ad valorem taxes.

3-13 (b) This chapter applies to any new district created by the  
 3-14 division of the district, and a new district has all the powers and  
 3-15 duties of the district.

3-16 (c) Any new district created by the division of the district  
 3-17 may not, at the time the new district is created, contain any land  
 3-18 outside the area described by Section 2 of the Act creating this  
 3-19 chapter.

3-20 (d) The board, on its own motion or on receipt of a petition  
 3-21 signed by the owner or owners of a majority of the assessed value of  
 3-22 the real property in the district, may adopt an order dividing the  
 3-23 district.

3-24 (e) The board may adopt an order dividing the district  
 3-25 before or after the date the board holds an election under Section  
 3-26 8493.003 to confirm the creation of the district.

3-27 (f) An order dividing the district shall:

3-28 (1) name each new district;

3-29 (2) include the metes and bounds description of the  
 3-30 territory of each new district;

3-31 (3) appoint temporary directors for each new district;

3-32 and

3-33 (4) provide for the division of assets and liabilities  
 3-34 between or among the new districts.

3-35 (g) On or before the 30th day after the date of adoption of  
 3-36 an order dividing the district, the district shall file the order  
 3-37 with the commission and record the order in the real property  
 3-38 records of each county in which the district is located.

3-39 (h) Any new district created by the division of the district  
 3-40 shall hold a confirmation and directors' election as required by  
 3-41 Section 8493.003.

3-42 (i) If the creation of the new district is confirmed, the  
 3-43 new district shall provide the election date and results to the  
 3-44 commission.

3-45 (j) Any new district created by the division of the district  
 3-46 must hold an election as required by this chapter to obtain voter  
 3-47 approval before the district may impose a maintenance tax or issue  
 3-48 bonds payable wholly or partly from ad valorem taxes.

3-49 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-50 Sec. 8493.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The  
 3-51 district may issue, without an election, bonds and other  
 3-52 obligations secured by:

3-53 (1) revenue other than ad valorem taxes; or

3-54 (2) contract payments described by Section 8493.153.

3-55 (b) The district must hold an election in the manner  
 3-56 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
 3-57 before the district may impose an ad valorem tax or issue bonds  
 3-58 payable from ad valorem taxes.

3-59 (c) The district may not issue bonds payable from ad valorem  
 3-60 taxes to finance a road project unless the issuance is approved by a  
 3-61 vote of a two-thirds majority of the district voters voting at an  
 3-62 election held for that purpose.

3-63 Sec. 8493.152. OPERATION AND MAINTENANCE TAX. (a) If  
 3-64 authorized at an election held under Section 8493.151, the district  
 3-65 may impose an operation and maintenance tax on taxable property in  
 3-66 the district in accordance with Section 49.107, Water Code.

3-67 (b) The board shall determine the tax rate. The rate may not  
 3-68 exceed the rate approved at the election.

3-69 Sec. 8493.153. CONTRACT TAXES. (a) In accordance with

4-1 Section 49.108, Water Code, the district may impose a tax other than  
 4-2 an operation and maintenance tax and use the revenue derived from  
 4-3 the tax to make payments under a contract after the provisions of  
 4-4 the contract have been approved by a majority of the district voters  
 4-5 voting at an election held for that purpose.

4-6 (b) A contract approved by the district voters may contain a  
 4-7 provision stating that the contract may be modified or amended by  
 4-8 the board without further voter approval.

4-9 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-10 Sec. 8493.201. AUTHORITY TO ISSUE BONDS AND OTHER  
 4-11 OBLIGATIONS. The district may issue bonds or other obligations  
 4-12 payable wholly or partly from ad valorem taxes, impact fees,  
 4-13 revenue, contract payments, grants, or other district money, or any  
 4-14 combination of those sources, to pay for any authorized district  
 4-15 purpose.

4-16 Sec. 8493.202. TAXES FOR BONDS. At the time the district  
 4-17 issues bonds payable wholly or partly from ad valorem taxes, the  
 4-18 board shall provide for the annual imposition of a continuing  
 4-19 direct ad valorem tax, without limit as to rate or amount, while all  
 4-20 or part of the bonds are outstanding as required and in the manner  
 4-21 provided by Sections 54.601 and 54.602, Water Code.

4-22 Sec. 8493.203. BONDS FOR ROAD PROJECTS. At the time of  
 4-23 issuance, the total principal amount of bonds or other obligations  
 4-24 issued or incurred to finance road projects and payable from ad  
 4-25 valorem taxes may not exceed one-fourth of the assessed value of the  
 4-26 real property in the district.

4-27 SECTION 2. The Brazoria County Municipal Utility District  
 4-28 No. 68 initially includes all the territory contained in the  
 4-29 following area:

4-30 5,440.64 acres of land, more or less, being part of the Sam T.  
 4-31 Angier Survey, Abstract 7, part of the L.P. Ehrmann Survey No. 24,  
 4-32 Abstract 521, all of the H.T. & B.R.R. Co. Survey No. 23, Abstract  
 4-33 248, all of the L.P. Ehrmann Survey No. 22, Abstract 519, all of the  
 4-34 H.T. & B.R.R. Co. Survey No. 25, Abstract 277, part of the L.P.  
 4-35 Ehrmann Survey No. 18, Abstract 520, part of the Day Land and Cattle  
 4-36 Company Survey, Abstract 602, part of the Hooper and Wade Survey  
 4-37 No. 11, Abstract 433, part of the H.T. & B.R.R. Co. Survey No. 21,  
 4-38 Abstract 247, part of the L.P. Ehrmann Survey No. 26, Abstract 522,  
 4-39 part of the L.P. Ehrmann Survey No. 28, Abstract 523, all of the  
 4-40 L.P. Ehrmann Survey No. 30, Abstract 524 and part of the James L.  
 4-41 Holmes Hrs. Survey, Abstract 610, all being in Brazoria County,  
 4-42 Texas and being that portion of J.T. Garrett Ranch within the  
 4-43 aforesaid surveys lying Northwest of Austin Bayou and West of State  
 4-44 Highway No. 35, and being more particularly described as follows:

4-45 Beginning at an old 1-1/4 inch iron pipe set at the most west  
 4-46 corner of the Sam T. Angier Survey No. 7, said iron pipe having a  
 4-47 car axle driven inside;

4-48 THENCE N 62° 33' 40" E along the Northwest line of said Angier  
 4-49 Survey a distance of 6121.62 feet to a point for corner in drain  
 4-50 ditch from which an axle bears N 62° 33' 40" E a distance of 60.0  
 4-51 feet:

4-52 THENCE S 64° 32' 36" E along the southerly line of a tract  
 4-53 deeded to W.L. Russell a distance of 6976.69 feet to the most south  
 4-54 corner of said Russell tract in the southeast line of the aforesaid  
 4-55 S.T. Angier Survey;

4-56 THENCE N 62° 33' 40" E along the southeast line of said survey  
 4-57 a distance of 102.99 feet to the most westerly corner of a 43.54  
 4-58 acre tract heretofore deeded to Noel Adams and now owned by Van  
 4-59 Adams, set axle for corner;

4-60 THENCE S 66° 10' 21" E along the southerly line of said tract a  
 4-61 distance of 2779.15 feet to the most easterly corner of said Adams  
 4-62 tract in the southwest line of the Day Land and Cattle Company  
 4-63 Survey, Abstract 603 which is marked with a car axle;

4-64 THENCE S 27° 08' 49" E along the southwest line of said Day  
 4-65 Land and Cattle Company Survey a distance of 5363.78 feet to a car  
 4-66 axle set for the most easterly corner of the H.T. & B.R.R. Company  
 4-67 Survey No. 23 and the most northerly corner of the H.T. & B.R.R. Co.  
 4-68 Survey No. 17;

4-69 THENCE S 62° 43' 15" W along the common line between the

5-1 aforesaid surveys 17 and 23 a distance of 5632.99 feet to a car axle  
5-2 at fence corner being the most southerly corner of the H.T. & B.R.R.  
5-3 Co. Survey No. 23 and the most north corner of the L.P. Ehrmann  
5-4 Survey No. 18;  
5-5 THENCE S 27° 19' 28" E along the common line as fenced between  
5-6 the H.T. & B.R.R. Co. Survey No. 17 and the L.P. Ehrmann Survey  
5-7 No. 18 a distance of 4619.62 feet to a car axle set at fence corner  
5-8 on the west right-of-way of State Highway No. 35;  
5-9 THENCE S 40° 09' 49" W along the westerly right-of-way of  
5-10 State Highway No. 35 a distance of 1789.41 feet to a concrete  
5-11 right-of-way marker;  
5-12 THENCE S 51° 32' 34" W -- 204.15 feet to another concrete  
5-13 right-of-way marker;  
5-14 THENCE S 40° 09' 49" W continuing along said westerly  
5-15 right-of-way of State Highway No. 35 a distance of 1481.05 feet to  
5-16 the center of Austin Bayou;  
5-17 THENCE up the center of Austin Bayou with its meanders as  
5-18 follows:  
5-19 N 79° 14' 57" W -- 168.5 feet;  
5-20 N 51° 24' 10" W - 117.01 feet;  
5-21 N 71° 47' 57" W - 232.15 feet;  
5-22 N 73° 22' 38" W - 129.08 feet;  
5-23 N 70° 08' 27" W - 171.36 feet;  
5-24 N 82° 32' 24" W - 164.92 feet;  
5-25 N 70° 47' 37" W - 87.93 feet;  
5-26 N 57° 19' 47" W - 137.37 feet;  
5-27 N 40° 24' 28" W - 113.95 feet;  
5-28 N 22° 42' 37" W - 69.26 feet;  
5-29 N 11° 18' 45" W - 71.45 feet;  
5-30 N 09° 27' 22" W - 104.10 feet;  
5-31 N 01° 01' 10" E - 122.61 feet;  
5-32 N 12° 53' 51" E - 94.0 feet;  
5-33 N 18° 34' 45" E - 169.66 feet;  
5-34 N 03° 04' 06" W - 73.07 feet;  
5-35 N 39° 01' 42" W - 136.73 feet;  
5-36 N 47° 19' 35" W - 218.02 feet;  
5-37 N 31° 09' 43" W - 84.54 feet;  
5-38 N 60° 53' 25" W - 287.43 feet;  
5-39 N 75° 04' 25" W - 94.22 feet;  
5-40 S 89° 03' 59" W - 198.33 feet;  
5-41 S 75° 49' 14" W - 261.70 feet;  
5-42 N 79° 00' 01" W - 52.65 feet;  
5-43 N 59° 17' 22" W - 153.58 feet;  
5-44 N 56° 12' 52" W - 275.24 feet;  
5-45 N 66° 00' 15" W - 102.50 feet;  
5-46 N 79° 08' 49" W - 244.77 feet;  
5-47 N 53° 33' 45" W - 181.58 feet;  
5-48 N 35° 25' 48" W - 129.04 feet;  
5-49 N 60° 58' 32" W - 172.12 feet;  
5-50 N 77° 39' 46" W - 108.25 feet;  
5-51 N 83° 02' 29" W - 240.12 feet;  
5-52 S 75° 46' 26" W - 140.24 feet to southwest line of the L.P.  
5-53 Ehrmann Survey, Abstract 520, Brazoria County, Texas;  
5-54 THENCE N 27° 20' 21" W - along said line as fenced a distance  
5-55 of 3657.42 feet to a concrete monument at the most easterly corner  
5-56 of the H.T. & B.R.R. Co. Survey, Abstract 247;  
5-57 THENCE S 63° 18' 12" W along the southeast line of said survey  
5-58 a distance of 968.16 feet to the center line of Austin Bayou from  
5-59 which a concrete monument bears S 63° 18' 12" W - 46.0 feet;  
5-60 THENCE up the center of Austin Bayou with its meanders as  
5-61 follows:  
5-62 N 51° 24' 06" W - 296.62 feet;  
5-63 N 36° 08' 10" W - 122.46 feet;  
5-64 N 65° 38' 02" W - 392.73 feet;  
5-65 N 57° 55' 04" W - 294.12 feet;  
5-66 N 46° 38' 08" W - 370.63 feet;  
5-67 N 73° 42' 00" W - 60.0 feet;  
5-68 S 67° 34' 11" W - 136.46 feet;  
5-69 S 55° 57' 04" W - 235.66 feet;

6-1 S 70° 05' 11" W - 209.43 feet;  
 6-2 S 81° 55' 54" W - 216.80 feet;  
 6-3 S 66° 18' 43" W - 157.22 feet;  
 6-4 S 81° 55' 53" W - 175.68 feet;  
 6-5 S 70° 10' 43" W - 151.80 feet;  
 6-6 S 25° 06' 10" W - 154.03 feet;  
 6-7 S 72° 14' 24" W -- 37.74 feet;  
 6-8 S 83° 03' 41" W - 112.63 feet;  
 6-9 N 71° 56' 24" W - 161.70 feet;  
 6-10 N 60° 47' 02" W - 211.74 feet;  
 6-11 N 69° 23' 17" W - 129.00 feet;  
 6-12 N 89° 41' 37" W - 227.82 feet;  
 6-13 N 84° 36' 43" W - 354.10 feet;  
 6-14 N 78° 50' 02" W - 292.98 feet;  
 6-15 N 74° 29' 13" W - 277.22 feet;  
 6-16 N 74° 03' 54" W - 143.21 feet;  
 6-17 N 75° 10' 12" W - 181.07 feet;  
 6-18 S 87° 16' 28" W - 48.17 feet;  
 6-19 S 74° 19' 15" W - 139.72 feet;  
 6-20 N 81° 51' 33" W - 61.10 feet;  
 6-21 S 57° 23' 06" W - 44.60 feet;  
 6-22 N 73° 27' 38" W - 109.43 feet;  
 6-23 N 59° 03' 47" W - 263.95 feet;  
 6-24 N 50° 22' 21" W - 444.58 feet;  
 6-25 N 18° 10' 11" W - 180.20 feet;  
 6-26 N 07° 52' 01" W - 384.09 feet;  
 6-27 N 44° 23' 52" W - 153.52 feet;  
 6-28 N 07° 28' 28" W - 79.16 feet;  
 6-29 N 47° 12' 34" W - 205.70 feet;  
 6-30 N 19° 29' 47" W - 45.45 feet;  
 6-31 N 16° 36' 47" E - 82.93 feet;  
 6-32 N 34° 32' 15" E - 157.31 feet;  
 6-33 N 01° 25' 49" W - 114.98 feet;  
 6-34 N 26° 57' 48" W - 175.49 feet;  
 6-35 N 13° 59' 54" W - 151.76 feet;  
 6-36 N 44° 39' 30" W - 76.95 feet;  
 6-37 N 37° 35' 48" W - 127.01 feet;  
 6-38 N 46° 20' 40" W - 48.51 feet;  
 6-39 N 55° 13' 20" W - 172.71 feet;  
 6-40 N 37° 24' 30" W - 126.42 feet;  
 6-41 N 30° 40' 23" W - 192.28 feet;  
 6-42 N 32° 47' 56" W - 59.29 feet;  
 6-43 N 82° 41' 23" W - 75.16 feet;  
 6-44 S 65° 32' 41" W - 70.58 feet;  
 6-45 N 70° 32' 46" W - 112.72 feet;  
 6-46 N 54° 38' 40" W - 117.70 feet;  
 6-47 N 50° 12' 34" W - 161.52 feet;  
 6-48 N 39° 04' 58" W - 184.65 feet;  
 6-49 N 62° 58' 54" W - 176.63 feet;  
 6-50 N 51° 56' 23" W - 225.85 feet;  
 6-51 N 55° 47' 02" W - 124.45 feet;  
 6-52 N 31° 10' 26" W - 83.56 feet;  
 6-53 N 76° 15' 34" W - 71.67 feet;  
 6-54 S 87° 24' 50" W - 148.50 feet;  
 6-55 S 89° 00' 30" W - 150.93 feet;  
 6-56 N 77° 00' 57" W - 210.11 feet;  
 6-57 N 67° 15' 00" W - 70.72 feet;  
 6-58 N 57° 46' 42" W - 210.31 feet;  
 6-59 N 45° 55' 40" W - 215.15 feet;  
 6-60 N 53° 36' 55" W - 126.07 feet;  
 6-61 N 76° 14' 02" W - 78.50 feet;  
 6-62 S 83° 31' 45" W - 105.45 feet;  
 6-63 S 73° 54' 27" W - 231.36" feet to the east line of the H.T. &  
 6-64 B.R.R. Co. Survey No. 27, Abstract 249;  
 6-65 THENCE N 00° 05' 00" E along said line at 40.0 feet set car  
 6-66 axle for reference corner and continue for a total distance of  
 6-67 878.47 feet to a concrete monument set for the most north corner of  
 6-68 said survey and being an interior corner of L.P. Ehrmann Survey  
 6-69 No. 28, Abstract 523, Brazoria County, Texas;

7-1           THENCE S 88° 39' 26" W along the north line of said survey  
7-2 No. 27 as fenced a distance of 2631.36 feet to a concrete monument  
7-3 for northwest corner of said survey and being the lower southwest  
7-4 corner of the L.P. Ehrmann Survey No. 30;

7-5           THENCE N 00° 21' 18" W along the east line of the S.F. Austin  
7-6 Survey, Abstract 24 as fenced a distance of 853.96 feet to a car  
7-7 axle set at fence corner for the northeast corner of said S.F.  
7-8 Austin Survey and being an interior corner of the L.P. Ehrmann  
7-9 Survey No. 30;

7-10          THENCE S 89° 50' 43" W along the north line of said Austin  
7-11 Survey and the south line of said survey No. 30 a distance of 2737.7  
7-12 feet to an axle set by old cross tie on old fence line for the  
7-13 recognized southwest corner of the L.P. Ehrmann Survey No. 30;

7-14          THENCE N 00° 01' 45" W along the west line of said survey  
7-15 No. 30 a distance of 4531.01 feet to a car axle set by old cross tie  
7-16 for the northwest corner of said survey No. 30;

7-17          THENCE S 89° 37' 09" E along the north line of said Survey  
7-18 No. 30 at 2786.26 feet pass an old iron pipe set for the southeast  
7-19 corner of the H.T. & B.R.R. Co. Survey No. 31 and continue for a  
7-20 total distance of 5003.04 feet to a car axle set for the most west  
7-21 corner of the James L. Holmes Hrs. Survey, Abstract 610 which is  
7-22 also the northeast corner of the L.P. Ehrmann Survey No. 28;

7-23          THENCE S 87° 04' 59" E - 4088.56 feet to the PLACE OF BEGINNING  
7-24 and containing 5440.64 acres of land, more or less.

7-25          SECTION 3. (a) The legal notice of the intention to  
7-26 introduce this Act, setting forth the general substance of this  
7-27 Act, has been published as provided by law, and the notice and a  
7-28 copy of this Act have been furnished to all persons, agencies,  
7-29 officials, or entities to which they are required to be furnished  
7-30 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
7-31 Government Code.

7-32          (b) The governor, one of the required recipients, has  
7-33 submitted the notice and Act to the Texas Commission on  
7-34 Environmental Quality.

7-35          (c) The Texas Commission on Environmental Quality has filed  
7-36 its recommendations relating to this Act with the governor, the  
7-37 lieutenant governor, and the speaker of the house of  
7-38 representatives within the required time.

7-39          (d) All requirements of the constitution and laws of this  
7-40 state and the rules and procedures of the legislature with respect  
7-41 to the notice, introduction, and passage of this Act are fulfilled  
7-42 and accomplished.

7-43          SECTION 4. (a) If this Act does not receive a two-thirds  
7-44 vote of all the members elected to each house, Subchapter C, Chapter  
7-45 8493, Special District Local Laws Code, as added by Section 1 of  
7-46 this Act, is amended by adding Section 8493.108 to read as follows:

7-47                 Sec. 8493.108. NO EMINENT DOMAIN POWER. The district may  
7-48 not exercise the power of eminent domain.

7-49          (b) This section is not intended to be an expression of a  
7-50 legislative interpretation of the requirements of Section 17(c),  
7-51 Article I, Texas Constitution.

7-52          SECTION 5. This Act takes effect immediately if it receives  
7-53 a vote of two-thirds of all the members elected to each house, as  
7-54 provided by Section 39, Article III, Texas Constitution. If this  
7-55 Act does not receive the vote necessary for immediate effect, this  
7-56 Act takes effect September 1, 2015.

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