

1-1 By: Farney (Senate Sponsor - Fraser) H.B. No. 4160
 1-2 (In the Senate - Received from the House May 11, 2015;
 1-3 May 13, 2015, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 22, 2015, reported favorably by
 1-5 the following vote: Yeas 4, Nays 0; May 22, 2015, sent to
 1-6 printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
1-9	X			
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 Burnet County Municipal Utility
 1-19 District No. 1; granting a limited power of eminent domain;
 1-20 providing authority to issue bonds; providing authority to impose
 1-21 assessments, fees, and 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 7913 to read as follows:

1-25 CHAPTER 7913. BURNET COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 7913.001. 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 Burnet County Municipal
 1-33 Utility District No. 1.

1-34 Sec. 7913.002. 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. 7913.003. 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. 7913.004. 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. 7913.005. 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 SUBCHAPTER B. BOARD OF DIRECTORS

2-3 Sec. 7913.051. GOVERNING BODY; TERMS. (a) The district is
 2-4 governed by a board of five elected directors.

2-5 (b) Except as provided by Section 7913.052, directors serve
 2-6 staggered four-year terms.

2-7 Sec. 7913.052. TEMPORARY DIRECTORS. (a) On or after the
 2-8 effective date of the Act enacting this chapter, the owner or owners
 2-9 of a majority of the assessed value of the real property in the
 2-10 district may submit a petition to the commission requesting that
 2-11 the commission appoint as temporary directors the five persons
 2-12 named in the petition. The commission shall appoint as temporary
 2-13 directors the five persons named in the petition.

2-14 (b) Temporary directors serve until the earlier of:

2-15 (1) the date permanent directors are elected under
 2-16 Section 7913.003; or

2-17 (2) the fourth anniversary of the effective date of
 2-18 the Act enacting this chapter.

2-19 (c) If permanent directors have not been elected under
 2-20 Section 7913.003 and the terms of the temporary directors have
 2-21 expired, successor temporary directors shall be appointed or
 2-22 reappointed as provided by Subsection (d) to serve terms that
 2-23 expire on the earlier of:

2-24 (1) the date permanent directors are elected under
 2-25 Section 7913.003; or

2-26 (2) the fourth anniversary of the date of the
 2-27 appointment or reappointment.

2-28 (d) If Subsection (c) applies, the owner or owners of a
 2-29 majority of the assessed value of the real property in the district
 2-30 may submit a petition to the commission requesting that the
 2-31 commission appoint as successor temporary directors the five
 2-32 persons named in the petition. The commission shall appoint as
 2-33 successor temporary directors the five persons named in the
 2-34 petition.

2-35 SUBCHAPTER C. POWERS AND DUTIES

2-36 Sec. 7913.101. GENERAL POWERS AND DUTIES. The district has
 2-37 the powers and duties necessary to accomplish the purposes for
 2-38 which the district is created.

2-39 Sec. 7913.102. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-40 DUTIES. The district has the powers and duties provided by the
 2-41 general law of this state, including Chapters 49 and 54, Water Code,
 2-42 applicable to municipal utility districts created under Section 59,
 2-43 Article XVI, Texas Constitution.

2-44 Sec. 7913.103. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-45 52, Article III, Texas Constitution, and Section 53.029(c), Water
 2-46 Code, the district may design, acquire, construct, finance, issue
 2-47 bonds for, improve, operate, maintain, and convey to this state, a
 2-48 county, or a municipality for operation and maintenance
 2-49 macadamized, graveled, or paved roads, or improvements, including
 2-50 storm drainage, in aid of those roads.

2-51 Sec. 7913.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
 2-52 project must meet all applicable construction standards, zoning and
 2-53 subdivision requirements, and regulations of each municipality in
 2-54 whose corporate limits or extraterritorial jurisdiction the road
 2-55 project is located.

2-56 (b) If a road project is not located in the corporate limits
 2-57 or extraterritorial jurisdiction of a municipality, the road
 2-58 project must meet all applicable construction standards,
 2-59 subdivision requirements, and regulations of each county in which
 2-60 the road project is located.

2-61 (c) If the state will maintain and operate the road, the
 2-62 Texas Transportation Commission must approve the plans and
 2-63 specifications of the road project.

2-64 Sec. 7913.105. STRATEGIC PARTNERSHIP AGREEMENT. The
 2-65 district may negotiate and enter into a written strategic
 2-66 partnership agreement with a municipality under Section 43.0751,
 2-67 Local Government Code.

2-68 Sec. 7913.106. DIVISION OF DISTRICT. (a) The district may
 2-69 be divided into two or more new districts only if the district:

3-1 (1) has no outstanding bonded debt; and
 3-2 (2) is not imposing ad valorem taxes.

3-3 (b) This chapter applies to any new district created by the
 3-4 division of the district, and a new district has all the powers and
 3-5 duties of the district.

3-6 (c) Any new district created by the division of the district
 3-7 may not, at the time the new district is created, contain any land
 3-8 outside the area described by Section 2 of the Act creating this
 3-9 chapter.

3-10 (d) The board, on its own motion or on receipt of a petition
 3-11 signed by the owner or owners of a majority of the assessed value of
 3-12 the real property in the district, may adopt an order dividing the
 3-13 district.

3-14 (e) The board may adopt an order dividing the district
 3-15 before or after the date the board holds an election under Section
 3-16 7913.003 to confirm the district's creation.

3-17 (f) An order dividing the district shall:

3-18 (1) name each new district;

3-19 (2) include the metes and bounds of each new district;

3-20 (3) appoint temporary directors for each new district
 3-21 or provide that the owner or owners of a majority of the assessed
 3-22 value of the real property in each new district may submit a
 3-23 petition to the Texas Commission on Environmental Quality
 3-24 requesting that the commission appoint as temporary directors the
 3-25 five persons named in the petition; and

3-26 (4) provide for the division of assets and liabilities
 3-27 between or among the new districts.

3-28 (g) On or before the 30th day after the date of adoption of
 3-29 an order dividing the district, the district shall file the order
 3-30 with the Texas Commission on Environmental Quality and record the
 3-31 order in the real property records of each county in which the
 3-32 district is located.

3-33 (h) Any new district created by the division of the district
 3-34 shall hold a confirmation and directors' election as required by
 3-35 Section 7913.003. A new district that is not confirmed is subject
 3-36 to dissolution under general law.

3-37 (i) Any new district created by the division of the district
 3-38 must hold an election as required by this chapter to obtain voter
 3-39 approval before the district may impose a maintenance tax or issue
 3-40 bonds payable wholly or partly from ad valorem taxes.

3-41 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-42 Sec. 7913.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
 3-43 district may issue, without an election, bonds and other
 3-44 obligations secured by:

3-45 (1) revenue other than ad valorem taxes; or

3-46 (2) contract payments described by Section 7913.153.

3-47 (b) The district must hold an election in the manner
 3-48 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 3-49 before the district may impose an ad valorem tax or issue bonds
 3-50 payable from ad valorem taxes.

3-51 (c) The district may not issue bonds payable from ad valorem
 3-52 taxes to finance a road project unless the issuance is approved by a
 3-53 vote of a two-thirds majority of the district voters voting at an
 3-54 election held for that purpose.

3-55 Sec. 7913.152. OPERATION AND MAINTENANCE TAX. (a) If
 3-56 authorized at an election held under Section 7913.151, the district
 3-57 may impose an operation and maintenance tax on taxable property in
 3-58 the district in accordance with Section 49.107, Water Code.

3-59 (b) The board shall determine the tax rate. The rate may not
 3-60 exceed the rate approved at the election.

3-61 Sec. 7913.153. CONTRACT TAXES. (a) In accordance with
 3-62 Section 49.108, Water Code, the district may impose a tax other than
 3-63 an operation and maintenance tax and use the revenue derived from
 3-64 the tax to make payments under a contract after the provisions of
 3-65 the contract have been approved by a majority of the district voters
 3-66 voting at an election held for that purpose.

3-67 (b) A contract approved by the district voters may contain a
 3-68 provision stating that the contract may be modified or amended by
 3-69 the board without further voter approval.

4-1 SUBCHAPTER E. ASSESSMENTS; APPLICABILITY OF IMPACT FEES AND
 4-2 ASSESSMENTS

4-3 Sec. 7913.201. PETITION REQUIRED FOR FINANCING
 4-4 RECREATIONAL FACILITIES AND IMPROVEMENTS WITH ASSESSMENTS. (a)
 4-5 Except as provided by this subchapter, the board may finance a
 4-6 recreational facility or improvement with assessments on property
 4-7 under this subchapter, but only if:

4-8 (1) a written petition requesting that facility or
 4-9 improvement has been filed with the board; and

4-10 (2) the board holds a hearing on the proposed
 4-11 assessments.

4-12 (b) The petition must be signed by the owners of a majority
 4-13 of the assessed value of real property in the district subject to
 4-14 assessment according to the most recent certified tax appraisal
 4-15 roll for the county.

4-16 Sec. 7913.202. METHOD OF NOTICE FOR HEARING. The district
 4-17 shall mail notice of the hearing to each property owner in the
 4-18 district who will be subject to the assessment at the current
 4-19 address to be assessed as reflected on the tax rolls. The district
 4-20 may mail the notice by certified or first class United States mail.
 4-21 The board shall determine the method of notice.

4-22 Sec. 7913.203. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) An
 4-23 assessment or a reassessment imposed under this subchapter by the
 4-24 district, penalties and interest on an assessment or reassessment,
 4-25 an expense of collection, and reasonable attorney's fees incurred
 4-26 by the district:

4-27 (1) are a first and prior lien against the property
 4-28 assessed;

4-29 (2) are superior to any other lien or claim other than
 4-30 a lien or claim for county, school district, or municipal ad valorem
 4-31 taxes; and

4-32 (3) are the personal liability of and a charge against
 4-33 the owners of the property even if the owners are not named in the
 4-34 assessment proceedings.

4-35 (b) The lien is effective from the date of the board's
 4-36 resolution imposing the assessment until the date the assessment is
 4-37 paid. The board may enforce the lien in the same manner that the
 4-38 board may enforce an ad valorem tax lien against real property.

4-39 (c) The board may make a correction to or deletion from the
 4-40 assessment roll that does not increase the amount of assessment of
 4-41 any parcel of land without providing notice and holding a hearing in
 4-42 the manner required for additional assessments.

4-43 Sec. 7913.204. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
 4-44 ASSESSMENTS. The district may not impose an impact fee or
 4-45 assessment on the property, including the equipment,
 4-46 rights-of-way, facilities, or improvements, of:

4-47 (1) an electric utility or a power generation company
 4-48 as defined by Section 31.002, Utilities Code;

4-49 (2) a gas utility as defined by Section 101.003 or
 4-50 121.001, Utilities Code;

4-51 (3) a telecommunications provider as defined by
 4-52 Section 51.002, Utilities Code; or

4-53 (4) a person who provides to the public cable
 4-54 television or advanced telecommunications services.

4-55 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

4-56 Sec. 7913.251. AUTHORITY TO ISSUE BONDS AND OTHER
 4-57 OBLIGATIONS. The district may issue bonds or other obligations
 4-58 payable wholly or partly from ad valorem taxes, impact fees,
 4-59 revenue, contract payments, grants, or other district money, or any
 4-60 combination of those sources, to pay for any authorized district
 4-61 purpose.

4-62 Sec. 7913.252. TAXES FOR BONDS. At the time the district
 4-63 issues bonds payable wholly or partly from ad valorem taxes, the
 4-64 board shall provide for the annual imposition of a continuing
 4-65 direct ad valorem tax, without limit as to rate or amount, while all
 4-66 or part of the bonds are outstanding as required and in the manner
 4-67 provided by Sections 54.601 and 54.602, Water Code.

4-68 Sec. 7913.253. BONDS FOR ROAD PROJECTS. At the time of
 4-69 issuance, the total principal amount of bonds or other obligations

5-1 issued or incurred to finance road projects and payable from ad
 5-2 valorem taxes may not exceed one-fourth of the assessed value of the
 5-3 real property in the district.

5-4 SUBCHAPTER G. DEFINED AREAS

5-5 Sec. 7913.301. AUTHORITY TO ESTABLISH DEFINED AREAS OR
 5-6 DESIGNATED PROPERTY. The district may define areas or designate
 5-7 certain property of the district to pay for improvements,
 5-8 facilities, or services that primarily benefit that area or
 5-9 property and do not generally and directly benefit the district as a
 5-10 whole.

5-11 Sec. 7913.302. PROCEDURE FOR ELECTION. (a) Before the
 5-12 district may impose an ad valorem tax or issue bonds payable from ad
 5-13 valorem taxes of the defined area or designated property, the board
 5-14 shall hold an election in the defined area or in the designated
 5-15 property only.

5-16 (b) The board may submit the issues to the voters on the same
 5-17 ballot to be used in another election.

5-18 Sec. 7913.303. DECLARING RESULT AND ISSUING ORDER. (a) If
 5-19 a majority of the voters voting at the election approve the
 5-20 proposition or propositions, the board shall declare the results
 5-21 and, by order, shall establish the defined area and describe it by
 5-22 metes and bounds or designate the specific property.

5-23 (b) A court may not review the board's order except on the
 5-24 ground of fraud, palpable error, or arbitrary and confiscatory
 5-25 abuse of discretion.

5-26 Sec. 7913.304. TAXES FOR SERVICES, IMPROVEMENTS, AND
 5-27 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter
 5-28 approval and adoption of the order described by Section 7913.303,
 5-29 the district may apply separately, differently, equitably, and
 5-30 specifically its taxing power and lien authority to the defined
 5-31 area or designated property to provide money to construct,
 5-32 administer, maintain, and operate services, improvements, and
 5-33 facilities that primarily benefit the defined area or designated
 5-34 property.

5-35 Sec. 7913.305. ISSUANCE OF BONDS FOR DEFINED AREA OR
 5-36 DESIGNATED PROPERTY. After the order under Section 7913.303 is
 5-37 adopted, the district may issue bonds to provide for any land,
 5-38 improvements, facilities, plants, equipment, and appliances for
 5-39 the defined area or designated property.

5-40 SECTION 2. The Burnet County Municipal Utility District No.
 5-41 1 initially includes all the territory contained in the following
 5-42 area:

5-43 Being a parcel of land situated in the GC&SF RR CO Survey, Section
 5-44 330, Grantee - J.N. Crawford, Abstract Number 1772, the HE&WT RR CO
 5-45 Survey, Section 304, Grantee - J.N. Crawford, Abstract Number 1833,
 5-46 the T&NO RR CO Survey, Section 2, Grantee - C.F. Burton, Abstract
 5-47 Number 1756 and the Maria Catalina Salinas Survey Number 17,
 5-48 Abstract Number 776 and being a portion of a parcel of land as
 5-49 described in the deed to Hines HWY 71, Limited Partnership recorded
 5-50 under Instrument Number 2007-9805 of the Official Public Records of
 5-51 Burnet County, Texas (hereafter referred to as the Hines Tract),
 5-52 being more particularly described as follows:

5-53 BEGINNING at a 12 inch diameter steel fence corner post found at the
 5-54 northwest corner of said Hines Tract;
 5-55 THENCE the following nineteen (19) calls coincident with the
 5-56 perimeter and to the corners of said Hines Tract:

5-57 1. NORTH 88 degrees 07 minutes 25 seconds EAST, 160.65 feet
 5-58 to a found 1/2 inch rebar;

5-59 2. NORTH 88 degrees 11 minutes 33 seconds EAST, 381.95 feet
 5-60 to a found 1/2 inch rebar;

5-61 3. NORTH 88 degrees 17 minutes 11 seconds EAST, 557.49 feet
 5-62 to a found cotton gin spindle in the base of a 24 inch Live Oak;

5-63 4. NORTH 87 degrees 48 minutes 14 seconds EAST, 106.07 feet
 5-64 to a found 1/2 inch rebar;

5-65 5. NORTH 88 degrees 40 minutes 10 seconds EAST, 340.08 feet
 5-66 to a found 1/2 inch rebar;

5-67 6. NORTH 88 degrees 21 minutes 35 seconds EAST, 161.15 feet
 5-68 to a found 60D nail in the base of a 18 inch Cedar;

5-69 7. NORTH 88 degrees 02 minutes 57 seconds EAST, 588.76 feet

6-1 to a found 2.5 inch steel fence corner post;
6-2 8. NORTH 01 degree 44 minutes 40 seconds WEST, 760.21 feet
6-3 to a found 1/2 inch rebar;
6-4 9. NORTH 01 degree 29 minutes 14 seconds WEST, 214.13 feet
6-5 to a found 1/2 inch rebar;
6-6 10. NORTH 01 degree 53 minutes 17 seconds WEST, 590.33 feet
6-7 to a found 3/8 inch rebar;
6-8 11. SOUTH 77 degrees 00 minutes 08 seconds EAST, 491.52 feet
6-9 to a found 2.5 inch steel fence corner post;
6-10 12. NORTH 87 degrees 53 minutes 14 seconds EAST, 1554.95
6-11 feet to a found 2.5 inch steel fence corner post;
6-12 13. NORTH 00 degrees 38 minutes 32 seconds WEST, 566.01 feet
6-13 to a found 1/2 inch capped rebar stamped "Bergman 3103";
6-14 14. NORTH 00 degrees 28 minutes 11 seconds WEST, 406.18 feet
6-15 to a found 1/2 inch capped rebar stamp illegible;
6-16 15. NORTH 88 degrees 34 minutes 22 seconds EAST, 1439.89
6-17 feet to a found 1/2 inch rebar;
6-18 16. NORTH 89 degrees 03 minutes 16 seconds EAST, 502.28 feet
6-19 to a found 1/2 inch capped rebar stamped "Austin Surveyors";
6-20 17. NORTH 88 degrees 53 minutes 10 seconds EAST, 977.10 feet
6-21 to a found 1/2 inch rebar;
6-22 18. SOUTH 01 degree 17 minutes 47 seconds EAST, 2875.44 feet
6-23 to a found 3/8 inch rebar;
6-24 19. SOUTH 01 degree 12 minutes 03 seconds EAST, 1145.50 feet
6-25 to a set 1/2 inch capped rebar stamped "JPH LAND SURVEYING" set at
6-26 the intersection of the east line of said Hines Tract with the
6-27 Burnet-Travis County Line as described in Texas Senate Bill 1009,
6-28 an Act of May 22, 2013, 83rd Legislature, Regular Session, Chapter
6-29 599, filed in the Office of the Texas Secretary of State;
6-30 THENCE SOUTH 28 degrees 40 minutes 00 seconds WEST, with said
6-31 Burnet-Travis County Line, passing at 738.26 feet a found rock
6-32 mound noted as the 5th mile in the field notes by T. A. Chamberlain
6-33 recorded under Document Number 50949 of the County Boundary Files
6-34 for Burnet County in the Archives and Records of the Texas General
6-35 Land Office, in the vicinity of said rock mound a 1/2 inch capped
6-36 rebar stamped "Bergman RPLS 3103" lies northwesterly of said
6-37 Burnet-Travis County Line 2.5 feet, continuing for a total distance
6-38 of 1591.88 feet to a 1/2 inch capped rebar stamped "JPH LAND
6-39 SURVEYING" set at the intersection of said Burnet-Travis County
6-40 Line with a south line of said Hines Tract, from which a 6"x 6" x 44"
6-41 tall concrete monument marked "T" on the east side, "B" on the west
6-42 side and "1930" on the base found marking the corner of Burnet and
6-43 Blanco Counties and on the Travis County line bears SOUTH 28 degrees
6-44 40 minutes 00 seconds WEST, 1343.39 feet, and from said concrete
6-45 monument a 14 inch Live Oak Tree bears NORTH 86 degrees WEST, 16.5
6-46 feet;
6-47 THENCE the following six (6) calls coincident with the perimeter
6-48 and to the corners of said Hines Tract:
6-49 1. SOUTH 88 degrees 48 minutes 34 seconds WEST, 406.38 feet
6-50 to a found 1/2 inch rebar from which a found 5/8 inch capped rebar
6-51 stamped "RPLS 453?" bears NORTH 28 degrees WEST, 0.3 feet;
6-52 2. SOUTH 88 degrees 51 minutes 05 seconds WEST, 283.38 feet
6-53 to a found 60D nail in top of a 12 inch diameter fence corner post;
6-54 3. NORTH 01 degree 12 minutes 27 seconds WEST, 475.01 feet
6-55 to a found cotton gin spindle;
6-56 4. SOUTH 88 degrees 57 minutes 29 seconds WEST, 1924.98 feet
6-57 to a set mag nail in rock;
6-58 5. SOUTH 25 degrees 44 minutes 58 seconds WEST, 532.03 feet
6-59 to a found 1/2 inch capped rebar stamped "RPLS 4?52";
6-60 6. SOUTH 06 degrees 38 minutes 28 seconds WEST, 387.56 feet
6-61 to a set 1/2 inch capped rebar stamped "JPH LAND SURVEYING" set at
6-62 the intersection of an easterly line of said Hines Tract with the
6-63 Burnet-Blanco County Line;
6-64 THENCE NORTH 71 degrees 49 minutes 50 seconds WEST, 2120.42 feet
6-65 with said Burnet-Blanco County Line to a 1/2 inch capped rebar
6-66 stamped "JPH LAND SURVEYING" set at the intersection of the east
6-67 right of way line of State Highway 71 (formerly known as R.M.
6-68 Highway 93) a 150-foot right of way, as described in the deed to the
6-69 State of Texas recorded in Volume 98, Pages 530 and 531 of the Deed

7-1 Records of Burnet County, Texas with said Burnet-Blanco County
7-2 Line, from which a calculated point being a deed call tie as
7-3 described in said deed to the State of Texas to said Burnet-Blanco
7-4 County Line bears NORTH 71 degrees 49 minutes 50 seconds WEST, 148.8
7-5 feet;

7-6 THENCE the following four (4) calls coincident with the perimeter
7-7 and to the corners of the east right of way line of said State
7-8 Highway 71:

7-9 1. NORTH 48 degrees 03 minutes 28 seconds WEST, 518.91 feet
7-10 to a Texas Department of Transportation 4 inch x 4 inch concrete
7-11 right of way monument found at the beginning of a tangent curve
7-12 concave to the northeast, having a radius of 2805.00 feet;

7-13 2. northwesterly an arc length of 1334.88 feet to a Texas
7-14 Department of Transportation 4 inch x 4 inch concrete right of way
7-15 monument found at the beginning of a tangent line to the
7-16 aforementioned curve;

7-17 3. NORTH 20 degrees 47 minutes 28 seconds WEST, 635.31 feet
7-18 to a Texas Department of Transportation 4 inch x 4 inch concrete
7-19 right of way monument found at the beginning of a tangent curve
7-20 concave to the southwest having a radius of 5790.00 feet;

7-21 4. northerly an arc length of 596.51 feet to the POINT OF
7-22 BEGINNING, containing 643.0 acres.

7-23 SECTION 3. (a) The legal notice of the intention to
7-24 introduce this Act, setting forth the general substance of this
7-25 Act, has been published as provided by law, and the notice and a
7-26 copy of this Act have been furnished to all persons, agencies,
7-27 officials, or entities to which they are required to be furnished
7-28 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-29 Government Code.

7-30 (b) The governor, one of the required recipients, has
7-31 submitted the notice and Act to the Texas Commission on
7-32 Environmental Quality.

7-33 (c) The Texas Commission on Environmental Quality has filed
7-34 its recommendations relating to this Act with the governor, the
7-35 lieutenant governor, and the speaker of the house of
7-36 representatives within the required time.

7-37 (d) All requirements of the constitution and laws of this
7-38 state and the rules and procedures of the legislature with respect
7-39 to the notice, introduction, and passage of this Act are fulfilled
7-40 and accomplished.

7-41 SECTION 4. (a) If this Act does not receive a two-thirds
7-42 vote of all the members elected to each house, Subchapter C, Chapter
7-43 7913, Special District Local Laws Code, as added by Section 1 of
7-44 this Act, is amended by adding Section 7913.107 to read as follows:

7-45 Sec. 7913.107. NO EMINENT DOMAIN POWER. The district may
7-46 not exercise the power of eminent domain.

7-47 (b) This section is not intended to be an expression of a
7-48 legislative interpretation of the requirements of Section 17(c),
7-49 Article I, Texas Constitution.

7-50 SECTION 5. This Act takes effect immediately if it receives
7-51 a vote of two-thirds of all the members elected to each house, as
7-52 provided by Section 39, Article III, Texas Constitution. If this
7-53 Act does not receive the vote necessary for immediate effect, this
7-54 Act takes effect September 1, 2015.

7-55

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