

1-1 By: Hancock S.B. No. 1162  
 1-2 (In the Senate - Filed March 10, 2015; March 17, 2015, read  
 1-3 first time and referred to Committee on Intergovernmental  
 1-4 Relations; April 22, 2015, reported favorably by the following  
 1-5 vote: Yeas 5, Nays 0; April 22, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7	X			
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13			X	
1-14			X	

1-15 A BILL TO BE ENTITLED  
 1-16 AN ACT

1-17 relating to the nonsubstantive revision of certain local laws  
 1-18 concerning water and wastewater special districts, including  
 1-19 conforming amendments.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 ARTICLE 1. NONSUBSTANTIVE REVISION OF LOCAL LAWS

1-22 SECTION 1.01. Subtitle A, Title 6, Special District Local  
 1-23 Laws Code, is amended by adding Chapters 6610, 6611, 6612, 6613, and  
 1-24 6614 to read as follows:

1-25 CHAPTER 6610. SAN PATRICIO COUNTY DRAINAGE DISTRICT

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 6610.001. DEFINITIONS

1-28 Sec. 6610.002. NATURE OF DISTRICT

1-29 Sec. 6610.003. FINDINGS OF BENEFIT AND PURPOSE

1-30 Sec. 6610.004. DISTRICT TERRITORY

1-31 Sec. 6610.005. LIBERAL CONSTRUCTION OF CHAPTER

1-32 SUBCHAPTER B. DISTRICT ADMINISTRATION

1-33 Sec. 6610.051. COMPOSITION OF BOARD; TERMS

1-34 Sec. 6610.052. QUALIFICATIONS FOR OFFICE

1-35 Sec. 6610.053. DIRECTOR'S BOND

1-36 Sec. 6610.054. COMPENSATION OF DIRECTORS

1-37 Sec. 6610.055. BOARD VACANCY

1-38 Sec. 6610.056. BOARD MEETINGS

1-39 Sec. 6610.057. DISTRICT OFFICE

1-40 Sec. 6610.058. DISTRICT EMPLOYEES

1-41 SUBCHAPTER C. POWERS AND DUTIES

1-42 Sec. 6610.101. GENERAL POWERS

1-43 Sec. 6610.102. GENERAL RECLAMATION AND DRAINAGE POWERS

1-44 Sec. 6610.103. ACQUISITION OF PROPERTY; EMINENT DOMAIN

1-45 Sec. 6610.104. CONSTRUCTION ON PUBLIC LAND

1-46 Sec. 6610.105. COST OF RELOCATING OR ALTERING PROPERTY

1-47 Sec. 6610.106. DISPOSAL OF DISTRICT PROPERTY

1-48 Sec. 6610.107. DISPOSAL OF IMPOUNDED WATER

1-49 Sec. 6610.108. CONTRACTS AND COOPERATION WITH STATE

1-50 AND POLITICAL SUBDIVISIONS

1-51 Sec. 6610.109. ARRANGEMENTS WITH UNITED STATES

1-52 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

1-53 Sec. 6610.151. DISBURSEMENT OF MONEY

1-54 Sec. 6610.152. ACCOUNTS, CONTRACTS, AND OTHER RECORDS;

1-55 PUBLIC INSPECTION

1-56 Sec. 6610.153. FILING OF COPIES OF AUDIT REPORT

1-57 Sec. 6610.154. DEPOSITORY

1-58 SUBCHAPTER E. TAXES

1-59 Sec. 6610.201. AD VALOREM TAX FOR MAINTENANCE AND

1-60 OPERATION

2-1 Sec. 6610.202. ELECTION FOR MAINTENANCE AND OPERATION  
 2-2 TAX  
 2-3 Sec. 6610.203. TAX ASSESSOR-COLLECTOR  
 2-4 Sec. 6610.204. CERTIFICATION OF TAX RATE  
 2-5 SUBCHAPTER F. BONDS  
 2-6 Sec. 6610.251. AUTHORITY TO ISSUE BONDS; TAXES FOR  
 2-7 BONDS  
 2-8 Sec. 6610.252. FORM OF BONDS  
 2-9 Sec. 6610.253. MATURITY  
 2-10 Sec. 6610.254. ELECTION REQUIRED  
 2-11 Sec. 6610.255. USE OF BOND PROCEEDS  
 2-12 CHAPTER 6610. SAN PATRICIO COUNTY DRAINAGE DISTRICT  
 2-13 SUBCHAPTER A. GENERAL PROVISIONS  
 2-14 Sec. 6610.001. DEFINITIONS. In this chapter:  
 2-15 (1) "Board" means the board of directors of the  
 2-16 district.  
 2-17 (2) "Commissioners court" means the San Patricio  
 2-18 County Commissioners Court.  
 2-19 (3) "Director" means a member of the board.  
 2-20 (4) "District" means the San Patricio County Drainage  
 2-21 District. (Acts 61st Leg., R.S., Ch. 187, Sec. 1 (part); New.)  
 2-22 Sec. 6610.002. NATURE OF DISTRICT. The district is a  
 2-23 conservation and reclamation district created under Section 59,  
 2-24 Article XVI, Texas Constitution, to provide drainage for the  
 2-25 district and reclamation and drainage of the district's overflowed  
 2-26 lands and other lands needing drainage. (Acts 61st Leg., R.S., Ch.  
 2-27 187, Sec. 1 (part).)  
 2-28 Sec. 6610.003. FINDINGS OF BENEFIT AND PURPOSE. (a) All  
 2-29 property in the district and in this state will benefit from the  
 2-30 district, the improvements and facilities acquired or constructed  
 2-31 under this chapter, and all the provisions of this chapter.  
 2-32 (b) The creation of the district is essential to accomplish  
 2-33 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
 2-34 61st Leg., R.S., Ch. 187, Secs. 1 (part), 17.)  
 2-35 Sec. 6610.004. DISTRICT TERRITORY. The district's  
 2-36 boundaries are coextensive with the boundaries of San Patricio  
 2-37 County unless the district's territory has been modified under:  
 2-38 (1) Subchapter J, Chapter 49, Water Code; or  
 2-39 (2) other law. (Acts 61st Leg., R.S., Ch. 187, Sec. 1  
 2-40 (part); New.)  
 2-41 Sec. 6610.005. LIBERAL CONSTRUCTION OF CHAPTER. This  
 2-42 chapter shall be liberally construed to effect its purposes. (Acts  
 2-43 61st Leg., R.S., Ch. 187, Sec. 16.)  
 2-44 SUBCHAPTER B. DISTRICT ADMINISTRATION  
 2-45 Sec. 6610.051. COMPOSITION OF BOARD; TERMS. (a) The board  
 2-46 consists of five directors appointed by the commissioners court as  
 2-47 follows:  
 2-48 (1) one director appointed from each county  
 2-49 commissioners precinct; and  
 2-50 (2) one director appointed from the county at large.  
 2-51 (b) Directors serve staggered two-year terms, with the  
 2-52 terms of two directors expiring on January 31 of each even-numbered  
 2-53 year and the terms of three directors expiring on January 31 of each  
 2-54 odd-numbered year.  
 2-55 (c) In January of each year, the commissioners court shall  
 2-56 appoint directors to succeed directors whose term of office will  
 2-57 expire January 31. The appointed directors' terms begin on  
 2-58 February 1 of that year. (Acts 61st Leg., R.S., Ch. 187, Sec. 4  
 2-59 (part).)  
 2-60 Sec. 6610.052. QUALIFICATIONS FOR OFFICE. (a) A director  
 2-61 must:  
 2-62 (1) be at least 18 years of age;  
 2-63 (2) be a resident of this state; and  
 2-64 (3) own land subject to taxation in the district.  
 2-65 (b) A director appointed from a county commissioners  
 2-66 precinct must be a resident of the precinct for which the director  
 2-67 is appointed.  
 2-68 (c) A person is not eligible to serve as a director if the  
 2-69 person owes delinquent taxes to San Patricio County. (Acts 61st

3-1 Leg., R.S., Ch. 187, Sec. 4 (part).)

3-2 Sec. 6610.053. DIRECTOR'S BOND. (a) Each director shall

3-3 furnish a bond for \$5,000 payable to the district and conditioned on

3-4 faithful performance of the director's duties.

3-5 (b) The bonds must be submitted to the commissioners court

3-6 for approval. (Acts 61st Leg., R.S., Ch. 187, Sec. 4 (part).)

3-7 Sec. 6610.054. COMPENSATION OF DIRECTORS. (a) Each

3-8 director shall receive compensation as set by the commissioners

3-9 court in an amount not to exceed the sum of \$2,400 in any one

3-10 calendar year.

3-11 (b) In all areas of conflict with Subsection (a) of this

3-12 section, Section 49.060, Water Code, takes precedence.

3-13 (c) A director's compensation may be increased as

3-14 authorized by Section 49.060, Water Code, by resolution adopted by

3-15 the board in accordance with Subsection (e) of that section on or

3-16 after September 1, 1995. (Acts 61st Leg., R.S., Ch. 187, Sec. 8

3-17 (part); New.)

3-18 Sec. 6610.055. BOARD VACANCY. If a vacancy occurs in the

3-19 office of director, the commissioners court shall appoint a

3-20 director for the unexpired term. (Acts 61st Leg., R.S., Ch. 187,

3-21 Sec. 4 (part).)

3-22 Sec. 6610.056. BOARD MEETINGS. (a) The board shall hold

3-23 regular meetings at least once each calendar month at times

3-24 prescribed by order adopted by the board.

3-25 (b) The board shall hold special meetings when called by the

3-26 board president or by any two other directors. The board secretary

3-27 shall give written notice of a special meeting to each director. A

3-28 director may waive the notice. (Acts 61st Leg., R.S., Ch. 187, Sec.

3-29 5 (part).)

3-30 Sec. 6610.057. DISTRICT OFFICE. The board shall designate

3-31 the location of the district's principal office at any place within

3-32 the district. (Acts 61st Leg., R.S., Ch. 187, Sec. 6 (part).)

3-33 Sec. 6610.058. DISTRICT EMPLOYEES. (a) The board shall

3-34 set the compensation of the general manager, attorneys, engineers,

3-35 and all other employees of the district.

3-36 (b) The board shall set the term and time of employment of

3-37 all employees of the district and the method by which an employee

3-38 may be discharged. (Acts 61st Leg., R.S., Ch. 187, Sec. 8 (part).)

3-39 SUBCHAPTER C. POWERS AND DUTIES

3-40 Sec. 6610.101. GENERAL POWERS. (a) The district has the

3-41 powers of government and may exercise the rights, privileges, and

3-42 functions provided under this chapter.

3-43 (b) The district may perform any act necessary or proper to

3-44 carry out a district purpose. (Acts 61st Leg., R.S., Ch. 187, Secs.

3-45 1 (part), 10 (part).)

3-46 Sec. 6610.102. GENERAL RECLAMATION AND DRAINAGE POWERS.

3-47 The district may:

3-48 (1) devise plans and construct works to lessen and

3-49 control floods and excess water;

3-50 (2) reclaim land in the district;

3-51 (3) provide drainage facilities and improvements for

3-52 the reclamation and drainage of the overflowed land and other land

3-53 in the district that needs drainage;

3-54 (4) acquire and construct properties, facilities, and

3-55 improvements inside or outside the district that in the judgment of

3-56 the board are necessary to lessen and control floods in the district

3-57 or to facilitate drainage and reclamation of land in the district;

3-58 (5) remove natural or artificial obstructions from

3-59 streams and watercourses; and

3-60 (6) clean, straighten, widen, and maintain streams,

3-61 watercourses, and drainage ditches. (Acts 61st Leg., R.S., Ch.

3-62 187, Sec. 10 (part).)

3-63 Sec. 6610.103. ACQUISITION OF PROPERTY; EMINENT DOMAIN.

3-64 (a) The district, by gift, devise, purchase, lease, or

3-65 condemnation, may acquire an easement, right-of-way, or other

3-66 property needed to carry on the work of the district.

3-67 (b) The district may exercise the power of eminent domain.

3-68 Procedures with reference to condemnation, the assessment and

3-69 estimation of damages, payment, appeal, and entrance on property

4-1 pending appeal, and all other procedures prescribed by Chapter 21,  
4-2 Property Code, apply to the district. (Acts 61st Leg., R.S., Ch.  
4-3 187, Sec. 10 (part).)

4-4 Sec. 6610.104. CONSTRUCTION ON PUBLIC LAND. (a) The  
4-5 district may construct, acquire, own, and operate works, ditches,  
4-6 canals, or other improvements over, across, through, under, or  
4-7 along:

4-8 (1) a public stream, canal, road, or highway; or

4-9 (2) land belonging to this state.

4-10 (b) A plan for an improvement under Subsection (a) on a  
4-11 state highway is subject to the approval of the Texas Department of  
4-12 Transportation.

4-13 (c) A plan for an improvement under Subsection (a) on Texas  
4-14 Department of Criminal Justice land is subject to the approval of  
4-15 the Texas Board of Criminal Justice.

4-16 (d) A plan for an improvement of a public water supply canal  
4-17 or public stream under Subsection (a) is subject to the approval of  
4-18 the state or federal agency that has jurisdiction over or that owns  
4-19 the public water supply canal or stream. (Acts 61st Leg., R.S., Ch.  
4-20 187, Sec. 10 (part).)

4-21 Sec. 6610.105. COST OF RELOCATING OR ALTERING PROPERTY.

4-22 (a) In this section, "sole expense" means the actual cost of  
4-23 relocating, raising, lowering, rerouting, changing the grade of, or  
4-24 altering the construction of a facility described by Subsection (b)  
4-25 in providing comparable replacement without enhancement of the  
4-26 facility, after deducting from that cost the net salvage value of  
4-27 the old facility.

4-28 (b) If the district's exercise of the power of eminent  
4-29 domain, the power of relocation, or any other power makes necessary  
4-30 the relocating, raising, lowering, rerouting, changing the grade  
4-31 of, or altering the construction of a railroad, the necessary  
4-32 action shall be accomplished at the sole expense of the district.  
4-33 (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

4-34 Sec. 6610.106. DISPOSAL OF DISTRICT PROPERTY. (a) The  
4-35 district may sell, trade, or otherwise dispose of property or a  
4-36 property right that is no longer needed for a district purpose.

4-37 (b) District land that adjoins privately owned land shall  
4-38 revert to the adjoining landowner when no longer needed for a  
4-39 district purpose. (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

4-40 Sec. 6610.107. DISPOSAL OF IMPOUNDED WATER. The district  
4-41 may sell or otherwise dispose of any water impounded by a district  
4-42 improvement under conditions, contracts, and terms determined by  
4-43 the board, subject to the approval of any other political  
4-44 subdivision that has been granted rights to the water before May 13,  
4-45 1969. (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

4-46 Sec. 6610.108. CONTRACTS AND COOPERATION WITH STATE AND  
4-47 POLITICAL SUBDIVISIONS. The district may cooperate and contract  
4-48 with an agency or political subdivision of this state to carry out a  
4-49 district purpose. (Acts 61st Leg., R.S., Ch. 187, Sec. 10 (part).)

4-50 Sec. 6610.109. ARRANGEMENTS WITH UNITED STATES. (a) The  
4-51 district may cooperate with, contract with, or receive a grant,  
4-52 loan, or advancement from the United States to carry out a district  
4-53 power or to further a district purpose.

4-54 (b) The district may contribute to the United States in  
4-55 connection with any project that is undertaken by the United States  
4-56 and affects or relates to a district purpose. (Acts 61st Leg.,  
4-57 R.S., Ch. 187, Sec. 10 (part).)

4-58 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4-59 Sec. 6610.151. DISBURSEMENT OF MONEY. The district may  
4-60 disburse its money only by a check, draft, order, or other written  
4-61 instrument signed by a person authorized to sign the instrument by  
4-62 board order or resolution. (Acts 61st Leg., R.S., Ch. 187, Sec. 7  
4-63 (part).)

4-64 Sec. 6610.152. ACCOUNTS, CONTRACTS, AND OTHER RECORDS;  
4-65 PUBLIC INSPECTION. (a) The board shall keep complete and accurate  
4-66 accounts conforming to approved methods of bookkeeping.

4-67 (b) The accounts and all contracts, documents, and records  
4-68 of the district shall be maintained at a place or places in the  
4-69 district designated by the board.

5-1 (c) All contracts, documents, and records of the district  
5-2 shall be open for public inspection at all reasonable times. (Acts  
5-3 61st Leg., R.S., Ch. 187, Sec. 7 (part).)

5-4 Sec. 6610.153. FILING OF COPIES OF AUDIT REPORT. Copies of  
5-5 the audit report prepared under Subchapter G, Chapter 49, Water  
5-6 Code, shall be certified to by the accountant who performed the  
5-7 audit and filed:

- 5-8 (1) as required by Section 49.194, Water Code; and
- 5-9 (2) with the state auditor. (Acts 61st Leg., R.S., Ch.  
5-10 187, Sec. 7 (part); New.)

5-11 Sec. 6610.154. DEPOSITORY. (a) The board shall designate  
5-12 one or more banks in the district to serve as a depository for  
5-13 district money.

5-14 (b) All district money shall be deposited in a depository  
5-15 bank, except that sufficient money shall be remitted to the  
5-16 appropriate bank of payment to pay the principal of and interest on  
5-17 the district's outstanding bonds on or before the maturity date of  
5-18 the principal and interest.

5-19 (c) To the extent that money in a depository bank is not  
5-20 insured by the Federal Deposit Insurance Corporation, the money  
5-21 must be secured in the manner provided by law for the security of  
5-22 county funds.

5-23 (d) If the board designates a depository bank as the  
5-24 treasurer of the district, the bank shall serve as the treasurer.  
5-25 (Acts 61st Leg., R.S., Ch. 187, Sec. 9.)

5-26 SUBCHAPTER E. TAXES

5-27 Sec. 6610.201. AD VALOREM TAX FOR MAINTENANCE AND  
5-28 OPERATION. (a) The board may impose an annual ad valorem tax at a  
5-29 rate not to exceed 35 cents on each \$100 valuation of taxable  
5-30 property in the district for the maintenance, operation, upkeep,  
5-31 and improvement of the district and the district's facilities,  
5-32 properties, and improvements.

5-33 (b) The board may hold elections to increase, reduce, or  
5-34 abate a tax imposed under this section, subject to the limitation  
5-35 prescribed by Subsection (a).

5-36 (c) An election to authorize the imposition of the tax or a  
5-37 subsequent tax election must be held as provided by Section  
5-38 6610.202. (Acts 61st Leg., R.S., Ch. 187, Sec. 14 (part).)

5-39 Sec. 6610.202. ELECTION FOR MAINTENANCE AND OPERATION TAX.  
5-40 (a) The order calling an election under Section 6610.201 must  
5-41 specify:

- 5-42 (1) the date of the election;
- 5-43 (2) the location of the voting places; and
- 5-44 (3) the presiding judge for each voting place.

5-45 (b) Notice of the election must be given by publishing a  
5-46 substantial copy of the order calling the election in a newspaper of  
5-47 general circulation in San Patricio County. The notice must be  
5-48 published once each week for two consecutive weeks. The first  
5-49 publication must be at least 14 days before the date of the  
5-50 election.

5-51 (c) In addition to the requirements of the Election Code,  
5-52 the ballots for an election for the imposition of a maintenance and  
5-53 operation tax must have printed on them "For Maintenance tax" and  
5-54 the contrary of that proposition.

5-55 (d) The failure of an election does not prohibit subsequent  
5-56 elections for the same purpose. (Acts 61st Leg., R.S., Ch. 187,  
5-57 Secs. 2 (part), 14 (part).)

5-58 Sec. 6610.203. TAX ASSESSOR-COLLECTOR. The San Patricio  
5-59 County tax assessor-collector shall assess and collect taxes  
5-60 imposed by the board. (Acts 61st Leg., R.S., Ch. 187, Sec. 15  
5-61 (part).)

5-62 Sec. 6610.204. CERTIFICATION OF TAX RATE. Each year, the  
5-63 board shall certify to the San Patricio County tax  
5-64 assessor-collector the rate or rates of tax that the board has  
5-65 imposed for bond and maintenance purposes. (Acts 61st Leg., R.S.,  
5-66 Ch. 187, Sec. 15 (part).)

5-67 SUBCHAPTER F. BONDS

5-68 Sec. 6610.251. AUTHORITY TO ISSUE BONDS; TAXES FOR BONDS.  
5-69 (a) The board may issue district bonds to acquire money to



6-1 accomplish any district purpose or carry out any power granted  
6-2 under this chapter to the district.

6-3 (b) The board may impose continuing direct annual ad valorem  
6-4 taxes on all taxable property in the district sufficient to:

6-5 (1) provide for the payment of the interest on the  
6-6 bonds as the interest accrues; and

6-7 (2) create and provide for a sinking fund to pay the  
6-8 principal of the bonds as the principal matures. (Acts 61st Leg.,  
6-9 R.S., Ch. 187, Sec. 11 (part).)

6-10 Sec. 6610.252. FORM OF BONDS. District bonds and any  
6-11 interest coupons appurtenant to the bonds must be signed and  
6-12 executed as provided by the board in the order authorizing the  
6-13 issuance of the bonds. (Acts 61st Leg., R.S., Ch. 187, Sec. 11  
6-14 (part).)

6-15 Sec. 6610.253. MATURITY. District bonds must mature not  
6-16 later than 40 years after their date of issuance. (Acts 61st Leg.,  
6-17 R.S., Ch. 187, Sec. 11 (part).)

6-18 Sec. 6610.254. ELECTION REQUIRED. (a) Bonds, other than  
6-19 refunding bonds, may not be issued under Section 6610.251 unless  
6-20 first authorized by a majority of the voters voting at an election  
6-21 held to determine whether the bonds should be issued and whether a  
6-22 tax should be imposed to pay the principal of and interest on the  
6-23 bonds.

6-24 (b) If a majority of the voters voting at a district bond  
6-25 election vote in favor of the issuance of bonds and the imposition  
6-26 of taxes, the board may:

6-27 (1) issue, sell, and deliver the bonds;

6-28 (2) receive and use the proceeds for district  
6-29 purposes; and

6-30 (3) impose taxes on all taxable property in the  
6-31 district sufficient to pay the interest on and principal of the  
6-32 bonds.

6-33 (c) Notice of the election shall be given in the manner  
6-34 provided by Section 6610.202.

6-35 (d) In addition to the requirements of the Election Code,  
6-36 the ballots must have printed on them "For the bonds and levy of  
6-37 taxes in payment thereof" and the contrary of that proposition.  
6-38 (Acts 61st Leg., R.S., Ch. 187, Sec. 11 (part); New.)

6-39 Sec. 6610.255. USE OF BOND PROCEEDS. (a) The board may  
6-40 appropriate or set aside out of proceeds from the sale of district  
6-41 bonds an amount for:

6-42 (1) the payment of interest expected to accrue during  
6-43 the period of construction of improvements or facilities; and

6-44 (2) the payment of all expenses incurred and to be  
6-45 incurred in the issuance, sale, and delivery of the bonds.

6-46 (b) For purposes of this section, the period of construction  
6-47 may not exceed three years. (Acts 61st Leg., R.S., Ch. 187, Sec.  
6-48 13(a).)

6-49 CHAPTER 6611. WILLACY COUNTY DRAINAGE DISTRICT NO. 2

6-50 SUBCHAPTER A. GENERAL PROVISIONS

6-51 Sec. 6611.001. DEFINITIONS

6-52 Sec. 6611.002. NATURE OF DISTRICT

6-53 Sec. 6611.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

6-54 Sec. 6611.004. DISTRICT TERRITORY

6-55 SUBCHAPTER B. DISTRICT ADMINISTRATION

6-56 Sec. 6611.051. COMPOSITION OF BOARD

6-57 Sec. 6611.052. DUTIES OF COUNTY OFFICIALS IN

6-58 CONNECTION WITH DISTRICT; DISTRICT

6-59 OFFICERS, EMPLOYEES, AND AGENTS

6-60 SUBCHAPTER C. POWERS AND DUTIES

6-61 Sec. 6611.101. GENERAL POWERS AND DUTIES

6-62 Sec. 6611.102. DISTRICT POWERS

6-63 Sec. 6611.103. EMINENT DOMAIN

6-64 Sec. 6611.104. COST OF RELOCATING OR ALTERING PROPERTY

6-65 Sec. 6611.105. ADDITION OF TERRITORY TO DISTRICT

6-66 SUBCHAPTER D. TAXES

6-67 Sec. 6611.151. AD VALOREM TAX FOR MAINTENANCE AND

6-68 OPERATIONS

6-69 Sec. 6611.152. TAX ASSESSOR-COLLECTOR

## SUBCHAPTER E. BONDS

7-1  
7-2 Sec. 6611.201. AUTHORITY TO ISSUE BONDS; TAXES FOR  
7-3 BONDS

7-4 Sec. 6611.202. LIMITATION ON DEBT

7-5 Sec. 6611.203. MATURITY

7-6 Sec. 6611.204. BOND ELECTION

7-7 CHAPTER 6611. WILLACY COUNTY DRAINAGE DISTRICT NO. 2

7-8 SUBCHAPTER A. GENERAL PROVISIONS

7-9 Sec. 6611.001. DEFINITIONS. In this chapter:

7-10 (1) "Board" means the board of directors of the  
7-11 district.

7-12 (2) "Director" means a member of the board.

7-13 (3) "District" means the Willacy County Drainage  
7-14 District No. 2. (Acts 61st Leg., R.S., Ch. 11, Sec. 1 (part); New.)

7-15 Sec. 6611.002. NATURE OF DISTRICT. The district is a  
7-16 conservation and reclamation district created under Section 59,  
7-17 Article XVI, Texas Constitution, for the sole purpose of the  
7-18 reclamation and drainage of the district's overflowed lands and  
7-19 other lands needing drainage. (Acts 61st Leg., R.S., Ch. 11, Secs.  
7-20 1 (part), 3 (part).)

7-21 Sec. 6611.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

7-22 (a) The district is created to serve a public use and benefit.

7-23 (b) All land and other property included in the district  
7-24 will benefit from the creation of the district and the improvements  
7-25 the district will purchase, construct, or otherwise acquire.

7-26 (c) The district is essential to accomplish the purposes of  
7-27 Section 59, Article XVI, Texas Constitution. (Acts 61st Leg.,  
7-28 R.S., Ch. 11, Secs. 11, 13.)

7-29 Sec. 6611.004. DISTRICT TERRITORY. The district is  
7-30 composed of the territory described by Section 2, Chapter 11, Acts  
7-31 of the 61st Legislature, Regular Session, 1969, as that territory  
7-32 may have been modified under:

7-33 (1) Subchapter G, Chapter 53, Water Code, before  
7-34 September 1, 1995;

7-35 (2) Subchapter J, Chapter 49, Water Code; or

7-36 (3) other law. (New.)

7-37 SUBCHAPTER B. DISTRICT ADMINISTRATION

7-38 Sec. 6611.051. COMPOSITION OF BOARD. The board consists of  
7-39 five elected directors. (Acts 61st Leg., R.S., Ch. 11, Sec. 5  
7-40 (part).)

7-41 Sec. 6611.052. DUTIES OF COUNTY OFFICIALS IN CONNECTION  
7-42 WITH DISTRICT; DISTRICT OFFICERS, EMPLOYEES, AND AGENTS. (a) The  
7-43 county tax assessor-collector, county treasurer, and county  
7-44 depository of Willacy County shall perform all duties in connection  
7-45 with the district that they are required to perform by law in  
7-46 connection with official matters for Willacy County.

7-47 (b) The board may employ a general manager for the district  
7-48 and any other agents, attorneys, engineers, and employees  
7-49 considered necessary in connection with the purposes of this  
7-50 chapter. All compensation for a person employed under this  
7-51 subsection may be payable from funds created under this chapter for  
7-52 the maintenance and operation of the district. (Acts 61st Leg.,  
7-53 R.S., Ch. 11, Sec. 7.)

7-54 SUBCHAPTER C. POWERS AND DUTIES

7-55 Sec. 6611.101. GENERAL POWERS AND DUTIES. To accomplish  
7-56 the purpose of reclaiming and draining the district's overflowed  
7-57 lands and other lands needing drainage, the district has all the  
7-58 rights, powers, privileges, and duties provided by general law  
7-59 applicable to a fresh water supply district created under Section  
7-60 59, Article XVI, Texas Constitution, including the power to  
7-61 conserve, transport, and distribute fresh water. (Acts 61st Leg.,  
7-62 R.S., Ch. 11, Sec. 3 (part).)

7-63 Sec. 6611.102. DISTRICT POWERS. (a) The district may  
7-64 construct, acquire, improve, enlarge, extend, repair, maintain, or  
7-65 replace any wall, dam, dike, levee, embankment, canal, drain, tank,  
7-66 lateral, or pump that the board considers necessary to carry out the  
7-67 district's purpose.

7-68 (b) The district may make, construct, or otherwise acquire  
7-69 an improvement inside or outside the district's boundaries as

8-1 necessary to carry out the powers granted by this chapter or general  
8-2 law. (Acts 61st Leg., R.S., Ch. 11, Sec. 3 (part).)

8-3 Sec. 6611.103. EMINENT DOMAIN. The district's power of  
8-4 eminent domain is confined to Willacy County. (Acts 61st Leg.,  
8-5 R.S., Ch. 11, Sec. 4.)

8-6 Sec. 6611.104. COST OF RELOCATING OR ALTERING PROPERTY.

8-7 (a) In this section, "sole expense" means the actual cost of  
8-8 relocating, raising, lowering, rerouting, changing the grade of, or  
8-9 altering the construction of a facility described by Subsection (b)  
8-10 in providing comparable replacement without enhancement of the  
8-11 facility, after deducting from that cost the net salvage value of  
8-12 the old facility.

8-13 (b) If the district's exercise of the power of eminent  
8-14 domain, the power of relocation, or any other power granted under  
8-15 this chapter makes necessary relocating, raising, rerouting,  
8-16 changing the grade of, or altering the construction of a highway,  
8-17 railroad, electric transmission line, telephone or telegraph  
8-18 property or facility, or pipeline, the necessary action shall be  
8-19 accomplished at the sole expense of the district. (Acts 61st Leg.,  
8-20 R.S., Ch. 11, Sec. 3 (part).)

8-21 Sec. 6611.105. ADDITION OF TERRITORY TO DISTRICT. (a) In  
8-22 addition to adding land as provided by Subchapter J, Chapter 49,  
8-23 Water Code, the district may add land as provided by this section.  
8-24 Land added to the district need not be contiguous to the district.

8-25 (b) The owner or owners of land may request by petition that  
8-26 the board include the land in the district.

8-27 (c) A petition under Subsection (b) must be filed with the  
8-28 board and describe the land to be added to the district. The  
8-29 description may be by metes and bounds or by lot and block number.  
8-30 The petition must be signed and executed in the manner provided by  
8-31 law for the conveyance of real estate.

8-32 (d) The board shall hear and consider a petition filed under  
8-33 this section. The board may grant the petition and add the land to  
8-34 the district if the board considers the addition to be to the  
8-35 advantage of the district.

8-36 (e) A petition granted under this section shall be filed and  
8-37 recorded in the deed records of Willacy County. (Acts 61st Leg.,  
8-38 R.S., Ch. 11, Sec. 12.)

#### 8-39 SUBCHAPTER D. TAXES

8-40 Sec. 6611.151. AD VALOREM TAX FOR MAINTENANCE AND  
8-41 OPERATIONS. (a) The board may impose a tax at a rate not to exceed  
8-42 25 cents on each \$100 valuation of taxable property in the district  
8-43 to pay the cost of maintaining district property and operating the  
8-44 district.

8-45 (b) An election to authorize the imposition of the tax must  
8-46 be called by the board in the manner provided by Section 6611.204.  
8-47 (Acts 61st Leg., R.S., Ch. 11, Sec. 10 (part).)

8-48 Sec. 6611.152. TAX ASSESSOR-COLLECTOR. The Willacy County  
8-49 tax assessor-collector is the tax assessor-collector for the  
8-50 district. (Acts 61st Leg., R.S., Ch. 11, Sec. 10 (part); New.)

#### 8-51 SUBCHAPTER E. BONDS

8-52 Sec. 6611.201. AUTHORITY TO ISSUE BONDS; TAXES FOR BONDS.

8-53 (a) The board may issue district bonds to acquire money to  
8-54 accomplish any district purpose or carry out any power granted  
8-55 under this chapter to the district.

8-56 (b) The board may impose a tax on all taxable property in the  
8-57 district, as shown by the most recent certified appraisal roll of  
8-58 the district, sufficient to:

8-59 (1) provide for the payment of the interest on the  
8-60 bonds as the interest accrues; and

8-61 (2) create a sinking fund for the redemption of the  
8-62 bonds as the bonds mature. (Acts 61st Leg., R.S., Ch. 11, Sec. 8(a)  
8-63 (part).)

8-64 Sec. 6611.202. LIMITATION ON DEBT. The total principal  
8-65 amount of bonds issued under Section 6611.201 that the district may  
8-66 have outstanding at any time may not exceed 15 percent of the  
8-67 assessed value of all taxable property in the district as shown by  
8-68 the most recent appraisal roll of the district. (Acts 61st Leg.,  
8-69 R.S., Ch. 11, Sec. 8(a) (part).)



9-1           Sec. 6611.203. MATURITY. District bonds issued under  
9-2 Section 6611.201 must mature not later than 30 years after their  
9-3 date of issuance. (Acts 61st Leg., R.S., Ch. 11, Sec. 8(e) (part).)

9-4           Sec. 6611.204. BOND ELECTION. (a) The board may submit a  
9-5 proposition for the issuance of district bonds under Section  
9-6 6611.201 at an election called for that purpose at any time the  
9-7 board considers proper.

9-8           (b) Chapter 1251, Government Code, applies to a district  
9-9 bond election except to the extent of any conflict with this  
9-10 chapter.

9-11           (c) If a majority of the voters voting at a district bond  
9-12 election vote in favor of the issuance of bonds and the imposition  
9-13 of taxes, the board may:

9-14                   (1) issue, sell, and deliver the bonds;

9-15                   (2) receive, use, and apply the proceeds for district  
9-16 purposes; and

9-17                   (3) impose taxes on all property subject to taxation  
9-18 in the district. (Acts 61st Leg., R.S., Ch. 11, Secs. 8(b) (part),  
9-19 (c) (part).)

9-20           CHAPTER 6612. CAMERON COUNTY DRAINAGE DISTRICT NO. 1

9-21                   SUBCHAPTER A. GENERAL PROVISIONS

9-22           Sec. 6612.001. DEFINITIONS

9-23           Sec. 6612.002. NATURE OF DISTRICT

9-24           Sec. 6612.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

9-25           Sec. 6612.004. DISTRICT TERRITORY

9-26                   SUBCHAPTER B. BOARD OF DIRECTORS

9-27           Sec. 6612.051. COMPOSITION OF BOARD

9-28                   SUBCHAPTER C. POWERS AND DUTIES

9-29           Sec. 6612.101. GENERAL POWERS AND DUTIES

9-30           CHAPTER 6612. CAMERON COUNTY DRAINAGE DISTRICT NO. 1

9-31                   SUBCHAPTER A. GENERAL PROVISIONS

9-32           Sec. 6612.001. DEFINITIONS. In this chapter:

9-33                   (1) "Board" means the board of directors of the  
9-34 district.

9-35                   (2) "Commissioners court" means the Cameron County  
9-36 Commissioners Court.

9-37                   (3) "Director" means a member of the board.

9-38                   (4) "District" means the Cameron County Drainage  
9-39 District No. 1. (Acts 41st Leg., R.S., Ch. 145, Sec. 5 (part);  
9-40 New.)

9-41           Sec. 6612.002. NATURE OF DISTRICT. The district is a  
9-42 conservation and reclamation district in Cameron County created  
9-43 under Section 59, Article XVI, Texas Constitution, for all purposes  
9-44 of that section, including the reclamation and drainage of its  
9-45 seeped, salty, waterlogged, and overflowed land and other land  
9-46 needing drainage. (Acts 41st Leg., R.S., Ch. 145, Secs. 1 (part), 2  
9-47 (part), 5 (part).)

9-48           Sec. 6612.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

9-49           (a) The conversion of the district into a conservation and  
9-50 reclamation district under Section 59, Article XVI, Texas  
9-51 Constitution, and the provision to the district of the powers  
9-52 conferred by that section:

9-53                   (1) will benefit the residents and property in the  
9-54 district; and

9-55                   (2) benefit all property included in the district.

9-56           (b) No property which is benefited is not included in the  
9-57 district.

9-58           (c) The district is essential to accomplish the purposes of  
9-59 Section 59, Article XVI, Texas Constitution. (Acts 41st Leg.,  
9-60 R.S., Ch. 145, Secs. 2 (part), 11 (part).)

9-61           Sec. 6612.004. DISTRICT TERRITORY. The district is  
9-62 composed of the territory described by Section 1, Chapter 145, Acts  
9-63 of the 41st Legislature, Regular Session, 1929, as that territory  
9-64 may have been modified under:

9-65                   (1) Subchapter I, Chapter 56, Water Code, before  
9-66 September 1, 1995;

9-67                   (2) Subchapter J, Chapter 56, Water Code;

9-68                   (3) Subchapter J, Chapter 49, Water Code; or

9-69                   (4) other law. (New.)

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 6612.051. COMPOSITION OF BOARD. The board consists of three directors appointed by the commissioners court. (Acts 41st Leg., R.S., Ch. 145, Sec. 4 (part).)

SUBCHAPTER C. POWERS AND DUTIES

Sec. 6612.101. GENERAL POWERS AND DUTIES. (a) The district has the:

(1) rights, powers, functions, and privileges provided to a conservation and reclamation district by the Texas Constitution and general law;

(2) rights, powers, privileges, and duties provided to a drainage district created under Section 59, Article XVI, Texas Constitution, and organized under general law, including Chapters 49 and 56, Water Code; and

(3) powers of government and the authority to exercise the rights, privileges, and functions conferred by this chapter.

(b) The district has the right and power of a drainage district organized under Chapter 56, Water Code, to impose taxes and issue bonds. (Acts 41st Leg., R.S., Ch. 145, Secs. 1 (part), 5 (part), 7 (part), 11 (part); New.)

CHAPTER 6613. CAMERON COUNTY DRAINAGE DISTRICT NO. 3

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6613.001. DEFINITIONS

Sec. 6613.002. NATURE OF DISTRICT

Sec. 6613.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

Sec. 6613.004. DISTRICT TERRITORY

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 6613.051. COMPOSITION OF BOARD

Sec. 6613.052. COMPENSATION OF DIRECTORS

SUBCHAPTER C. POWERS AND DUTIES

Sec. 6613.101. GENERAL POWERS

Sec. 6613.102. CONTROL, CONSTRUCTION, AND REPAIR OF DISTRICT IMPROVEMENTS; CONTRACTS FOR NEW CONSTRUCTION

SUBCHAPTER D. FINANCIAL PROVISIONS

Sec. 6613.151. TAXES

Sec. 6613.152. DISTRICT FUNDS

CHAPTER 6613. CAMERON COUNTY DRAINAGE DISTRICT NO. 3

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6613.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a member of the board.

(3) "District" means the Cameron County Drainage District No. 3. (Acts 41st Leg., R.S., Ch. 45, Secs. 3 (part), 10 (part); New.)

Sec. 6613.002. NATURE OF DISTRICT. The district is a drainage district created as a conservation and reclamation district under Section 59, Article XVI, Texas Constitution. (Acts 41st Leg., R.S., Ch. 45, Secs. 3 (part), 10 (part).)

Sec. 6613.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The conversion of the district into a conservation and reclamation district under Section 59, Article XVI, Texas Constitution:

(1) is feasible, practicable, and needed;

(2) will be a public benefit and a public utility; and

(3) will benefit all land and property included in the district.

(b) All property in the district is benefited, and no property benefited is not included in the district.

(c) No land is included in the district except land that will be benefited. (Acts 41st Leg., R.S., Ch. 45, Secs. 2 (part), 3 (part).)

Sec. 6613.004. DISTRICT TERRITORY. The district is composed of the territory described by Section 2, Chapter 45, Acts of the 41st Legislature, Regular Session, 1929, as that territory may have been modified under:

(1) Subchapter J, Chapter 49, Water Code; or

(2) other law. (New.)



12-1 1. (New.)  
 12-2 Sec. 6614.002. NATURE OF DISTRICT. The district is a  
 12-3 conservation and reclamation district under Section 59, Article  
 12-4 XVI, Texas Constitution. (Acts 41st Leg., 4th C.S., Ch. 4, S.L.,  
 12-5 Sec. 2 (part).)  
 12-6 Sec. 6614.003. FINDINGS OF BENEFIT. The conversion of the  
 12-7 district into a conservation and reclamation district under Section  
 12-8 59, Article XVI, Texas Constitution, and the provision to the  
 12-9 district of the powers conferred by that section will benefit the  
 12-10 residents of and property in the district. (Acts 41st Leg., 4th  
 12-11 C.S., Ch. 4, S.L., Sec. 2 (part).)  
 12-12 Sec. 6614.004. GOVERNING LAW. The general laws applicable  
 12-13 to conservation and reclamation districts govern the district.  
 12-14 (Acts 41st Leg., 4th C.S., Ch. 4, S.L., Sec. 4.)  
 12-15 SUBCHAPTER B. POWERS  
 12-16 Sec. 6614.051. GENERAL POWERS. The district has the powers  
 12-17 conferred by Section 59, Article XVI, Texas Constitution, to a  
 12-18 conservation and reclamation district. (Acts 41st Leg., 4th C.S.,  
 12-19 Ch. 4, S.L., Sec. 2 (part).)  
 12-20 SECTION 1.02. Subtitle B, Title 6, Special District Local  
 12-21 Laws Code, is amended by adding Chapters 6910, 6912, 6914, and 6915  
 12-22 to read as follows:  
 12-23 CHAPTER 6910. HULL FRESH WATER SUPPLY DISTRICT  
 12-24 SUBCHAPTER A. GENERAL PROVISIONS  
 12-25 Sec. 6910.001. DEFINITIONS  
 12-26 Sec. 6910.002. NATURE OF DISTRICT  
 12-27 Sec. 6910.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
 12-28 Sec. 6910.004. DISTRICT TERRITORY  
 12-29 SUBCHAPTER B. BOARD OF SUPERVISORS  
 12-30 Sec. 6910.051. COMPOSITION OF BOARD  
 12-31 SUBCHAPTER C. POWERS AND DUTIES  
 12-32 Sec. 6910.101. GENERAL POWERS AND DUTIES  
 12-33 Sec. 6910.102. ACQUISITION OF IMPROVEMENTS  
 12-34 Sec. 6910.103. LIMIT ON EMINENT DOMAIN POWER  
 12-35 Sec. 6910.104. COST OF RELOCATING OR ALTERING PROPERTY  
 12-36 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
 12-37 Sec. 6910.151. DISTRICT TAX ASSESSOR-COLLECTOR  
 12-38 CHAPTER 6910. HULL FRESH WATER SUPPLY DISTRICT  
 12-39 SUBCHAPTER A. GENERAL PROVISIONS  
 12-40 Sec. 6910.001. DEFINITIONS. In this chapter:  
 12-41 (1) "Board" means the board of supervisors of the  
 12-42 district.  
 12-43 (2) "District" means the Hull Fresh Water Supply  
 12-44 District.  
 12-45 (3) "Supervisor" means a member of the board. (Acts  
 12-46 57th Leg., R.S., Ch. 533, Sec. 1 (part); New.)  
 12-47 Sec. 6910.002. NATURE OF DISTRICT. The district is:  
 12-48 (1) a conservation and reclamation district in Liberty  
 12-49 County under Section 59, Article XVI, Texas Constitution;  
 12-50 (2) a fresh water supply district; and  
 12-51 (3) a municipal corporation. (Acts 57th Leg., R.S.,  
 12-52 Ch. 533, Secs. 1 (part), 5 (part), 6 (part).)  
 12-53 Sec. 6910.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
 12-54 (a) The district is created to serve a public use and benefit.  
 12-55 (b) All land and other property included in the district  
 12-56 will benefit from the creation of the district and the improvements  
 12-57 that the district will purchase, construct, or otherwise acquire.  
 12-58 (c) The district is essential to accomplish the purposes of  
 12-59 Section 59, Article XVI, Texas Constitution. (Acts 57th Leg.,  
 12-60 R.S., Ch. 533, Secs. 5 (part), 6 (part).)  
 12-61 Sec. 6910.004. DISTRICT TERRITORY. The district is  
 12-62 composed of the territory described by Section 1, Chapter 533, Acts  
 12-63 of the 57th Legislature, Regular Session, 1961, as that territory  
 12-64 may have been modified under:  
 12-65 (1) Subchapter G, Chapter 53, Water Code, before  
 12-66 September 1, 1995;  
 12-67 (2) Subchapter J, Chapter 49, Water Code; or  
 12-68 (3) other law. (New.)  
 12-



SUBCHAPTER B. BOARD OF SUPERVISORS

13-2 Sec. 6910.051. COMPOSITION OF BOARD. The board consists of  
 13-3 five elected supervisors. (Acts 57th Leg., R.S., Ch. 533, Sec. 3  
 13-4 (part).)

SUBCHAPTER C. POWERS AND DUTIES

13-6 Sec. 6910.101. GENERAL POWERS AND DUTIES. The district has  
 13-7 all the rights, powers, privileges, and duties provided by general  
 13-8 law applicable to a fresh water supply district created under  
 13-9 Section 59, Article XVI, Texas Constitution, including Chapters 49  
 13-10 and 53, Water Code. (Acts 57th Leg., R.S., Ch. 533, Sec. 2 (part).)

13-11 Sec. 6910.102. ACQUISITION OF IMPROVEMENTS. The district  
 13-12 may make, construct, or otherwise acquire improvements inside or  
 13-13 outside the district that are necessary to carry out a power granted  
 13-14 to the district under this chapter or a general law described by  
 13-15 Section 6910.101. (Acts 57th Leg., R.S., Ch. 533, Sec. 2 (part).)

13-16 Sec. 6910.103. LIMIT ON EMINENT DOMAIN POWER. The district  
 13-17 may not exercise the power of eminent domain outside the district.  
 13-18 (Acts 57th Leg., R.S., Ch. 533, Sec. 2 (part).)

13-19 Sec. 6910.104. COST OF RELOCATING OR ALTERING PROPERTY.  
 13-20 (a) In this section, "sole expense" means the actual cost of  
 13-21 relocating, raising, lowering, rerouting, changing the grade of, or  
 13-22 altering the construction of a facility described by Subsection (b)  
 13-23 in providing comparable replacement without enhancement of the  
 13-24 facility, after deducting from that cost the net salvage value of  
 13-25 the old facility.

13-26 (b) If the district's exercise of the power of eminent  
 13-27 domain, the power of relocation, or any other power granted under  
 13-28 this chapter makes necessary relocating, raising, rerouting,  
 13-29 changing the grade of, or altering the construction of a highway,  
 13-30 railroad, electric transmission line, telephone or telegraph  
 13-31 property or facility, or pipeline, the necessary action shall be  
 13-32 accomplished at the sole expense of the district. (Acts 57th Leg.,  
 13-33 R.S., Ch. 533, Sec. 2 (part).)

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

13-35 Sec. 6910.151. DISTRICT TAX ASSESSOR-COLLECTOR. (a) The  
 13-36 board shall appoint a tax assessor-collector for the district for a  
 13-37 term not to exceed the term of office of the supervisors making the  
 13-38 appointment.

13-39 (b) The district's tax assessor-collector is not required  
 13-40 to be a resident or voter of the district. (Acts 57th Leg., R.S.,  
 13-41 Ch. 533, Sec. 4 (part).)

CHAPTER 6912. MEMORIAL VILLAGES WATER AUTHORITY

SUBCHAPTER A. GENERAL PROVISIONS

- 13-44 Sec. 6912.001. DEFINITIONS
- 13-45 Sec. 6912.002. NATURE OF AUTHORITY
- 13-46 Sec. 6912.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
- 13-47 Sec. 6912.004. AUTHORITY TERRITORY
- 13-48 Sec. 6912.005. CORRECTION OF INVALID PROCEDURES
- 13-49 Sec. 6912.006. LIBERAL CONSTRUCTION OF CHAPTER

SUBCHAPTER B. BOARD OF SUPERVISORS

- 13-51 Sec. 6912.051. COMPOSITION OF BOARD
- 13-52 Sec. 6912.052. QUALIFICATIONS FOR OFFICE
- 13-53 Sec. 6912.053. ELIGIBILITY FOR CANDIDACY FOR BOARD  
 13-54 POSITIONS
- 13-55 Sec. 6912.054. SUPERVISORS' ELECTION
- 13-56 Sec. 6912.055. BALLOT PROCEDURE FOR CANDIDATES
- 13-57 Sec. 6912.056. SUPERVISOR'S BOND
- 13-58 Sec. 6912.057. VACANCIES

SUBCHAPTER C. POWERS AND DUTIES

- 13-60 Sec. 6912.101. GENERAL POWERS
- 13-61 Sec. 6912.102. CONTRACTS TO SUPPLY WATER OR SEWAGE  
 13-62 SERVICES
- 13-63 Sec. 6912.103. COST OF RELOCATING OR ALTERING PROPERTY

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

- 13-65 Sec. 6912.151. TAX METHOD
- 13-66 Sec. 6912.152. IMPOSITION OF TAXES; TAX  
 13-67 ASSESSOR-COLLECTOR
- 13-68 Sec. 6912.153. DEPOSITORY

13-



14-1 Sec. 6912.154. PAYMENT OF TAX OR ASSESSMENT NOT  
 14-2 REQUIRED  
 14-3 SUBCHAPTER E. BONDS  
 14-4 Sec. 6912.201. BONDS EXEMPT FROM TAXATION  
 14-5 CHAPTER 6912. MEMORIAL VILLAGES WATER AUTHORITY  
 14-6 SUBCHAPTER A. GENERAL PROVISIONS  
 14-7 Sec. 6912.001. DEFINITIONS. In this chapter:  
 14-8 (1) "Authority" means the Memorial Villages Water  
 14-9 Authority.  
 14-10 (2) "Board" means the board of supervisors of the  
 14-11 authority.  
 14-12 (3) "Supervisor" means a member of the board. (Acts  
 14-13 57th Leg., 3rd C.S., Ch. 20, Sec. 1 (part); New.)  
 14-14 Sec. 6912.002. NATURE OF AUTHORITY. The authority is a  
 14-15 conservation and reclamation district created under Section 59,  
 14-16 Article XVI, Texas Constitution, and a political subdivision of  
 14-17 this state. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 1 (part).)  
 14-18 Sec. 6912.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
 14-19 (a) The authority is created to serve a public use and benefit.  
 14-20 (b) All land included in the boundaries of the authority  
 14-21 will benefit from the authority.  
 14-22 (c) The authority is essential to the accomplishment of the  
 14-23 preservation and conservation of the natural resources of this  
 14-24 state.  
 14-25 (d) This chapter addresses a subject in which the state and  
 14-26 general public are interested.  
 14-27 (e) Because the accomplishment of the purposes stated in  
 14-28 this chapter is for the benefit of the people of this state and for  
 14-29 the improvement of their property and industries, the authority in  
 14-30 carrying out the purposes of this chapter will be performing an  
 14-31 essential public function under the Texas Constitution. (Acts 57th  
 14-32 Leg., 3rd C.S., Ch. 20, Secs. 2 (part), 9 (part), 11 (part).)  
 14-33 Sec. 6912.004. AUTHORITY TERRITORY. The authority is  
 14-34 composed of the territory described by Section 1, Chapter 20, Acts  
 14-35 of the 57th Legislature, 3rd Called Session, 1962, as that  
 14-36 territory may have been modified under:  
 14-37 (1) Subchapter G, Chapter 53, Water Code, before  
 14-38 September 1, 1995;  
 14-39 (2) Subchapter J, Chapter 49, Water Code; or  
 14-40 (3) other law. (New.)  
 14-41 Sec. 6912.005. CORRECTION OF INVALID PROCEDURES. If a  
 14-42 court holds that any procedure under this chapter violates the  
 14-43 constitution of this state or of the United States, the authority by  
 14-44 resolution may provide an alternative procedure that conforms with  
 14-45 the constitution. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 12  
 14-46 (part).)  
 14-47 Sec. 6912.006. LIBERAL CONSTRUCTION OF CHAPTER. This  
 14-48 chapter shall be liberally construed to effect its purposes. (Acts  
 14-49 57th Leg., 3rd C.S., Ch. 20, Sec. 11 (part).)  
 14-50 SUBCHAPTER B. BOARD OF SUPERVISORS  
 14-51 Sec. 6912.051. COMPOSITION OF BOARD. The board consists of  
 14-52 seven elected supervisors. (Acts 57th Leg., 3rd C.S., Ch. 20, Secs.  
 14-53 3(a) (part), (b) (part).)  
 14-54 Sec. 6912.052. QUALIFICATIONS FOR OFFICE. A supervisor  
 14-55 must:  
 14-56 (1) be at least 18 years of age; and  
 14-57 (2) reside in and own land in the authority. (Acts  
 14-58 57th Leg., 3rd C.S., Ch. 20, Sec. 3(a) (part).)  
 14-59 Sec. 6912.053. ELIGIBILITY FOR CANDIDACY FOR BOARD  
 14-60 POSITIONS. (a) To be eligible as a candidate for Position 1 or  
 14-61 Position 2, a person must at the time be a resident of the City of  
 14-62 Hedwig Village, Texas.  
 14-63 (b) To be eligible as a candidate for Position 3 or Position  
 14-64 4, a person must at the time be a resident of the City of Hunters  
 14-65 Creek Village, Texas.  
 14-66 (c) To be eligible as a candidate for Position 5 or Position  
 14-67 6, a person must at the time be a resident of the City of Piney Point  
 14-68 Village, Texas.  
 14-69 (d) Position 7 is an at-large position. (Acts 57th Leg.,

15-1 3rd C.S., Ch. 20, Sec. 3(c) (part).)

15-2 Sec. 6912.054. SUPERVISORS' ELECTION. (a) Notice of a  
15-3 supervisors' election must be published once in a newspaper of  
15-4 general circulation in Harris County at least 30 days before the  
15-5 date of the election.

15-6 (b) The election order must state the time, place, and  
15-7 purpose of the election. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec.  
15-8 3(e) (part).)

15-9 Sec. 6912.055. BALLOT PROCEDURE FOR CANDIDATES. (a) A  
15-10 person who wants the person's name printed on the ballot as a  
15-11 candidate for supervisor must submit a petition to the board's  
15-12 secretary requesting that action.

15-13 (b) The petition must be signed by at least 10 residents of  
15-14 the authority who are qualified to vote at the election. (Acts 57th  
15-15 Leg., 3rd C.S., Ch. 20, Sec. 3(f) (part).)

15-16 Sec. 6912.056. SUPERVISOR'S BOND. Each supervisor shall  
15-17 give a bond in the amount of \$5,000 for the faithful performance of  
15-18 the supervisor's duties. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec.  
15-19 3(a) (part).)

15-20 Sec. 6912.057. VACANCIES. A vacancy on the board shall be  
15-21 filled by appointment by the remaining supervisors until the next  
15-22 election of supervisors for the authority. If the position is not  
15-23 scheduled to be filled at the election, the person elected to fill  
15-24 the position shall serve only for the remainder of the unexpired  
15-25 term. (Acts 57th Leg., 3rd C.S., Ch. 20, Secs. 3(b) (part), (d)  
15-26 (part).)

#### 15-27 SUBCHAPTER C. POWERS AND DUTIES

15-28 Sec. 6912.101. GENERAL POWERS. The authority has all the  
15-29 rights, powers, and privileges provided by general law applicable  
15-30 to a fresh water supply district created under Section 59, Article  
15-31 XVI, Texas Constitution, including Chapters 49 and 53, Water Code,  
15-32 and by all other laws that are helpful in carrying out the purposes  
15-33 for which the authority is created. (Acts 57th Leg., 3rd C.S., Ch.  
15-34 20, Sec. 4 (part).)

15-35 Sec. 6912.102. CONTRACTS TO SUPPLY WATER OR SEWAGE  
15-36 SERVICES. (a) The authority may contract with a municipality or  
15-37 other entity to supply to the entity water or sewage services. A  
15-38 municipality or other entity may contract with the authority to  
15-39 supply to the authority water or sewage services.

15-40 (b) The authority may contract with a municipality for the  
15-41 rental or leasing of or for the operation of the municipality's  
15-42 water production, water supply, water filtration, or purification  
15-43 and water supply facilities or sewerage system or facilities. A  
15-44 municipality may contract with the authority for the rental or  
15-45 leasing of or for the operation of the authority's water  
15-46 production, water supply, water filtration, or purification and  
15-47 water supply facilities or sewerage system or facilities.

15-48 (c) A contract may be:

15-49 (1) on the terms and for the consideration agreed to by  
15-50 the parties; and

15-51 (2) for any period not to exceed 50 years.

15-52 (d) An election is not required by a municipality for  
15-53 approval of a water, sewer, or water and sewer contract. A contract  
15-54 may be entered into without the necessity of an election. (Acts  
15-55 57th Leg., 3rd C.S., Ch. 20, Sec. 10.)

15-56 Sec. 6912.103. COST OF RELOCATING OR ALTERING PROPERTY.  
15-57 (a) In this section, "sole expense" means the actual cost of  
15-58 relocating, raising, lowering, rerouting, changing the grade of, or  
15-59 altering the construction of a facility described by Subsection (b)  
15-60 in providing comparable replacement without enhancement of the  
15-61 facility, after deducting from that cost the net salvage value of  
15-62 the old facility.

15-63 (b) If the authority's exercise of the power of eminent  
15-64 domain, the power of relocation, or any other power makes necessary  
15-65 relocating, raising, rerouting, changing the grade of, or altering  
15-66 the construction of a highway, railroad, electric transmission  
15-67 line, telephone or telegraph property or facility, or pipeline, the  
15-68 necessary action shall be accomplished at the sole expense of the  
15-69 authority. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 5.)

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16-1                   Sec. 6912.151. TAX METHOD. (a) The authority shall use  
16-2 the ad valorem plan of taxation.  
16-3

16-4                   (b) The board is not required to hold a hearing on the  
16-5 adoption of a plan of taxation. (Acts 57th Leg., 3rd C.S., Ch. 20,  
16-6 Sec. 2 (part).)

16-7                   Sec. 6912.152. IMPOSITION                   OF                   TAXES;                   TAX  
16-8 ASSESSOR-COLLECTOR. (a) Except as provided by this section, all  
16-9 provisions of the general laws governing fresh water supply  
16-10 districts that relate to the imposition of ad valorem taxes apply to  
16-11 the authority.

16-12                   (b) The board shall appoint a tax assessor-collector for the  
16-13 authority.

16-14                   (c) The tax assessor-collector:  
16-15                   (1) shall serve at the pleasure of the board; and  
16-16                   (2) is not required to be a resident or voter of the  
16-17 authority. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 6 (part).)

16-18                   Sec. 6912.153. DEPOSITORY. (a) The board shall designate  
16-19 one or more banks inside or outside the authority to serve as a  
16-20 depository for authority money.

16-21                   (b) All authority money shall be deposited in a depository  
16-22 bank, except that sufficient money shall be remitted to the  
16-23 appropriate bank of payment to pay the principal of and interest on  
16-24 the authority's outstanding bonds on or before the maturity date of  
16-25 the principal and interest.

16-26                   (c) To the extent that money in a depository bank is not  
16-27 insured by the Federal Deposit Insurance Corporation, the money  
16-28 must be secured in the manner provided by law for the security of  
16-29 county funds.

16-30                   (d) Membership on the board of an officer or director of a  
16-31 bank does not disqualify the bank from being designated as a  
16-32 depository. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 8.)

16-33                   Sec. 6912.154. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.  
16-34 The authority is not required to pay a tax or assessment on an  
16-35 authority project or any part of the project. (Acts 57th Leg., 3rd  
16-36 C.S., Ch. 20, Sec. 9 (part).)

SUBCHAPTER E. BONDS

16-38                   Sec. 6912.201. BONDS EXEMPT FROM TAXATION. An authority  
16-39 bond, the transfer of the bond, and income from the bond, including  
16-40 profits made on the sale of the bond, are exempt from taxation in  
16-41 this state. (Acts 57th Leg., 3rd C.S., Ch. 20, Sec. 9 (part).)

CHAPTER 6914. PETTUS MUNICIPAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

- 16-44 Sec. 6914.001. DEFINITIONS
- 16-45 Sec. 6914.002. NATURE OF DISTRICT
- 16-46 Sec. 6914.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
- 16-47 Sec. 6914.004. DISTRICT TERRITORY

SUBCHAPTER B. BOARD OF SUPERVISORS

- 16-49 Sec. 6914.051. COMPOSITION OF BOARD

SUBCHAPTER C. POWERS AND DUTIES

- 16-51 Sec. 6914.101. GENERAL POWERS AND DUTIES
- 16-52 Sec. 6914.102. ACQUISITION OF IMPROVEMENTS
- 16-53 Sec. 6914.103. COST OF RELOCATING OR ALTERING PROPERTY
- 16-54 Sec. 6914.104. ADDITION OF TERRITORY TO DISTRICT

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

- 16-56 Sec. 6914.151. DISTRICT TAX ASSESSOR-COLLECTOR

CHAPTER 6914. PETTUS MUNICIPAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

16-59                   Sec. 6914.001. DEFINITIONS. In this chapter:  
16-60                   (1) "Board" means the board of supervisors of the  
16-61 district.

16-62                   (2) "District" means the Pettus Municipal Utility  
16-63 District.

16-64                   (3) "Supervisor" means a member of the board. (Acts  
16-65 57th Leg., 3rd C.S., Ch. 38, Sec. 1 (part); New.)

16-66                   Sec. 6914.002. NATURE OF DISTRICT. The district is:  
16-67                   (1) a conservation and reclamation district in Bee  
16-68 County under Section 59, Article XVI, Texas Constitution;  
16-69                   (2) a fresh water supply district; and



17-1 (3) a municipal corporation. (Acts 57th Leg., 3rd  
17-2 C.S., Ch. 38, Secs. 1 (part), 5 (part), 7 (part).)

17-3 Sec. 6914.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

17-4 (a) The district is created to serve a public use and benefit.

17-5 (b) All land and other property included in the district  
17-6 will benefit from the creation of the district and the improvements  
17-7 that the district will purchase, construct, or otherwise acquire.

17-8 (c) The district is essential to accomplish the purposes of  
17-9 Section 59, Article XVI, Texas Constitution. (Acts 57th Leg., 3rd  
17-10 C.S., Ch. 38, Secs. 5 (part), 7 (part).)

17-11 Sec. 6914.004. DISTRICT TERRITORY. The district is  
17-12 composed of the territory described by Section 1, Chapter 38, Acts  
17-13 of the 57th Legislature, 3rd Called Session, 1962, as that  
17-14 territory may have been modified under:

17-15 (1) Subchapter G, Chapter 53, Water Code, before  
17-16 September 1, 1995;

17-17 (2) Subchapter J, Chapter 49, Water Code; or

17-18 (3) other law. (New.)

17-19 SUBCHAPTER B. BOARD OF SUPERVISORS

17-20 Sec. 6914.051. COMPOSITION OF BOARD. The board consists of  
17-21 five elected supervisors. (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 3  
17-22 (part).)

17-23 SUBCHAPTER C. POWERS AND DUTIES

17-24 Sec. 6914.101. GENERAL POWERS AND DUTIES. The district has  
17-25 all the rights, powers, privileges, and duties provided by general  
17-26 law applicable to a fresh water supply district created under  
17-27 Section 59, Article XVI, Texas Constitution, including Chapters 49  
17-28 and 53, Water Code. (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 2  
17-29 (part).)

17-30 Sec. 6914.102. ACQUISITION OF IMPROVEMENTS. (a) The  
17-31 district may make, construct, or otherwise acquire improvements  
17-32 inside or outside the district but wholly in Bee County, that are  
17-33 necessary to carry out a power granted to the district under this  
17-34 chapter or a general law described by Section 6914.101.

17-35 (b) Before awarding a contract for the construction of an  
17-36 improvement, the district must submit a plan and specifications for  
17-37 the improvement to the Texas Commission on Environmental Quality  
17-38 for approval. Any substantial change made to the plan after  
17-39 submission must also be submitted to the commission for approval.  
17-40 (Acts 57th Leg., 3rd C.S., Ch. 38, Sec. 2 (part).)

17-41 Sec. 6914.103. COST OF RELOCATING OR ALTERING PROPERTY.

17-42 (a) In this section, "sole expense" means the actual cost of  
17-43 relocating, raising, lowering, rerouting, changing the grade of, or  
17-44 altering the construction of a facility described by Subsection (b)  
17-45 in providing comparable replacement without enhancement of the  
17-46 facility, after deducting from that cost the net salvage value of  
17-47 the old facility.

17-48 (b) If the district's exercise of the power of eminent  
17-49 domain, the power of relocation, or any other power granted under  
17-50 this chapter makes necessary relocating, raising, rerouting,  
17-51 changing the grade of, or altering the construction of a highway,  
17-52 railroad, electric transmission line, telephone or telegraph  
17-53 property or facility, or pipeline, the necessary action shall be  
17-54 accomplished at the sole expense of the district. (Acts 57th Leg.,  
17-55 3rd C.S., Ch. 38, Sec. 2 (part).)

17-56 Sec. 6914.104. ADDITION OF TERRITORY TO DISTRICT. (a) The  
17-57 district may be composed of noncontiguous territory.

17-58 (b) In addition to adding land as provided by Subchapter J,  
17-59 Chapter 49, Water Code, the district may add land as provided by  
17-60 this section. Land added to the district need not be contiguous to  
17-61 the district.

17-62 (c) The owner of land may request by petition that the board  
17-63 include the land in the district.

17-64 (d) A petition under Subsection (c) must be filed with the  
17-65 board and describe the land to be added to the district. The  
17-66 description may be by metes and bounds or by lot and block number.  
17-67 The petition must be signed and executed in the manner provided by  
17-68 law for the conveyance of real estate.

17-69 (e) The board shall hear and consider a petition filed under

18-1 this section. The board may grant the petition and add the land to  
 18-2 the district if the board considers the addition to be to the  
 18-3 advantage of the district.  
 18-4 (f) A petition granted under this section shall be filed and  
 18-5 recorded in the office of the Bee County Clerk. (Acts 57th Leg.,  
 18-6 3rd C.S., Ch. 38, Sec. 6.)  
 18-7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
 18-8 Sec. 6914.151. DISTRICT TAX ASSESSOR-COLLECTOR. (a) The  
 18-9 board shall appoint a tax assessor-collector for the district for a  
 18-10 term not to exceed the term of office of the supervisors making the  
 18-11 appointment.  
 18-12 (b) The district's tax assessor-collector is not required  
 18-13 to be a resident or voter of the district. (Acts 57th Leg., 3rd  
 18-14 C.S., Ch. 38, Sec. 4 (part).)  
 18-15 CHAPTER 6915. PORT MANSFIELD PUBLIC UTILITY DISTRICT  
 18-16 SUBCHAPTER A. GENERAL PROVISIONS  
 18-17 Sec. 6915.001. DEFINITIONS  
 18-18 Sec. 6915.002. NATURE OF DISTRICT  
 18-19 Sec. 6915.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
 18-20 Sec. 6915.004. DISTRICT TERRITORY  
 18-21 SUBCHAPTER B. DISTRICT ADMINISTRATION  
 18-22 Sec. 6915.051. COMPOSITION OF BOARD  
 18-23 Sec. 6915.052. TERMS  
 18-24 Sec. 6915.053. QUALIFICATIONS FOR OFFICE  
 18-25 Sec. 6915.054. EMPLOYEES  
 18-26 SUBCHAPTER C. POWERS AND DUTIES  
 18-27 Sec. 6915.101. GENERAL POWERS AND DUTIES  
 18-28 Sec. 6915.102. ACQUISITION OF IMPROVEMENTS  
 18-29 Sec. 6915.103. LIMIT ON EMINENT DOMAIN POWER  
 18-30 Sec. 6915.104. COST OF RELOCATING OR ALTERING PROPERTY  
 18-31 Sec. 6915.105. DURATION OF CONTRACT FOR WATER PURCHASE  
 18-32 OR SALE  
 18-33 Sec. 6915.106. ADDITION OF TERRITORY TO DISTRICT  
 18-34 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
 18-35 Sec. 6915.151. AUTHORIZATION OF CERTAIN DISTRICT  
 18-36 OBLIGATIONS  
 18-37 Sec. 6915.152. DISTRICT TAX ASSESSOR-COLLECTOR  
 18-38 CHAPTER 6915. PORT MANSFIELD PUBLIC UTILITY DISTRICT  
 18-39 SUBCHAPTER A. GENERAL PROVISIONS  
 18-40 Sec. 6915.001. DEFINITIONS. In this chapter:  
 18-41 (1) "Board" means the board of supervisors of the  
 18-42 district.  
 18-43 (2) "District" means the Port Mansfield Public Utility  
 18-44 District.  
 18-45 (3) "Supervisor" means a member of the board. (Acts  
 18-46 58th Leg., R.S., Ch. 4, Sec. 1 (part); New.)  
 18-47 Sec. 6915.002. NATURE OF DISTRICT. The district is:  
 18-48 (1) a conservation and reclamation district in Willacy  
 18-49 County under Section 59, Article XVI, Texas Constitution;  
 18-50 (2) a fresh water supply district; and  
 18-51 (3) a municipal corporation. (Acts 58th Leg., R.S.,  
 18-52 Ch. 4, Secs. 1 (part), 7 (part), 8 (part).)  
 18-53 Sec. 6915.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
 18-54 (a) The district is created to serve a public use and benefit.  
 18-55 (b) All land and other property included in the district  
 18-56 will benefit from the creation of the district and the improvements  
 18-57 that the district will purchase, construct, or otherwise acquire.  
 18-58 (c) The district is essential to accomplish the purposes of  
 18-59 Section 59, Article XVI, Texas Constitution. (Acts 58th Leg.,  
 18-60 R.S., Ch. 4, Secs. 7 (part), 8 (part).)  
 18-61 Sec. 6915.004. DISTRICT TERRITORY. The district is  
 18-62 composed of the territory described by Section 1, Chapter 4, Acts of  
 18-63 the 58th Legislature, Regular Session, 1963, as that territory may  
 18-64 have been modified under:  
 18-65 (1) Subchapter G, Chapter 53, Water Code, before  
 18-66 September 1, 1995;  
 18-67 (2) Subchapter J, Chapter 49, Water Code; or  
 18-68 (3) other law. (New.)  
 18-



## SUBCHAPTER B. DISTRICT ADMINISTRATION

19-1           Sec. 6915.051. COMPOSITION OF BOARD. (a) The board  
19-2 consists of five supervisors, appointed by the board of navigation  
19-3 and canal commissioners of the Willacy County Navigation District,  
19-4 and the port director of the Willacy County Navigation District.

19-5           (b) The port director of the Willacy County Navigation  
19-6 District:

19-7                   (1) serves as an ex officio member of the board;

19-8                   (2) does not have voting rights at board meetings; and

19-9                   (3) is not counted for purposes of establishing a  
19-10 quorum. (Acts 58th Leg., R.S., Ch. 4, Sec. 3 (part).)

19-11           Sec. 6915.052. TERMS. Supervisors serve staggered two-year  
19-12 terms, with the terms of three supervisors expiring on January 15 of  
19-13 each odd-numbered year and the terms of two supervisors expiring on  
19-14 January 15 of each even-numbered year. (Acts 58th Leg., R.S., Ch.  
19-15 4, Sec. 3 (part).)

19-16           Sec. 6915.053. QUALIFICATIONS FOR OFFICE. A supervisor  
19-17 must be a resident of Willacy County. A supervisor is not required  
19-18 to reside in or own land in the district. (Acts 58th Leg., R.S., Ch.  
19-19 4, Sec. 3 (part).)

19-20           Sec. 6915.054. EMPLOYEES. The board shall employ all  
19-21 necessary employees for the proper handling and operation of the  
19-22 district, and may employ a general manager, attorney, bookkeeper,  
19-23 and engineer and assistants and laborers as may be required, on the  
19-24 terms and for the compensation set by the board. (Acts 58th Leg.,  
19-25 R.S., Ch. 4, Sec. 6.)

## SUBCHAPTER C. POWERS AND DUTIES

19-26           Sec. 6915.101. GENERAL POWERS AND DUTIES. The district has  
19-27 all the rights, powers, privileges, and duties provided by general  
19-28 law applicable to a fresh water supply district created under  
19-29 Section 59, Article XVI, Texas Constitution, including Chapters 49  
19-30 and 53, Water Code. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

19-31           Sec. 6915.102. ACQUISITION OF IMPROVEMENTS. The district  
19-32 may make, construct, or otherwise acquire improvements inside or  
19-33 outside the district that are necessary to carry out a power granted  
19-34 to the district under this chapter or a general law described by  
19-35 Section 6915.101. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

19-36           Sec. 6915.103. LIMIT ON EMINENT DOMAIN POWER.  
19-37 Notwithstanding any other provision of this chapter, the district  
19-38 may not exercise the power of eminent domain outside Willacy  
19-39 County. (Acts 58th Leg., R.S., Ch. 4, Sec. 2A.)

19-40           Sec. 6915.104. COST OF RELOCATING OR ALTERING PROPERTY.  
19-41 (a) In this section, "sole expense" means the actual cost of  
19-42 relocating, raising, lowering, rerouting, changing the grade of, or  
19-43 altering the construction of a facility described by Subsection (b)  
19-44 in providing comparable replacement without enhancement of the  
19-45 facility, after deducting from that cost the net salvage value of  
19-46 the old facility.

19-47           (b) If the district's exercise of the power of eminent  
19-48 domain, the power of relocation, or any other power granted under  
19-49 this chapter makes necessary relocating, raising, rerouting,  
19-50 changing the grade of, or altering the construction of a highway,  
19-51 railroad, electric transmission line, telephone or telegraph  
19-52 property or facility, or pipeline, the necessary action shall be  
19-53 accomplished at the sole expense of the district. (Acts 58th Leg.,  
19-54 R.S., Ch. 4, Sec. 2 (part).)

19-55           Sec. 6915.105. DURATION OF CONTRACT FOR WATER PURCHASE OR  
19-56 SALE. A district contract for the purchase or sale of water may not  
19-57 exceed 40 years. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

19-58           Sec. 6915.106. ADDITION OF TERRITORY TO DISTRICT. (a) In  
19-59 addition to the procedures provided by Subchapter J, Chapter 49,  
19-60 Water Code, the district may add land that is contiguous to the  
19-61 district as provided by this section.

19-62           (b) The owner or owners of land may request by petition that  
19-63 the board include the land in the district.

19-64           (c) A petition under Subsection (b) must be filed with the  
19-65 board and describe the land to be added to the district. The  
19-66 description may be by metes and bounds or by lot and block number.  
19-67 The petition must be signed and executed in the manner provided by  
19-68  
19-69

20-1 law for the conveyance of real estate.

20-2 (d) The board shall hear and consider a petition filed under  
20-3 this section. The board may grant the petition and add the land to  
20-4 the district if the board considers the addition to be to the  
20-5 advantage of the district.

20-6 (e) A petition granted under this section shall be filed and  
20-7 recorded in the deed records of Willacy County. (Acts 58th Leg.,  
20-8 R.S., Ch. 4, Sec. 5.)

20-9 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20-10 Sec. 6915.151. AUTHORIZATION OF CERTAIN DISTRICT  
20-11 OBLIGATIONS. It is not necessary to have an election to authorize a  
20-12 district obligation that is payable from any source other than ad  
20-13 valorem taxation. (Acts 58th Leg., R.S., Ch. 4, Sec. 2 (part).)

20-14 Sec. 6915.152. DISTRICT TAX ASSESSOR-COLLECTOR. The tax  
20-15 assessor-collector for Willacy County is, ex officio, the tax  
20-16 assessor-collector for the district. (Acts 58th Leg., R.S., Ch. 4,  
20-17 Sec. 4 (part).)

20-18 SECTION 1.03. Subtitle C, Title 6, Special District Local  
20-19 Laws Code, is amended by adding Chapter 7216 to read as follows:

20-20 CHAPTER 7216. JOHNSON COUNTY SPECIAL UTILITY DISTRICT

20-21 SUBCHAPTER A. GENERAL PROVISIONS

20-22 Sec. 7216.001. DEFINITIONS

20-23 Sec. 7216.002. NATURE OF DISTRICT

20-24 Sec. 7216.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

20-25 Sec. 7216.004. DISTRICT TERRITORY

20-26 SUBCHAPTER B. BOARD OF DIRECTORS

20-27 Sec. 7216.051. COMPOSITION OF BOARD

20-28 SUBCHAPTER C. POWERS AND DUTIES

20-29 Sec. 7216.101. SPECIAL UTILITY DISTRICT POWERS

20-30 Sec. 7216.102. LIMITATION OF CERTAIN POWERS

20-31 Sec. 7216.103. DISTRICT RULES

20-32 Sec. 7216.104. CONFLICT WITH MUNICIPAL REGULATION

20-33 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20-34 Sec. 7216.151. TAX-EXEMPT BOND FINANCING; SALES TAX

20-35 EXEMPTION

20-36 CHAPTER 7216. JOHNSON COUNTY SPECIAL UTILITY DISTRICT

20-37 SUBCHAPTER A. GENERAL PROVISIONS

20-38 Sec. 7216.001. DEFINITIONS. In this chapter:

20-39 (1) "Board" means the board of directors of the  
20-40 district.

20-41 (2) "Director" means a member of the board.

20-42 (3) "District" means the Johnson County Special  
20-43 Utility District. (Acts 78th Leg., R.S., Ch. 780, Secs. 1(a)  
20-44 (part), 2; New.)

20-45 Sec. 7216.002. NATURE OF DISTRICT. The district is a  
20-46 conservation and reclamation district in Johnson, Hill, Ellis, and  
20-47 Tarrant Counties created under Section 59, Article XVI, Texas  
20-48 Constitution. (Acts 78th Leg., R.S., Ch. 780, Secs. 1(a) (part),  
20-49 (b) (part).)

20-50 Sec. 7216.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
20-51 (a) The district is created to serve a public use and benefit.

20-52 (b) All land and other property included in the district  
20-53 will benefit from the works and projects accomplished by the  
20-54 district under the powers conferred by Section 59, Article XVI,  
20-55 Texas Constitution.

20-56 (c) The district is essential to accomplish the purposes of  
20-57 Section 59, Article XVI, Texas Constitution. (Acts 78th Leg.,  
20-58 R.S., Ch. 780, Secs. 1(b) (part), 5.)

20-59 Sec. 7216.004. DISTRICT TERRITORY. (a) The district is  
20-60 composed of the territory described by Section 3, Chapter 780, Acts  
20-61 of the 78th Legislature, Regular Session, 2003, as that territory  
20-62 may have been modified under:

20-63 (1) Subchapter J, Chapter 49, Water Code;

20-64 (2) Subchapter H, Chapter 65, Water Code; or

20-65 (3) other law.

20-66 (b) The boundaries and field notes of the district form a  
20-67 closure. A mistake in the field notes or in copying the field notes  
20-68 in the legislative process does not affect:

20-69 (1) the district's organization, existence, or

21-1 validity;

21-2 (2) the district's right to issue bonds or refunding  
21-3 bonds or to pay the principal of and interest on the bonds; or

21-4 (3) the legality or operation of the district or the  
21-5 board. (Acts 78th Leg., R.S., Ch. 780, Sec. 4; New.)

21-6 SUBCHAPTER B. BOARD OF DIRECTORS

21-7 Sec. 7216.051. COMPOSITION OF BOARD. The district is  
21-8 governed by a board of not fewer than 5 or more than 11 elected  
21-9 directors. (Acts 78th Leg., R.S., Ch. 780, Secs. 8(a) (part), (c)  
21-10 (part).)

21-11 SUBCHAPTER C. POWERS AND DUTIES

21-12 Sec. 7216.101. SPECIAL UTILITY DISTRICT POWERS. Except as  
21-13 specifically limited by Section 7216.102, the district has all of  
21-14 the rights, powers, privileges, authority, functions, and duties  
21-15 provided by general law applicable to a special utility district  
21-16 created under Section 59, Article XVI, Texas Constitution,  
21-17 including those provided by Chapters 49 and 65, Water Code. (Acts  
21-18 78th Leg., R.S., Ch. 780, Sec. 6(a) (part).)

21-19 Sec. 7216.102. LIMITATION OF CERTAIN POWERS. (a) Before  
21-20 June 20, 2009, the district:

21-21 (1) shall limit the exercise of its powers related to  
21-22 the provision of public water utility service to territory that is  
21-23 located within the boundaries of the district or as authorized by  
21-24 Certificate of Convenience and Necessity No. 10081; and

21-25 (2) may not provide wastewater service, solid waste  
21-26 service, firefighting service, or stormwater, flood control, and  
21-27 drainage services and may not convert to or otherwise become a  
21-28 municipal utility district, absent the express written consent of  
21-29 any municipality with extraterritorial jurisdiction that overlaps  
21-30 the district's boundaries.

21-31 (b) On or after June 20, 2009, to exercise a power  
21-32 restricted by this section, the district must file an application  
21-33 with the Texas Commission on Environmental Quality, if allowed by  
21-34 the law in existence at that time, to exercise that additional  
21-35 power. In addition to filing an application seeking expansion of  
21-36 the district's powers, the district must apply for a sewer  
21-37 certificate of convenience and necessity for the district to  
21-38 provide retail wastewater service. The district shall provide  
21-39 notice and a copy of an application for expansion of powers to each  
21-40 municipality whose jurisdiction, including extraterritorial  
21-41 jurisdiction, overlaps the district's boundaries, in addition to  
21-42 complying with any other applicable notice requirements.

21-43 (c) If a municipality that is entitled to the notice  
21-44 required by Subsection (b) files a request for a contested case  
21-45 hearing within 60 days after receipt of the notice, the Texas  
21-46 Commission on Environmental Quality shall directly refer the  
21-47 application to the State Office of Administrative Hearings for a  
21-48 contested case hearing. (Acts 78th Leg., R.S., Ch. 780, Secs. 6(a)  
21-49 (part), (c).)

21-50 Sec. 7216.103. DISTRICT RULES. The district may adopt and  
21-51 enforce reasonable rules. (Acts 78th Leg., R.S., Ch. 780, Sec. 11.)

21-52 Sec. 7216.104. CONFLICT WITH MUNICIPAL REGULATION. (a) If  
21-53 a municipality asserts regulatory authority, including water  
21-54 quality standards, over a geographic area located within the  
21-55 district's jurisdiction, the municipality's regulation controls  
21-56 over the district's regulation if there is a regulatory conflict.

21-57 (b) This section does not apply to:

21-58 (1) potable water quality standards; or

21-59 (2) a dispute relating to retail water utility service  
21-60 areas. (Acts 78th Leg., R.S., Ch. 780, Sec. 7.)

21-61 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

21-62 Sec. 7216.151. TAX-EXEMPT BOND FINANCING; SALES TAX  
21-63 EXEMPTION. This chapter may not be construed to impair the  
21-64 district's ability or right to obtain tax-exempt bond financing or  
21-65 a state sales tax exemption. (Acts 78th Leg., R.S., Ch. 780, Sec.  
21-66 6(b) (part).)

21-67 SECTION 1.04. Subtitle F, Title 6, Special District Local  
21-68 Laws Code, is amended by adding Chapters 8228, 8371, 8372, 8386,  
21-69 8392, 8408, 8409, 8411, 8412, 8415, 8440, 8481, 8482, 8485, and 8486



22-1 to read as follows:

22-2 CHAPTER 8228. WOOD TRACE MUNICIPAL UTILITY DISTRICT NO. 1, OF

22-3 MONTGOMERY COUNTY, TEXAS

22-4 SUBCHAPTER A. GENERAL PROVISIONS

22-5 Sec. 8228.001. DEFINITIONS

22-6 Sec. 8228.002. NATURE OF DISTRICT

22-7 Sec. 8228.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

22-8 Sec. 8228.004. DISTRICT TERRITORY

22-9 SUBCHAPTER B. BOARD OF DIRECTORS

22-10 Sec. 8228.051. COMPOSITION OF BOARD; TERMS

22-11 SUBCHAPTER C. POWERS AND DUTIES

22-12 Sec. 8228.101. MUNICIPAL UTILITY DISTRICT POWERS AND

22-13 DUTIES

22-14 CHAPTER 8228. WOOD TRACE MUNICIPAL UTILITY DISTRICT NO. 1, OF

22-15 MONTGOMERY COUNTY, TEXAS

22-16 SUBCHAPTER A. GENERAL PROVISIONS

22-17 Sec. 8228.001. DEFINITIONS. In this chapter:

22-18 (1) "Board" means the district's board of directors.

22-19 (2) "Director" means a member of the board.

22-20 (3) "District" means the Wood Trace Municipal Utility

22-21 District No. 1, of Montgomery County, Texas. (Acts 72nd Leg.,

22-22 R.S., Ch. 218, Sec. 2; New.)

22-23 Sec. 8228.002. NATURE OF DISTRICT. The district is a

22-24 conservation and reclamation district in Montgomery County created

22-25 under Section 59, Article XVI, Texas Constitution. (Acts 72nd

22-26 Leg., R.S., Ch. 218, Secs. 1(a) (part), (b) (part).)

22-27 Sec. 8228.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

22-28 (a) The district is created to serve a public use and benefit.

22-29 (b) All land and other property included in the district

22-30 will benefit from the works and projects accomplished by the

22-31 district under the powers conferred by Section 59, Article XVI,

22-32 Texas Constitution.

22-33 (c) The creation of the district is essential to accomplish

22-34 the purposes of Section 59, Article XVI, Texas Constitution. (Acts

22-35 72nd Leg., R.S., Ch. 218, Secs. 1(b) (part), 5.)

22-36 Sec. 8228.004. DISTRICT TERRITORY. (a) The district is

22-37 composed of the territory described by Section 3, Chapter 218, Acts

22-38 of the 72nd Legislature, Regular Session, 1991, as that territory

22-39 may have been modified under:

22-40 (1) Subchapter H, Chapter 54, Water Code;

22-41 (2) Subchapter J, Chapter 49, Water Code; or

22-42 (3) other law.

22-43 (b) The boundaries and field notes of the district form a

22-44 closure. A mistake in the field notes or in copying the field notes

22-45 in the legislative process does not affect:

22-46 (1) the district's organization, existence, or

22-47 validity;

22-48 (2) the district's right to impose a tax; or

22-49 (3) the legality or operation of the district or its

22-50 governing body. (Acts 72nd Leg., R.S., Ch. 218, Sec. 4; New.)

22-51 SUBCHAPTER B. BOARD OF DIRECTORS

22-52 Sec. 8228.051. COMPOSITION OF BOARD; TERMS. (a) The

22-53 district is governed by a board of five directors.

22-54 (b) Directors serve staggered four-year terms. (Acts 72nd

22-55 Leg., R.S., Ch. 218, Secs. 7(a), (d).)

22-56 SUBCHAPTER C. POWERS AND DUTIES

22-57 Sec. 8228.101. MUNICIPAL UTILITY DISTRICT POWERS AND

22-58 DUTIES. The district has the rights, powers, privileges,

22-59 functions, and duties provided by general law, including Chapters

22-60 49, 50, and 54, Water Code, applicable to a municipal utility

22-61 district created under Section 59, Article XVI, Texas Constitution.

22-62 (Acts 72nd Leg., R.S., Ch. 218, Sec. 6(a) (part); New.)

22-63 CHAPTER 8371. SAGEMEADOW UTILITY DISTRICT

22-64 SUBCHAPTER A. GENERAL PROVISIONS

22-65 Sec. 8371.001. DEFINITIONS

22-66 Sec. 8371.002. NATURE OF DISTRICT

22-67 Sec. 8371.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

22-68 Sec. 8371.004. DISTRICT TERRITORY

22-

23-1 SUBCHAPTER B. BOARD OF DIRECTORS  
23-2 Sec. 8371.051. COMPOSITION OF BOARD  
23-3 Sec. 8371.052. BOARD VACANCY  
23-4 SUBCHAPTER C. POWERS AND DUTIES  
23-5 Sec. 8371.101. MUNICIPAL UTILITY DISTRICT POWERS  
23-6 CHAPTER 8371. SAGEMEADOW UTILITY DISTRICT  
23-7 SUBCHAPTER A. GENERAL PROVISIONS  
23-8 Sec. 8371.001. DEFINITIONS. In this chapter:  
23-9 (1) "Board" means the district's board of directors.  
23-10 (2) "Director" means a member of the board.  
23-11 (3) "District" means the Sagemeadow Utility District.  
23-12 (Acts 62nd Leg., R.S., Ch. 679, Sec. 1 (part); New.)  
23-13 Sec. 8371.002. NATURE OF DISTRICT. The district is a  
23-14 conservation and reclamation district in Harris County created  
23-15 under Section 59, Article XVI, Texas Constitution. (Acts 62nd  
23-16 Leg., R.S., Ch. 679, Sec. 1 (part).)  
23-17 Sec. 8371.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
23-18 (a) The district is created to serve a public use and benefit.  
23-19 (b) All land and other property included in the boundaries  
23-20 of the district will benefit from the works and projects  
23-21 accomplished by the district under the powers conferred by Section  
23-22 59, Article XVI, Texas Constitution.  
23-23 (c) The creation of the district is essential to accomplish  
23-24 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
23-25 62nd Leg., R.S., Ch. 679, Secs. 1 (part), 3.)  
23-26 Sec. 8371.004. DISTRICT TERRITORY. (a) The district is  
23-27 composed of the territory described by Section 4, Chapter 679, Acts  
23-28 of the 62nd Legislature, Regular Session, 1971, as that territory  
23-29 may have been modified under:  
23-30 (1) Subchapter H, Chapter 54, Water Code;  
23-31 (2) Subchapter J, Chapter 49, Water Code; or  
23-32 (3) other law.  
23-33 (b) The boundaries and field notes of the district form a  
23-34 closure. A mistake in copying the field notes in the legislative  
23-35 process or another mistake in the field notes does not affect:  
23-36 (1) the district's organization, existence, or  
23-37 validity;  
23-38 (2) the district's right to issue any type of bond for  
23-39 the purpose for which the district is created or to pay the  
23-40 principal of and interest on the bond;  
23-41 (3) the district's right to impose a tax; or  
23-42 (4) the legality or operation of the district or its  
23-43 governing body. (Acts 62nd Leg., R.S., Ch. 679, Sec. 2; New.)  
23-44 SUBCHAPTER B. BOARD OF DIRECTORS  
23-45 Sec. 8371.051. COMPOSITION OF BOARD. The board is composed  
23-46 of five elected directors. (Acts 62nd Leg., R.S., Ch. 679, Sec. 6  
23-47 (part).)  
23-48 Sec. 8371.052. BOARD VACANCY. (a) Except as provided by  
23-49 Subsection (b), a vacancy in the office of director shall be filled  
23-50 in the manner provided by Section 49.105, Water Code.  
23-51 (b) The Texas Commission on Environmental Quality shall  
23-52 appoint directors to fill all of the vacancies on the board whenever  
23-53 the number of qualified directors is fewer than three. (Acts 62nd  
23-54 Leg., R.S., Ch. 679, Sec. 6 (part); New.)  
23-55 SUBCHAPTER C. POWERS AND DUTIES  
23-56 Sec. 8371.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
23-57 district has the rights, powers, privileges, and functions  
23-58 conferred by general law applicable to a municipal utility  
23-59 district, including Chapters 49 and 54, Water Code. (Acts 62nd  
23-60 Leg., R.S., Ch. 679, Sec. 5 (part); New.)  
23-61 CHAPTER 8372. SHASLA PUBLIC UTILITY DISTRICT  
23-62 SUBCHAPTER A. GENERAL PROVISIONS  
23-63 Sec. 8372.001. DEFINITIONS  
23-64 Sec. 8372.002. NATURE OF DISTRICT  
23-65 Sec. 8372.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
23-66 Sec. 8372.004. DISTRICT TERRITORY  
23-67 SUBCHAPTER B. BOARD OF DIRECTORS  
23-68 Sec. 8372.051. COMPOSITION OF BOARD  
23-69 Sec. 8372.052. BOARD VACANCY



## SUBCHAPTER C. POWERS AND DUTIES

24-2 Sec. 8372.101. MUNICIPAL UTILITY DISTRICT POWERS

## CHAPTER 8372. SHASLA PUBLIC UTILITY DISTRICT

## SUBCHAPTER A. GENERAL PROVISIONS

24-5 Sec. 8372.001. DEFINITIONS. In this chapter:

24-6 (1) "Board" means the district's board of directors.

24-7 (2) "Director" means a member of the board.

24-8 (3) "District" means the Shasla Public Utility  
24-9 District. (Acts 62nd Leg., R.S., Ch. 412, Sec. 1 (part); New.)

24-10 Sec. 8372.002. NATURE OF DISTRICT. The district is a  
24-11 conservation and reclamation district in Harris County created  
24-12 under Section 59, Article XVI, Texas Constitution. (Acts 62nd  
24-13 Leg., R.S., Ch. 412, Sec. 1 (part).)

24-14 Sec. 8372.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

24-15 (a) The district is created to serve a public use and benefit.

24-16 (b) All land and other property included in the boundaries  
24-17 of the district will benefit from the works and projects  
24-18 accomplished by the district under the powers conferred by Section  
24-19 59, Article XVI, Texas Constitution.

24-20 (c) The creation of the district is essential to accomplish  
24-21 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
24-22 62nd Leg., R.S., Ch. 412, Secs. 1 (part), 3.)

24-23 Sec. 8372.004. DISTRICT TERRITORY. (a) The district is  
24-24 composed of the territory described by Section 4, Chapter 412, Acts  
24-25 of the 62nd Legislature, Regular Session, 1971, as that territory  
24-26 may have been modified under:

24-27 (1) Subchapter H, Chapter 54, Water Code;

24-28 (2) Subchapter J, Chapter 49, Water Code; or

24-29 (3) other law.

24-30 (b) The boundaries and field notes of the district form a  
24-31 closure. A mistake in copying the field notes in the legislative  
24-32 process or another mistake in the field notes does not affect:

24-33 (1) the district's organization, existence, or  
24-34 validity;

24-35 (2) the district's right to issue any type of bond for  
24-36 a purpose for which the district is created or to pay the principal  
24-37 of and interest on the bond;

24-38 (3) the district's right to impose a tax; or

24-39 (4) the legality or operation of the district or its  
24-40 governing body. (Acts 62nd Leg., R.S., Ch. 412, Sec. 2; New.)

## SUBCHAPTER B. BOARD OF DIRECTORS

24-42 Sec. 8372.051. COMPOSITION OF BOARD. The board is composed  
24-43 of five elected directors. (Acts 62nd Leg., R.S., Ch. 412, Sec. 6  
24-44 (part).)

24-45 Sec. 8372.052. BOARD VACANCY. (a) Except as provided by  
24-46 Subsection (b), a vacancy in the office of director shall be filled  
24-47 in the manner provided by Section 49.105, Water Code.

24-48 (b) The Texas Commission on Environmental Quality shall  
24-49 appoint directors to fill all of the vacancies on the board whenever  
24-50 the number of qualified directors is fewer than three. (Acts 62nd  
24-51 Leg., R.S., Ch. 412, Sec. 6 (part); New.)

## SUBCHAPTER C. POWERS AND DUTIES

24-53 Sec. 8372.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
24-54 district has the rights, powers, privileges, and functions  
24-55 conferred by general law applicable to a municipal utility  
24-56 district, including Chapters 49 and 54, Water Code. (Acts 62nd  
24-57 Leg., R.S., Ch. 412, Sec. 5 (part); New.)

## CHAPTER 8386. SPANISH COVE PUBLIC UTILITY DISTRICT

## SUBCHAPTER A. GENERAL PROVISIONS

24-60 Sec. 8386.001. DEFINITIONS

24-61 Sec. 8386.002. NATURE OF DISTRICT

24-62 Sec. 8386.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

24-63 Sec. 8386.004. DISTRICT TERRITORY

## SUBCHAPTER B. BOARD OF DIRECTORS

24-65 Sec. 8386.051. COMPOSITION OF BOARD

24-66 Sec. 8386.052. BOARD VACANCY

## SUBCHAPTER C. POWERS AND DUTIES

24-68 Sec. 8386.101. MUNICIPAL UTILITY DISTRICT POWERS

24-

CHAPTER 8386. SPANISH COVE PUBLIC UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8386.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a member of the board.

(3) "District" means the Spanish Cove Public Utility District. (Acts 62nd Leg., R.S., Ch. 409, Sec. 1 (part); New.)

Sec. 8386.002. NATURE OF DISTRICT. The district is a conservation and reclamation district in Harris County created under Section 59, Article XVI, Texas Constitution. (Acts 62nd Leg., R.S., Ch. 409, Sec. 1 (part).)

Sec. 8386.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

(b) All land and other property included in the boundaries of the district will benefit from the works and projects accomplished by the district under the powers conferred by Section 59, Article XVI, Texas Constitution.

(c) The creation of the district is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution. (Acts 62nd Leg., R.S., Ch. 409, Secs. 1 (part), 3.)

Sec. 8386.004. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 4, Chapter 409, Acts of the 62nd Legislature, Regular Session, 1971, as that territory may have been modified under:

(1) Subchapter H, Chapter 54, Water Code;

(2) Subchapter J, Chapter 49, Water Code; or

(3) other law.

(b) The boundaries and field notes of the district form a closure. A mistake in copying the field notes in the legislative process or another mistake in the field notes does not affect:

(1) the district's organization, existence, or validity;

(2) the district's right to issue any type of bond for a purpose for which the district is created or to pay the principal of and interest on the bond;

(3) the district's right to impose a tax; or

(4) the legality or operation of the district or its governing body. (Acts 62nd Leg., R.S., Ch. 409, Sec. 2; New.)

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8386.051. COMPOSITION OF BOARD. The board is composed of five elected directors. (Acts 62nd Leg., R.S., Ch. 409, Sec. 6 (part).)

Sec. 8386.052. BOARD VACANCY. (a) Except as provided by Subsection (b), a vacancy in the office of director shall be filled in the manner provided by Section 49.105, Water Code.

(b) The Texas Commission on Environmental Quality shall appoint directors to fill all of the vacancies on the board whenever the number of qualified directors is fewer than three. (Acts 62nd Leg., R.S., Ch. 409, Sec. 6 (part); New.)

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8386.101. MUNICIPAL UTILITY DISTRICT POWERS. The district has the rights, powers, privileges, and functions conferred by general law applicable to a municipal utility district, including Chapters 49 and 54, Water Code. (Acts 62nd Leg., R.S., Ch. 409, Sec. 5 (part); New.)

CHAPTER 8392. SPENCER ROAD PUBLIC UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8392.001. DEFINITIONS

Sec. 8392.002. NATURE OF DISTRICT

Sec. 8392.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

Sec. 8392.004. DISTRICT TERRITORY

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8392.051. COMPOSITION OF BOARD

Sec. 8392.052. BOARD VACANCY

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8392.101. MUNICIPAL UTILITY DISTRICT POWERS

CHAPTER 8392. SPENCER ROAD PUBLIC UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8392.001. DEFINITIONS. In this chapter:

26-1 (1) "Board" means the district's board of directors.  
26-2 (2) "Director" means a member of the board.  
26-3 (3) "District" means the Spencer Road Public Utility  
26-4 District. (Acts 62nd Leg., R.S., Ch. 699, Sec. 1 (part); New.)  
26-5 Sec. 8392.002. NATURE OF DISTRICT. The district is a  
26-6 conservation and reclamation district in Harris County created  
26-7 under Section 59, Article XVI, Texas Constitution. (Acts 62nd  
26-8 Leg., R.S., Ch. 699, Sec. 1 (part).)  
26-9 Sec. 8392.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
26-10 (a) The district is created to serve a public use and benefit.  
26-11 (b) All land and other property included in the boundaries  
26-12 of the district will benefit from the works and projects  
26-13 accomplished by the district under the powers conferred by Section  
26-14 59, Article XVI, Texas Constitution.  
26-15 (c) The creation of the district is essential to accomplish  
26-16 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
26-17 62nd Leg., R.S., Ch. 699, Secs. 1 (part), 3.)  
26-18 Sec. 8392.004. DISTRICT TERRITORY. (a) The district is  
26-19 composed of the territory described by Section 4, Chapter 699, Acts  
26-20 of the 62nd Legislature, Regular Session, 1971, as that territory  
26-21 may have been modified under:  
26-22 (1) Subchapter H, Chapter 54, Water Code;  
26-23 (2) Subchapter J, Chapter 49, Water Code; or  
26-24 (3) other law.  
26-25 (b) The boundaries and field notes of the district form a  
26-26 closure. A mistake in copying the field notes in the legislative  
26-27 process or another mistake in the field notes does not affect:  
26-28 (1) the district's organization, existence, or  
26-29 validity;  
26-30 (2) the district's right to issue any type of bond for  
26-31 a purpose for which the district is created or to pay the principal  
26-32 of and interest on the bond;  
26-33 (3) the district's right to impose a tax; or  
26-34 (4) the legality or operation of the district or its  
26-35 governing body. (Acts 62nd Leg., R.S., Ch. 699, Sec. 2; New.)  
26-36 SUBCHAPTER B. BOARD OF DIRECTORS  
26-37 Sec. 8392.051. COMPOSITION OF BOARD. The board is composed  
26-38 of five elected directors. (Acts 62nd Leg., R.S., Ch. 699, Sec. 6  
26-39 (part).)  
26-40 Sec. 8392.052. BOARD VACANCY. (a) Except as provided by  
26-41 Subsection (b), a vacancy in the office of director shall be filled  
26-42 in the manner provided by Section 49.105, Water Code.  
26-43 (b) The Texas Commission on Environmental Quality shall  
26-44 appoint directors to fill all of the vacancies on the board whenever  
26-45 the number of qualified directors is fewer than three. (Acts 62nd  
26-46 Leg., R.S., Ch. 699, Sec. 6 (part); New.)  
26-47 SUBCHAPTER C. POWERS AND DUTIES  
26-48 Sec. 8392.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
26-49 district has the rights, powers, privileges, and functions  
26-50 conferred by general law applicable to a municipal utility  
26-51 district, including Chapters 49 and 54, Water Code. (Acts 62nd  
26-52 Leg., R.S., Ch. 699, Sec. 5 (part); New.)  
26-53 CHAPTER 8408. THUNDERBIRD UTILITY DISTRICT  
26-54 SUBCHAPTER A. GENERAL PROVISIONS  
26-55 Sec. 8408.001. DEFINITIONS  
26-56 Sec. 8408.002. NATURE OF DISTRICT  
26-57 Sec. 8408.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
26-58 Sec. 8408.004. DISTRICT TERRITORY  
26-59 SUBCHAPTER B. BOARD OF DIRECTORS  
26-60 Sec. 8408.051. COMPOSITION OF BOARD  
26-61 Sec. 8408.052. BOARD VACANCY  
26-62 SUBCHAPTER C. POWERS AND DUTIES  
26-63 Sec. 8408.101. MUNICIPAL UTILITY DISTRICT POWERS  
26-64 CHAPTER 8408. THUNDERBIRD UTILITY DISTRICT  
26-65 SUBCHAPTER A. GENERAL PROVISIONS  
26-66 Sec. 8408.001. DEFINITIONS. In this chapter:  
26-67 (1) "Board" means the district's board of directors.  
26-68 (2) "Director" means a member of the board.  
26-69 (3) "District" means the Thunderbird Utility



27-1 District. (Acts 62nd Leg., R.S., Ch. 456, Sec. 1 (part); New.)  
 27-2 Sec. 8408.002. NATURE OF DISTRICT. The district is a  
 27-3 conservation and reclamation district in Fort Bend County created  
 27-4 under Section 59, Article XVI, Texas Constitution. (Acts 62nd  
 27-5 Leg., R.S., Ch. 456, Sec. 1 (part).)  
 27-6 Sec. 8408.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
 27-7 (a) The district is created to serve a public use and benefit.  
 27-8 (b) All land and other property included in the boundaries  
 27-9 of the district will benefit from the works and projects  
 27-10 accomplished by the district under the powers conferred by Section  
 27-11 59, Article XVI, Texas Constitution.  
 27-12 (c) The creation of the district is essential to accomplish  
 27-13 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
 27-14 62nd Leg., R.S., Ch. 456, Secs. 1 (part), 3.)  
 27-15 Sec. 8408.004. DISTRICT TERRITORY. (a) The district is  
 27-16 composed of the territory described by Section 4, Chapter 456, Acts  
 27-17 of the 62nd Legislature, Regular Session, 1971, as that territory  
 27-18 may have been modified under:  
 27-19 (1) Subchapter H, Chapter 54, Water Code;  
 27-20 (2) Subchapter J, Chapter 49, Water Code; or  
 27-21 (3) other law.  
 27-22 (b) The boundaries and field notes of the district form a  
 27-23 closure. A mistake in copying the field notes in the legislative  
 27-24 process or another mistake in the field notes does not affect:  
 27-25 (1) the district's organization, existence, or  
 27-26 validity;  
 27-27 (2) the district's right to issue any type of bond for  
 27-28 the purpose for which the district is created or to pay the  
 27-29 principal of and interest on the bond;  
 27-30 (3) the district's right to impose a tax; or  
 27-31 (4) the legality or operation of the district or its  
 27-32 governing body. (Acts 62nd Leg., R.S., Ch. 456, Sec. 2; New.)  
 27-33 SUBCHAPTER B. BOARD OF DIRECTORS  
 27-34 Sec. 8408.051. COMPOSITION OF BOARD. The board is composed  
 27-35 of five elected directors. (Acts 62nd Leg., R.S., Ch. 456, Sec. 6  
 27-36 (part).)  
 27-37 Sec. 8408.052. BOARD VACANCY. (a) Except as provided by  
 27-38 Subsection (b), a vacancy in the office of director shall be filled  
 27-39 in the manner provided by Section 49.105, Water Code.  
 27-40 (b) The Texas Commission on Environmental Quality shall  
 27-41 appoint directors to fill all of the vacancies on the board whenever  
 27-42 the number of qualified directors is fewer than three. (Acts 62nd  
 27-43 Leg., R.S., Ch. 456, Sec. 6 (part); New.)  
 27-44 SUBCHAPTER C. POWERS AND DUTIES  
 27-45 Sec. 8408.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
 27-46 district has the rights, powers, privileges, and functions  
 27-47 conferred by general law applicable to a municipal utility  
 27-48 district, including Chapters 49 and 54, Water Code. (Acts 62nd  
 27-49 Leg., R.S., Ch. 456, Sec. 5 (part); New.)  
 27-50 CHAPTER 8409. PORT O'CONNOR IMPROVEMENT DISTRICT  
 27-51 SUBCHAPTER A. GENERAL PROVISIONS  
 27-52 Sec. 8409.001. DEFINITIONS  
 27-53 Sec. 8409.002. NATURE OF DISTRICT  
 27-54 Sec. 8409.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
 27-55 Sec. 8409.004. DISTRICT TERRITORY  
 27-56 SUBCHAPTER B. BOARD OF DIRECTORS  
 27-57 Sec. 8409.051. COMPOSITION OF BOARD; TERMS  
 27-58 Sec. 8409.052. BOARD VACANCY  
 27-59 SUBCHAPTER C. POWERS AND DUTIES  
 27-60 Sec. 8409.101. MUNICIPAL UTILITY DISTRICT POWERS  
 27-61 SUBCHAPTER D. SALES AND USE TAX  
 27-62 Sec. 8409.151. APPLICABILITY OF CERTAIN TAX CODE  
 27-63 PROVISIONS  
 27-64 Sec. 8409.152. ELECTION; ADOPTION OF TAX  
 27-65 Sec. 8409.153. SALES AND USE TAX RATE  
 27-66 Sec. 8409.154. USE OF REVENUE  
 27-67 Sec. 8409.155. ABOLITION OR DECREASE OF TAX

## CHAPTER 8409. PORT O'CONNOR IMPROVEMENT DISTRICT

## SUBCHAPTER A. GENERAL PROVISIONS

28-3 Sec. 8409.001. DEFINITIONS. In this chapter:

28-4 (1) "Board" means the district's board of directors.

28-5 (2) "Director" means a member of the board.

28-6 (3) "District" means the Port O'Connor Improvement  
28-7 District. (Acts 65th Leg., R.S., Ch. 693, Secs. 1 (part), 1A; New.)

28-8 Sec. 8409.002. NATURE OF DISTRICT. The district is a  
28-9 conservation and reclamation district in Calhoun County created  
28-10 under Section 59, Article XVI, Texas Constitution. (Acts 65th  
28-11 Leg., R.S., Ch. 693, Sec. 1 (part).)

28-12 Sec. 8409.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

28-13 (a) The district is created to serve a public use and benefit.

28-14 (b) All land and other property included in the boundaries  
28-15 of the district will benefit from the works and projects  
28-16 accomplished by the district under the powers conferred by Section  
28-17 59, Article XVI, Texas Constitution.

28-18 (c) The creation of the district is essential to accomplish  
28-19 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
28-20 65th Leg., R.S., Ch. 693, Secs. 1 (part), 4.)

28-21 Sec. 8409.004. DISTRICT TERRITORY. (a) The district is  
28-22 composed of the territory described by Section 2, Chapter 693, Acts  
28-23 of the 65th Legislature, Regular Session, 1977, as that territory  
28-24 may have been modified under:

28-25 (1) Subchapter H, Chapter 54, Water Code;

28-26 (2) Subchapter J, Chapter 49, Water Code; or

28-27 (3) other law.

28-28 (b) The boundaries and field notes of the district form a  
28-29 closure. A mistake in copying the field notes in the legislative  
28-30 process or another mistake in the field notes does not affect:

28-31 (1) the district's organization, existence, or  
28-32 validity;

28-33 (2) the district's right to issue any type of bond for  
28-34 a purpose for which the district is created or to pay the principal  
28-35 of and interest on the bond;

28-36 (3) the district's right to impose a tax; or

28-37 (4) the legality or operation of the district or its  
28-38 governing body. (Acts 65th Leg., R.S., Ch. 693, Sec. 3; New.)

28-39 SUBCHAPTER B. BOARD OF DIRECTORS

28-40 Sec. 8409.051. COMPOSITION OF BOARD; TERMS. (a) The board  
28-41 is composed of five elected directors.

28-42 (b) Directors serve staggered terms. (Acts 65th Leg., R.S.,  
28-43 Ch. 693, Sec. 7(b) (part).)

28-44 Sec. 8409.052. BOARD VACANCY. (a) Except as provided by  
28-45 Subsection (b), a vacancy in the office of director shall be filled  
28-46 in the manner provided by Section 49.105, Water Code.

28-47 (b) The Texas Commission on Environmental Quality shall  
28-48 appoint directors to fill all of the vacancies on the board whenever  
28-49 the number of qualified directors is fewer than three. (Acts 65th  
28-50 Leg., R.S., Ch. 693, Sec. 7(b) (part); New.)

28-51 SUBCHAPTER C. POWERS AND DUTIES

28-52 Sec. 8409.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
28-53 district has the rights, powers, privileges, and functions  
28-54 conferred and imposed by general law applicable to a municipal  
28-55 utility district created under Section 59, Article XVI, Texas  
28-56 Constitution, including Chapters 49 and 54, Water Code. (Acts 65th  
28-57 Leg., R.S., Ch. 693, Sec. 5 (part); New.)

28-58 SUBCHAPTER D. SALES AND USE TAX

28-59 Sec. 8409.151. APPLICABILITY OF CERTAIN TAX CODE  
28-60 PROVISIONS. (a) Chapter 321, Tax Code, governs the imposition,  
28-61 computation, administration, enforcement, and collection of the  
28-62 sales and use tax authorized by this subchapter, except to the  
28-63 extent Chapter 321, Tax Code, is inconsistent with this subchapter.

28-64 (b) A reference in Chapter 321, Tax Code, to a municipality  
28-65 or the governing body of a municipality is a reference to the  
28-66 district or the board, respectively. (Acts 65th Leg., R.S., Ch.  
28-67 693, Sec. 11.)

28-68 Sec. 8409.152. ELECTION; ADOPTION OF TAX. (a) The  
28-69 district may adopt a sales and use tax if authorized by a majority



29-1 of the voters of the district voting at an election held for that  
29-2 purpose.

29-3 (b) The board by order may call an election to authorize the  
29-4 adoption of the sales and use tax. The election may be held on any  
29-5 uniform election date and in conjunction with any other district  
29-6 election.

29-7 (c) The district shall provide notice and hold the election  
29-8 in the manner provided by Subchapter D, Chapter 49, Water Code.

29-9 (d) The ballot shall be printed to provide for voting for or  
29-10 against the proposition: "Authorization of a sales and use tax in  
29-11 the Port O'Connor Improvement District at a rate not to exceed \_\_\_\_\_  
29-12 percent" (insert rate of one or more increments of one-eighth of one  
29-13 percent). (Acts 65th Leg., R.S., Ch. 693, Sec. 12.)

29-14 Sec. 8409.153. SALES AND USE TAX RATE. (a) After the date  
29-15 the results are declared of an election held under Section 8409.152  
29-16 at which the voters authorized imposition of a tax, the board shall  
29-17 provide by resolution or order the initial rate of the tax, which  
29-18 must be in one or more increments of one-eighth of one percent.

29-19 (b) After the authorization of a tax under Section 8409.152,  
29-20 the board may increase or decrease the rate of the tax by one or more  
29-21 increments of one-eighth of one percent.

29-22 (c) The initial rate of the tax or any rate resulting from  
29-23 subsequent increases or decreases may not exceed the lesser of:

29-24 (1) the maximum rate authorized at the election held  
29-25 under Section 8409.152; or

29-26 (2) a rate that, when added to the rates of all sales  
29-27 and use taxes imposed by other political subdivisions with  
29-28 territory in the district, would result in the maximum combined  
29-29 rate prescribed by Section 321.101(f), Tax Code, at any location in  
29-30 the district.

29-31 (d) In determining whether the combined sales and use tax  
29-32 rate under Subsection (c)(2) would exceed the maximum combined rate  
29-33 prescribed by Section 321.101(f), Tax Code, at any location in the  
29-34 district, the board shall include:

29-35 (1) any sales and use tax imposed by a political  
29-36 subdivision whose territory overlaps all or part of the district;

29-37 (2) any sales and use tax to be imposed by Calhoun  
29-38 County as a result of an election held on the same date as the  
29-39 election held under Section 8409.152; and

29-40 (3) any increase to an existing sales and use tax  
29-41 imposed by Calhoun County as a result of an election held on the  
29-42 same date as the election held under Section 8409.152.

29-43 (e) The board shall notify the comptroller of any changes  
29-44 made to the tax rate in the same manner the municipal secretary  
29-45 provides notice to the comptroller under Section 321.405(b), Tax  
29-46 Code. (Acts 65th Leg., R.S., Ch. 693, Sec. 13.)

29-47 Sec. 8409.154. USE OF REVENUE. Revenue from the sales and  
29-48 use tax imposed under Section 8409.153 is for the use and benefit of  
29-49 the district and may be used for any district purpose. The district  
29-50 may pledge all or part of the revenue to the payment of bonds,  
29-51 notes, or other obligations, and that pledge of revenue may be in  
29-52 combination with other revenue, including tax revenue, available to  
29-53 the district. (Acts 65th Leg., R.S., Ch. 693, Sec. 14.)

29-54 Sec. 8409.155. ABOLITION OR DECREASE OF TAX. (a) Except  
29-55 as provided by Subsection (b), the board may abolish or decrease the  
29-56 tax imposed under Section 8409.153 without an election.

29-57 (b) The board may not abolish or decrease the tax imposed  
29-58 under Section 8409.153 if the district has outstanding debt secured  
29-59 by the tax and repayment of the debt would be impaired by the  
29-60 abolition or decrease of the tax.

29-61 (c) If the board abolishes or decreases the tax, the board  
29-62 shall notify the comptroller of that action in the same manner the  
29-63 municipal secretary provides notice to the comptroller under  
29-64 Section 321.405(b), Tax Code.

29-65 (d) If the board abolishes the tax or decreases the tax rate  
29-66 to zero, a new election to authorize a sales and use tax must be held  
29-67 under Section 8409.152 before the district may subsequently impose  
29-68 the tax. (Acts 65th Leg., R.S., Ch. 693, Sec. 15.)

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30-1	CHAPTER 8411. SPRING MEADOWS MUNICIPAL UTILITY DISTRICT
30-2	SUBCHAPTER A. GENERAL PROVISIONS
30-3	Sec. 8411.001. DEFINITIONS
30-4	Sec. 8411.002. NATURE OF DISTRICT
30-5	Sec. 8411.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
30-6	Sec. 8411.004. DISTRICT TERRITORY
30-7	SUBCHAPTER B. BOARD OF DIRECTORS
30-8	Sec. 8411.051. COMPOSITION OF BOARD; TERMS
30-9	SUBCHAPTER C. POWERS AND DUTIES
30-10	Sec. 8411.101. MUNICIPAL UTILITY DISTRICT POWERS AND
30-11	DUTIES
30-12	CHAPTER 8411. SPRING MEADOWS MUNICIPAL UTILITY DISTRICT
30-13	SUBCHAPTER A. GENERAL PROVISIONS
30-14	Sec. 8411.001. DEFINITIONS. In this chapter:
30-15	(1) "Board" means the district's board of directors.
30-16	(2) "Director" means a member of the board.
30-17	(3) "District" means the Spring Meadows Municipal
30-18	Utility District. (Acts 76th Leg., R.S., Ch. 35, Sec. 2; New.)
30-19	Sec. 8411.002. NATURE OF DISTRICT. The district is a
30-20	conservation and reclamation district in Harris County created
30-21	under Section 59, Article XVI, Texas Constitution. (Acts 76th
30-22	Leg., R.S., Ch. 35, Secs. 1(a) (part), (b) (part).)
30-23	Sec. 8411.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.
30-24	(a) The district is created to serve a public use and benefit.
30-25	(b) All land and other property included in the boundaries
30-26	of the district will benefit from the works and projects
30-27	accomplished by the district under powers conferred by Section 59,
30-28	Article XVI, Texas Constitution.
30-29	(c) The creation of the district is essential to accomplish
30-30	the purposes of Section 59, Article XVI, Texas Constitution. (Acts
30-31	76th Leg., R.S., Ch. 35, Secs. 1(b) (part), 5.)
30-32	Sec. 8411.004. DISTRICT TERRITORY. (a) The district is
30-33	composed of the territory described by Section 3, Chapter 35, Acts
30-34	of the 76th Legislature, Regular Session, 1999, as that territory
30-35	may have been modified under:
30-36	(1) Subchapter H, Chapter 54, Water Code;
30-37	(2) Subchapter J, Chapter 49, Water Code; or
30-38	(3) other law.
30-39	(b) The boundaries and field notes of the district form a
30-40	closure. A mistake in the field notes or in copying the field notes
30-41	in the legislative process does not affect:
30-42	(1) the district's organization, existence, or
30-43	validity;
30-44	(2) the district's right to impose a tax; or
30-45	(3) the legality or operation of the district or its
30-46	governing body. (Acts 76th Leg., R.S., Ch. 35, Sec. 4; New.)
30-47	SUBCHAPTER B. BOARD OF DIRECTORS
30-48	Sec. 8411.051. COMPOSITION OF BOARD; TERMS. (a) The
30-49	district is governed by a board of five directors.
30-50	(b) Directors serve staggered four-year terms. (Acts 76th
30-51	Leg., R.S., Ch. 35, Secs. 7(a), (d).)
30-52	SUBCHAPTER C. POWERS AND DUTIES
30-53	Sec. 8411.101. MUNICIPAL UTILITY DISTRICT POWERS AND
30-54	DUTIES. The district has the rights, powers, privileges,
30-55	functions, and duties provided by the general law of this state,
30-56	including Chapters 49 and 54, Water Code, applicable to a municipal
30-57	utility district created under Section 59, Article XVI, Texas
30-58	Constitution. (Acts 76th Leg., R.S., Ch. 35, Sec. 6(a) (part).)
30-59	CHAPTER 8412. VARNER CREEK UTILITY DISTRICT
30-60	SUBCHAPTER A. GENERAL PROVISIONS
30-61	Sec. 8412.001. DEFINITIONS
30-62	Sec. 8412.002. NATURE OF DISTRICT
30-63	Sec. 8412.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
30-64	Sec. 8412.004. DISTRICT TERRITORY
30-65	SUBCHAPTER B. BOARD OF DIRECTORS
30-66	Sec. 8412.051. COMPOSITION OF BOARD
30-67	Sec. 8412.052. BOARD VACANCY
30-68	SUBCHAPTER C. POWERS AND DUTIES
30-69	Sec. 8412.101. MUNICIPAL UTILITY DISTRICT POWERS

CHAPTER 8412. VARNER CREEK UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8412.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a member of the board.

(3) "District" means the Varner Creek Utility District. (Acts 62nd Leg., R.S., Ch. 352, Sec. 1 (part); New.)

Sec. 8412.002. NATURE OF DISTRICT. The district is a conservation and reclamation district in Brazoria County created under Section 59, Article XVI, Texas Constitution. (Acts 62nd Leg., R.S., Ch. 352, Sec. 1 (part).)

Sec. 8412.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

(b) All land and other property included in the boundaries of the district will benefit from the works and projects accomplished by the district under the powers conferred by Section 59, Article XVI, Texas Constitution.

(c) The creation of the district is essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution. (Acts 62nd Leg., R.S., Ch. 352, Secs. 1 (part), 3.)

Sec. 8412.004. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 4, Chapter 352, Acts of the 62nd Legislature, Regular Session, 1971, as that territory may have been modified under:

(1) Subchapter H, Chapter 54, Water Code;

(2) Subchapter J, Chapter 49, Water Code; or

(3) other law.

(b) The boundaries and field notes of the district form a closure. A mistake in copying the field notes in the legislative process or another mistake in the field notes does not affect:

(1) the district's organization, existence, or validity;

(2) the district's right to issue any type of bond for a purpose for which the district is created or to pay the principal of and interest on the bond;

(3) the district's right to impose a tax; or

(4) the legality or operation of the district or its governing body. (Acts 62nd Leg., R.S., Ch. 352, Sec. 2; New.)

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8412.051. COMPOSITION OF BOARD. The board is composed of five elected directors. (Acts 62nd Leg., R.S., Ch. 352, Sec. 6 (part).)

Sec. 8412.052. BOARD VACANCY. (a) Except as provided by Subsection (b), a vacancy in the office of director shall be filled in the manner provided by Section 49.105, Water Code.

(b) The Texas Commission on Environmental Quality shall appoint directors to fill all of the vacancies on the board whenever the number of qualified directors is fewer than three. (Acts 62nd Leg., R.S., Ch. 352, Sec. 6 (part); New.)

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8412.101. MUNICIPAL UTILITY DISTRICT POWERS. The district has the rights, powers, privileges, and functions conferred by general law applicable to a municipal utility district, including Chapters 49 and 54, Water Code. (Acts 62nd Leg., R.S., Ch. 352, Sec. 5 (part); New.)

CHAPTER 8415. WEST CEDAR CREEK MUNICIPAL UTILITY DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8415.001. DEFINITIONS

Sec. 8415.002. NATURE OF DISTRICT

Sec. 8415.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

Sec. 8415.004. DISTRICT TERRITORY

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8415.051. COMPOSITION OF BOARD; TERMS

Sec. 8415.052. BOARD VACANCY

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8415.101. MUNICIPAL UTILITY DISTRICT POWERS

Sec. 8415.102. WATER AND SEWER SYSTEMS

Sec. 8415.103. TAXES

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## CHAPTER 8415. WEST CEDAR CREEK MUNICIPAL UTILITY DISTRICT

## SUBCHAPTER A. GENERAL PROVISIONS

32-3 Sec. 8415.001. DEFINITIONS. In this chapter:

32-4 (1) "Board" means the district's board of directors.

32-5 (2) "Director" means a member of the board.

32-6 (3) "District" means the West Cedar Creek Municipal  
32-7 Utility District. (Acts 64th Leg., R.S., Ch. 742, Sec. 1 (part);  
32-8 New.)

32-9 Sec. 8415.002. NATURE OF DISTRICT. The district is a  
32-10 conservation and reclamation district in Henderson County created  
32-11 under Section 59, Article XVI, Texas Constitution. (Acts 64th  
32-12 Leg., R.S., Ch. 742, Sec. 1 (part).)

32-13 Sec. 8415.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

32-14 (a) The district is created to serve a public use and benefit.

32-15 (b) All land and other property included in the boundaries  
32-16 of the district will benefit from the works and projects  
32-17 accomplished by the district under the powers conferred by Section  
32-18 59, Article XVI, Texas Constitution.

32-19 (c) The creation of the district is essential to accomplish  
32-20 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
32-21 64th Leg., R.S., Ch. 742, Secs. 1 (part), 5.)

32-22 Sec. 8415.004. DISTRICT TERRITORY. (a) The district is  
32-23 composed of the territory described by Section 2, Chapter 742, Acts  
32-24 of the 64th Legislature, Regular Session, 1975, as that territory  
32-25 may have been modified under:

32-26 (1) Subchapter H, Chapter 54, Water Code;

32-27 (2) Subchapter J, Chapter 49, Water Code; or

32-28 (3) other law.

32-29 (b) The boundaries and field notes of the district form a  
32-30 closure. A mistake in the field notes or in copying the field notes  
32-31 in the legislative process does not affect:

32-32 (1) the district's organization, existence, or  
32-33 validity;

32-34 (2) the district's right to issue any type of bond for  
32-35 a purpose for which the district is created or to pay the principal  
32-36 of and interest on the bond;

32-37 (3) the district's right to impose a tax; or

32-38 (4) the legality or operation of the district or its  
32-39 governing body. (Acts 64th Leg., R.S., Ch. 742, Sec. 3; New.)

## SUBCHAPTER B. BOARD OF DIRECTORS

32-41 Sec. 8415.051. COMPOSITION OF BOARD; TERMS. (a) The board  
32-42 is composed of seven elected directors.

32-43 (b) Directors serve staggered terms. (Acts 64th Leg., R.S.,  
32-44 Ch. 742, Sec. 8(b) (part).)

32-45 Sec. 8415.052. BOARD VACANCY. (a) Except as provided by  
32-46 Subsection (b), a vacancy in the office of director shall be filled  
32-47 in the manner provided by Section 49.105, Water Code.

32-48 (b) The Texas Commission on Environmental Quality shall  
32-49 appoint directors to fill all of the vacancies on the board whenever  
32-50 the number of qualified directors is fewer than four. (Acts 64th  
32-51 Leg., R.S., Ch. 742, Sec. 8(b) (part); New.)

## SUBCHAPTER C. POWERS AND DUTIES

32-53 Sec. 8415.101. MUNICIPAL UTILITY DISTRICT POWERS. The  
32-54 district has the rights, powers, privileges, and functions  
32-55 conferred and imposed by general law applicable to a municipal  
32-56 utility district created under Section 59, Article XVI, Texas  
32-57 Constitution, including Chapters 49 and 54, Water Code. (Acts 64th  
32-58 Leg., R.S., Ch. 742, Sec. 6 (part).)

32-59 Sec. 8415.102. WATER AND SEWER SYSTEMS. The district may  
32-60 acquire, and may improve or extend, any existing water or sewer  
32-61 system that serves all or part of the district territory or may  
32-62 construct a water or sewer system to serve the inhabitants of the  
32-63 county in which the district is situated. (Acts 64th Leg., R.S.,  
32-64 Ch. 742, Sec. 7(a).)

32-65 Sec. 8415.103. TAXES. The district may not impose a tax  
32-66 unless the tax has been approved by the voters at an election called  
32-67 for that purpose. (Acts 64th Leg., R.S., Ch. 742, Sec. 7(b).)

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- 33-1 CHAPTER 8440. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3  
33-2 SUBCHAPTER A. GENERAL PROVISIONS  
33-3 Sec. 8440.001. DEFINITIONS  
33-4 Sec. 8440.002. NATURE OF DISTRICT  
33-5 Sec. 8440.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
33-6 Sec. 8440.004. DISTRICT TERRITORY  
33-7 Sec. 8440.005. APPLICATION OF CONDITIONS TO CREATION  
33-8 SUBCHAPTER B. BOARD OF DIRECTORS  
33-9 Sec. 8440.051. COMPOSITION OF BOARD; TERMS  
33-10 SUBCHAPTER C. POWERS AND DUTIES  
33-11 Sec. 8440.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
33-12 DUTIES  
33-13 CHAPTER 8440. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 3  
33-14 SUBCHAPTER A. GENERAL PROVISIONS  
33-15 Sec. 8440.001. DEFINITIONS. In this chapter:  
33-16 (1) "Board" means the district's board of directors.  
33-17 (2) "Director" means a member of the board.  
33-18 (3) "District" means West Travis County Municipal  
33-19 Utility District No. 3. (Acts 71st Leg., R.S., Ch. 1212, Sec. 2;  
33-20 New.)  
33-21 Sec. 8440.002. NATURE OF DISTRICT. The district is a  
33-22 conservation and reclamation district in Travis County created  
33-23 under Section 59, Article XVI, Texas Constitution. (Acts 71st  
33-24 Leg., R.S., Ch. 1212, Secs. 1(a) (part), (b) (part).)  
33-25 Sec. 8440.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
33-26 (a) The district is created to serve a public use and benefit.  
33-27 (b) All land and other property included in the district  
33-28 will benefit from the works and projects accomplished by the  
33-29 district under powers conferred by Section 59, Article XVI, Texas  
33-30 Constitution.  
33-31 (c) The creation of the district is essential to accomplish  
33-32 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
33-33 71st Leg., R.S., Ch. 1212, Secs. 1(b) (part), 5.)  
33-34 Sec. 8440.004. DISTRICT TERRITORY. (a) The district is  
33-35 composed of the territory described by Section 3, Chapter 1212,  
33-36 Acts of the 71st Legislature, Regular Session, 1989, as that  
33-37 territory may have been modified under:  
33-38 (1) Subchapter H, Chapter 54, Water Code;  
33-39 (2) Subchapter J, Chapter 49, Water Code; or  
33-40 (3) other law.  
33-41 (b) The boundaries and field notes of the district form a  
33-42 closure. A mistake in the field notes or in copying the field notes  
33-43 in the legislative process does not affect:  
33-44 (1) the district's organization, existence, or  
33-45 validity;  
33-46 (2) the district's right to impose a tax; or  
33-47 (3) the legality or operation of the district or its  
33-48 governing body. (Acts 71st Leg., R.S., Ch. 1212, Sec. 4; New.)  
33-49 Sec. 8440.005. APPLICATION OF CONDITIONS TO CREATION. The  
33-50 enactment of Chapter 1212, Acts of the 71st Legislature, Regular  
33-51 Session, 1989, did not affect conditions to the consent of the  
33-52 creation of the district imposed by any jurisdiction in which the  
33-53 district is located. (Acts 71st Leg., R.S., Ch. 1212, Sec. 11.)  
33-54 SUBCHAPTER B. BOARD OF DIRECTORS  
33-55 Sec. 8440.051. COMPOSITION OF BOARD; TERMS. (a) The  
33-56 district is governed by a board of five directors.  
33-57 (b) Directors serve staggered four-year terms. (Acts 71st  
33-58 Leg., R.S., Ch. 1212, Secs. 7(a), (d).)  
33-59 SUBCHAPTER C. POWERS AND DUTIES  
33-60 Sec. 8440.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
33-61 DUTIES. The district has the rights, powers, privileges,  
33-62 functions, and duties provided by general law, including Chapters  
33-63 49, 50, and 54, Water Code, applicable to a municipal utility  
33-64 district created under Section 59, Article XVI, Texas Constitution.  
33-65 (Acts 71st Leg., R.S., Ch. 1212, Sec. 6(a) (part); New.)  
33-66 CHAPTER 8481. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5  
33-67 SUBCHAPTER A. GENERAL PROVISIONS  
33-68 Sec. 8481.001. DEFINITIONS  
33-69 Sec. 8481.002. NATURE OF DISTRICT

34-1 Sec. 8481.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
34-2 Sec. 8481.004. DISTRICT TERRITORY  
34-3 Sec. 8481.005. APPLICATION OF CONDITIONS TO CREATION  
34-4 SUBCHAPTER B. BOARD OF DIRECTORS  
34-5 Sec. 8481.051. COMPOSITION OF BOARD; TERMS  
34-6 SUBCHAPTER C. POWERS AND DUTIES  
34-7 Sec. 8481.101. GENERAL POWERS AND DUTIES  
34-8 CHAPTER 8481. WEST TRAVIS COUNTY MUNICIPAL UTILITY DISTRICT NO. 5  
34-9 SUBCHAPTER A. GENERAL PROVISIONS  
34-10 Sec. 8481.001. DEFINITIONS. In this chapter:  
34-11 (1) "Board" means the district's board of directors.  
34-12 (2) "Director" means a member of the board.  
34-13 (3) "District" means the West Travis County Municipal  
34-14 Utility District No. 5. (Acts 71st Leg., R.S., Ch. 1214, Sec. 2;  
34-15 New.)  
34-16 Sec. 8481.002. NATURE OF DISTRICT. The district is a  
34-17 conservation and reclamation district in Travis County created  
34-18 under Section 59, Article XVI, Texas Constitution. (Acts 71st  
34-19 Leg., R.S., Ch. 1214, Secs. 1(a) (part), (b) (part).)  
34-20 Sec. 8481.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
34-21 (a) The district is created to serve a public use and benefit.  
34-22 (b) All land and other property included in the district  
34-23 will benefit from the works and projects accomplished by the  
34-24 district under the powers conferred by Section 59, Article XVI,  
34-25 Texas Constitution.  
34-26 (c) The creation of the district is essential to accomplish  
34-27 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
34-28 71st Leg., R.S., Ch. 1214, Secs. 1(b) (part), 5.)  
34-29 Sec. 8481.004. DISTRICT TERRITORY. (a) The district is  
34-30 composed of the territory described by Section 3, Chapter 1214,  
34-31 Acts of the 71st Legislature, Regular Session, 1989, as that  
34-32 territory may have been modified under:  
34-33 (1) Subchapter H, Chapter 54, Water Code;  
34-34 (2) Subchapter J, Chapter 49, Water Code; or  
34-35 (3) other law.  
34-36 (b) The boundaries and field notes of the district form a  
34-37 closure. A mistake in the field notes or in copying the field notes  
34-38 in the legislative process does not affect:  
34-39 (1) the district's organization, existence, or  
34-40 validity;  
34-41 (2) the district's right to impose a tax; or  
34-42 (3) the legality or operation of the district or its  
34-43 governing body. (Acts 71st Leg., R.S., Ch. 1214, Sec. 4; New.)  
34-44 Sec. 8481.005. APPLICATION OF CONDITIONS TO CREATION. The  
34-45 enactment of Chapter 1214, Acts of the 71st Legislature, Regular  
34-46 Session, 1989, did not affect conditions to the consent of the  
34-47 creation of the district imposed by any jurisdiction in which the  
34-48 district is located. (Acts 71st Leg., R.S., Ch. 1214, Sec. 11.)  
34-49 SUBCHAPTER B. BOARD OF DIRECTORS  
34-50 Sec. 8481.051. COMPOSITION OF BOARD; TERMS. (a) The  
34-51 district is governed by a board of five directors.  
34-52 (b) Directors serve staggered four-year terms. (Acts 71st  
34-53 Leg., R.S., Ch. 1214, Secs. 7(a), (d).)  
34-54 SUBCHAPTER C. POWERS AND DUTIES  
34-55 Sec. 8481.101. GENERAL POWERS AND DUTIES. (a) The  
34-56 district has the rights, powers, privileges, functions, and duties:  
34-57 (1) provided by general law applicable to a municipal  
34-58 utility district created under Section 59, Article XVI, Texas  
34-59 Constitution, including Chapters 49, 50, and 54, Water Code;  
34-60 (2) relating to a road district or road utility  
34-61 district created under Section 52, Article III, Texas Constitution;  
34-62 and  
34-63 (3) relating to a supply and distribution facility or  
34-64 system in order to provide potable and nonpotable water to the  
34-65 residents and businesses of Travis and Hays Counties.  
34-66 (b) Notwithstanding Subsections (a)(2) and (3), the  
34-67 district may not construct, acquire, maintain, or operate a toll  
34-68 road. (Acts 71st Leg., R.S., Ch. 1214, Secs. 6(a) (part), (c),  
34-69 (d).)

35-1 CHAPTER 8482. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 12  
 35-2 SUBCHAPTER A. GENERAL PROVISIONS  
 35-3 Sec. 8482.001. DEFINITIONS  
 35-4 Sec. 8482.002. NATURE OF DISTRICT  
 35-5 Sec. 8482.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
 35-6 Sec. 8482.004. DISTRICT TERRITORY  
 35-7 Sec. 8482.005. ADDITION OR EXCLUSION OF DISTRICT  
 35-8 TERRITORY; MUNICIPAL CONSENT NOT  
 35-9 REQUIRED  
 35-10 Sec. 8482.006. PROHIBITION AGAINST IMPAIRMENT OF  
 35-11 DISTRICT  
 35-12 SUBCHAPTER B. BOARD OF DIRECTORS  
 35-13 Sec. 8482.051. COMPOSITION OF BOARD; TERMS  
 35-14 SUBCHAPTER C. POWERS AND DUTIES  
 35-15 Sec. 8482.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
 35-16 DUTIES  
 35-17 SUBCHAPTER D. ANNEXATION BY MUNICIPALITY  
 35-18 Sec. 8482.151. ANNEXATION BY MUNICIPALITY  
 35-19 Sec. 8482.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION  
 35-20 CHAPTER 8482. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 12  
 35-21 SUBCHAPTER A. GENERAL PROVISIONS  
 35-22 Sec. 8482.001. DEFINITIONS. In this chapter:  
 35-23 (1) "Board" means the board of directors of the  
 35-24 district.  
 35-25 (2) "Director" means a member of the board.  
 35-26 (3) "District" means the Williamson County Municipal  
 35-27 Utility District No. 12. (Acts 78th Leg., R.S., Ch. 761, Secs.  
 35-28 1(1), (3); New.)  
 35-29 Sec. 8482.002. NATURE OF DISTRICT. (a) The district is a  
 35-30 municipal utility district in Williamson County created under  
 35-31 Section 59, Article XVI, Texas Constitution.  
 35-32 (b) The district is a political subdivision of this state.  
 35-33 (Acts 78th Leg., R.S., Ch. 761, Secs. 2(a) (part), (b), 3(b)  
 35-34 (part).)  
 35-35 Sec. 8482.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
 35-36 (a) The district is created to serve a public use and benefit.  
 35-37 (b) All land and other property included in the district  
 35-38 will benefit from the works and projects accomplished by the  
 35-39 district under powers conferred by Section 59, Article XVI, Texas  
 35-40 Constitution.  
 35-41 (c) The creation of the district is essential to accomplish  
 35-42 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
 35-43 78th Leg., R.S., Ch. 761, Secs. 3(a), (b) (part), (c).)  
 35-44 Sec. 8482.004. DISTRICT TERRITORY. (a) The district is  
 35-45 composed of the territory described by Section 4, Chapter 761, Acts  
 35-46 of the 78th Legislature, Regular Session, 2003, as that territory  
 35-47 may have been modified under:  
 35-48 (1) Subchapter H, Chapter 54, Water Code;  
 35-49 (2) Subchapter J, Chapter 49, Water Code; or  
 35-50 (3) other law.  
 35-51 (b) The boundaries and field notes of the district form a  
 35-52 closure. A mistake in the field notes or in copying the field notes  
 35-53 in the legislative process does not affect:  
 35-54 (1) the district's organization, existence, or  
 35-55 validity;  
 35-56 (2) the district's right to impose a tax; or  
 35-57 (3) the legality or operation of the district or the  
 35-58 board. (Acts 78th Leg., R.S., Ch. 761, Sec. 5; New.)  
 35-59 Sec. 8482.005. ADDITION OR EXCLUSION OF DISTRICT TERRITORY;  
 35-60 MUNICIPAL CONSENT NOT REQUIRED. The district may add or exclude  
 35-61 land in the manner provided by Chapters 49 and 54, Water Code,  
 35-62 without the consent of any municipality. (Acts 78th Leg., R.S., Ch.  
 35-63 761, Sec. 13(b).)  
 35-64 Sec. 8482.006. PROHIBITION AGAINST IMPAIRMENT OF DISTRICT.  
 35-65 A municipality in whose extraterritorial jurisdiction the district  
 35-66 is located may not take any action, including adopting an ordinance  
 35-67 or resolution, that:  
 35-68 (1) impairs the district's ability to exercise the  
 35-69 district's powers under this chapter; or



36-1 (2) limits the district's ability to finance,  
36-2 construct, or operate the district's water, wastewater, or drainage  
36-3 systems. (Acts 78th Leg., R.S., Ch. 761, Sec. 12.)

36-4 SUBCHAPTER B. BOARD OF DIRECTORS

36-5 Sec. 8482.051. COMPOSITION OF BOARD; TERMS. (a) The  
36-6 district is governed by a board of five directors.

36-7 (b) Directors serve staggered four-year terms. (Acts 78th  
36-8 Leg., R.S., Ch. 761, Secs. 7(a), (d).)

36-9 SUBCHAPTER C. POWERS AND DUTIES

36-10 Sec. 8482.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
36-11 DUTIES. The district has the rights, powers, privileges,  
36-12 functions, and duties provided by general law, including Chapters  
36-13 49 and 54, Water Code, applicable to a municipal utility district  
36-14 created under Section 59, Article XVI, Texas Constitution. (Acts  
36-15 78th Leg., R.S., Ch. 761, Sec. 11; New.)

36-16 SUBCHAPTER D. ANNEXATION BY MUNICIPALITY

36-17 Sec. 8482.151. ANNEXATION BY MUNICIPALITY. A municipality  
36-18 may annex the district on the earlier of:

36-19 (1) the date of installation of 90 percent of all  
36-20 works, improvements, facilities, plants, equipment, and appliances  
36-21 necessary and adequate to:

36-22 (A) provide service to the proposed development  
36-23 in the district;

36-24 (B) accomplish the purposes for which the  
36-25 district was created; and

36-26 (C) exercise the powers provided by general law  
36-27 and this chapter; or

36-28 (2) the 20th anniversary of the date the district was  
36-29 confirmed. (Acts 78th Leg., R.S., Ch. 761, Sec. 13(a).)

36-30 Sec. 8482.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION. If  
36-31 a municipality in whose extraterritorial jurisdiction the district  
36-32 is located annexes the district for full or limited purposes and the  
36-33 annexation precludes or impairs the ability of the district to  
36-34 issue bonds, the municipality shall:

36-35 (1) simultaneously with the annexation, pay in cash to  
36-36 the landowner or developer of the district a sum equal to all actual  
36-37 costs and expenses incurred by the landowner or developer in  
36-38 connection with the district that:

36-39 (A) the district has agreed in writing to pay;  
36-40 and

36-41 (B) would otherwise have been eligible for  
36-42 reimbursement from bond proceeds under the rules and requirements  
36-43 of the Texas Commission on Environmental Quality as those rules and  
36-44 requirements exist on the date of annexation; and

36-45 (2) after the annexation, install all necessary water,  
36-46 wastewater, and drainage facilities to serve full buildout of  
36-47 development in the district. (Acts 78th Leg., R.S., Ch. 761, Secs.  
36-48 1(2), 14.)

36-49 CHAPTER 8485. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 13

36-50 SUBCHAPTER A. GENERAL PROVISIONS

36-51 Sec. 8485.001. DEFINITIONS

36-52 Sec. 8485.002. NATURE OF DISTRICT

36-53 Sec. 8485.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

36-54 Sec. 8485.004. DISTRICT TERRITORY

36-55 Sec. 8485.005. ADDITION OR EXCLUSION OF DISTRICT  
36-56 TERRITORY; MUNICIPAL CONSENT NOT  
36-57 REQUIRED

36-58 Sec. 8485.006. PROHIBITION AGAINST IMPAIRMENT OF  
36-59 DISTRICT

36-60 SUBCHAPTER B. BOARD OF DIRECTORS

36-61 Sec. 8485.051. COMPOSITION OF BOARD; TERMS

36-62 SUBCHAPTER C. POWERS AND DUTIES

36-63 Sec. 8485.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
36-64 DUTIES

36-65 SUBCHAPTER D. ANNEXATION BY MUNICIPALITY

36-66 Sec. 8485.151. ANNEXATION BY MUNICIPALITY

36-67 Sec. 8485.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION

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37-1 CHAPTER 8485. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 13

37-2 SUBCHAPTER A. GENERAL PROVISIONS

37-3 Sec. 8485.001. DEFINITIONS. In this chapter:

37-4 (1) "Board" means the board of directors of the

37-5 district.

37-6 (2) "Director" means a member of the board.

37-7 (3) "District" means the Williamson County Municipal

37-8 Utility District No. 13. (Acts 78th Leg., R.S., Ch. 760, Secs. 1(1),

37-9 (3); New.)

37-10 Sec. 8485.002. NATURE OF DISTRICT. (a) The district is a

37-11 municipal utility district in Williamson County created under

37-12 Section 59, Article XVI, Texas Constitution.

37-13 (b) The district is a political subdivision of this state.

37-14 (Acts 78th Leg., R.S., Ch. 760, Secs. 2(a) (part), (b), 3(b)

37-15 (part).)

37-16 Sec. 8485.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

37-17 (a) The district is created to serve a public use and benefit.

37-18 (b) All land and other property included in the district

37-19 will benefit from the works and projects accomplished by the

37-20 district under powers conferred by Section 59, Article XVI, Texas

37-21 Constitution.

37-22 (c) The creation of the district is essential to accomplish

37-23 the purposes of Section 59, Article XVI, Texas Constitution. (Acts

37-24 78th Leg., R.S., Ch. 760, Secs. 3(a), (b) (part), (c).)

37-25 Sec. 8485.004. DISTRICT TERRITORY. (a) The district is

37-26 composed of the territory described by Section 4, Chapter 760, Acts

37-27 of the 78th Legislature, Regular Session, 2003, as that territory

37-28 may have been modified under:

37-29 (1) Subchapter H, Chapter 54, Water Code;

37-30 (2) Subchapter J, Chapter 49, Water Code; or

37-31 (3) other law.

37-32 (b) The boundaries and field notes of the district form a

37-33 closure. A mistake in the field notes or in copying the field notes

37-34 in the legislative process does not affect:

37-35 (1) the district's organization, existence, or

37-36 validity;

37-37 (2) the district's right to impose a tax; or

37-38 (3) the legality or operation of the district or the

37-39 board. (Acts 78th Leg., R.S., Ch. 760, Sec. 5; New.)

37-40 Sec. 8485.005. ADDITION OR EXCLUSION OF DISTRICT TERRITORY;

37-41 MUNICIPAL CONSENT NOT REQUIRED. The district may add or exclude

37-42 land in the manner provided by Chapters 49 and 54, Water Code,

37-43 without the consent of any municipality. (Acts 78th Leg., R.S., Ch.

37-44 760, Sec. 13(b).)

37-45 Sec. 8485.006. PROHIBITION AGAINST IMPAIRMENT OF DISTRICT.

37-46 A municipality in whose extraterritorial jurisdiction the district

37-47 is located may not take any action, including adopting an ordinance

37-48 or resolution, that:

37-49 (1) impairs the district's ability to exercise the

37-50 district's powers under this chapter; or

37-51 (2) limits the district's ability to finance,

37-52 construct, or operate the district's water, wastewater, or drainage

37-53 systems. (Acts 78th Leg., R.S., Ch. 760, Sec. 12.)

37-54 SUBCHAPTER B. BOARD OF DIRECTORS

37-55 Sec. 8485.051. COMPOSITION OF BOARD; TERMS. (a) The

37-56 district is governed by a board of five directors.

37-57 (b) Directors serve staggered four-year terms. (Acts 78th

37-58 Leg., R.S., Ch. 760, Secs. 7(a), (d).)

37-59 SUBCHAPTER C. POWERS AND DUTIES

37-60 Sec. 8485.101. MUNICIPAL UTILITY DISTRICT POWERS AND

37-61 DUTIES. The district has the rights, powers, privileges,

37-62 functions, and duties provided by general law, including Chapters

37-63 49 and 54, Water Code, applicable to a municipal utility district

37-64 created under Section 59, Article XVI, Texas Constitution. (Acts

37-65 78th Leg., R.S., Ch. 760, Sec. 11; New.)

37-66 SUBCHAPTER D. ANNEXATION BY MUNICIPALITY

37-67 Sec. 8485.151. ANNEXATION BY MUNICIPALITY. A municipality

37-68 may annex the district on the earlier of:

37-69 (1) the date of installation of 90 percent of all

38-1 works, improvements, facilities, plants, equipment, and appliances  
38-2 necessary and adequate to:

38-3 (A) provide service to the proposed development  
38-4 in the district;

38-5 (B) accomplish the purposes for which the  
38-6 district was created; and

38-7 (C) exercise the powers provided by general law  
38-8 and this chapter; or

38-9 (2) the 20th anniversary of the date the district was  
38-10 confirmed. (Acts 78th Leg., R.S., Ch. 760, Sec. 13(a).)

38-11 Sec. 8485.152. DUTIES OF MUNICIPALITY AFTER ANNEXATION. If  
38-12 a municipality in whose extraterritorial jurisdiction the district  
38-13 is located annexes the district for full or limited purposes and the  
38-14 annexation precludes or impairs the ability of the district to  
38-15 issue bonds, the municipality shall:

38-16 (1) simultaneously with the annexation, pay in cash to  
38-17 the landowner or developer of the district a sum equal to all actual  
38-18 costs and expenses incurred by the landowner or developer in  
38-19 connection with the district that:

38-20 (A) the district has agreed in writing to pay;  
38-21 and

38-22 (B) would otherwise have been eligible for  
38-23 reimbursement from bond proceeds under the rules and requirements  
38-24 of the Texas Commission on Environmental Quality as those rules and  
38-25 requirements exist on the date of annexation; and

38-26 (2) after the annexation, install all necessary water,  
38-27 wastewater, and drainage facilities to serve full buildout of  
38-28 development in the district. (Acts 78th Leg., R.S., Ch. 760, Secs.  
38-29 1(2), 14.)

38-30 CHAPTER 8486. WILLIAMSON COUNTY WATER, SEWER, IRRIGATION, AND  
38-31 DRAINAGE DISTRICT NO. 3

38-32 SUBCHAPTER A. GENERAL PROVISIONS

38-33 Sec. 8486.001. DEFINITIONS

38-34 Sec. 8486.002. NATURE OF DISTRICT

38-35 Sec. 8486.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

38-36 Sec. 8486.004. DISTRICT TERRITORY

38-37 SUBCHAPTER B. BOARD OF DIRECTORS

38-38 Sec. 8486.051. COMPOSITION OF BOARD

38-39 Sec. 8486.052. BOARD VACANCY

38-40 SUBCHAPTER C. POWERS AND DUTIES

38-41 Sec. 8486.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
38-42 DUTIES

38-43 CHAPTER 8486. WILLIAMSON COUNTY WATER, SEWER, IRRIGATION, AND  
38-44 DRAINAGE DISTRICT NO. 3

38-45 SUBCHAPTER A. GENERAL PROVISIONS

38-46 Sec. 8486.001. DEFINITIONS. In this chapter:

38-47 (1) "Board" means the district's board of directors.

38-48 (2) "Director" means a board member.

38-49 (3) "District" means the Williamson County Water,  
38-50 Sewer, Irrigation, and Drainage District No. 3. (Acts 70th Leg.,  
38-51 R.S., Ch. 650, Sec. 2; New.)

38-52 Sec. 8486.002. NATURE OF DISTRICT. The district is a  
38-53 conservation and reclamation district in Williamson County,  
38-54 created under Section 59, Article XVI, Texas Constitution. (Acts  
38-55 70th Leg., R.S., Ch. 650, Sec. 1(a) (part).)

38-56 Sec. 8486.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
38-57 The district is created to serve a public use and benefit.

38-58 (b) All land and other property included in the boundaries  
38-59 of the district will benefit from the works and projects  
38-60 accomplished by the district under the powers conferred by Section  
38-61 59, Article XVI, Texas Constitution.

38-62 (c) The creation of the district is essential to accomplish  
38-63 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
38-64 70th Leg., R.S., Ch. 650, Secs. 1(b), 5.)

38-65 Sec. 8486.004. DISTRICT TERRITORY. (a) The district is  
38-66 composed of the territory described by Section 3, Chapter 650, Acts  
38-67 of the 70th Legislature, Regular Session, 1987, as that territory  
38-68 may have been modified under:

38-69 (1) Subchapter H, Chapter 54, Water Code;

39-1 (2) Subchapter J, Chapter 49, Water Code; or  
 39-2 (3) other law.  
 39-3 (b) The boundaries and field notes of the district form a  
 39-4 closure. A mistake in the field notes or in copying the field notes  
 39-5 in the legislative process does not affect:  
 39-6 (1) the district's organization, existence, or  
 39-7 validity;  
 39-8 (2) the district's right to impose a tax; or  
 39-9 (3) the legality or operation of the district or its  
 39-10 governing body. (Acts 70th Leg., R.S., Ch. 650, Sec. 4; New.)  
 39-11 SUBCHAPTER B. BOARD OF DIRECTORS  
 39-12 Sec. 8486.051. COMPOSITION OF BOARD. The district is  
 39-13 governed by a board of five elected directors. (Acts 70th Leg.,  
 39-14 R.S., Ch. 650, Secs. 7(a), (b) (part).)  
 39-15 Sec. 8486.052. BOARD VACANCY. (a) Except as provided by  
 39-16 Subsection (b), a vacancy in the office of director shall be filled  
 39-17 in the manner provided by Section 49.105, Water Code.  
 39-18 (b) The Texas Commission on Environmental Quality shall  
 39-19 appoint directors to fill all of the vacancies on the board whenever  
 39-20 the number of qualified directors is fewer than three. (Acts 70th  
 39-21 Leg., R.S., Ch. 650, Sec. 7(e) (part); New.)  
 39-22 SUBCHAPTER C. POWERS AND DUTIES  
 39-23 Sec. 8486.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
 39-24 DUTIES. The district has the rights, powers, privileges, duties,  
 39-25 and functions provided by general law applicable to a municipal  
 39-26 utility district created under Section 59, Article XVI, Texas  
 39-27 Constitution, including Chapters 49, 50, and 54, Water Code. (Acts  
 39-28 70th Leg., R.S., Ch. 650, Sec. 6(a) (part).)  
 39-29 SECTION 1.05. Subtitle G, Title 6, Special District Local  
 39-30 Laws Code, is amended by adding Chapter 8506 to read as follows:  
 39-31 CHAPTER 8506. UPPER COLORADO RIVER AUTHORITY  
 39-32 SUBCHAPTER A. GENERAL PROVISIONS  
 39-33 Sec. 8506.001. DEFINITIONS  
 39-34 Sec. 8506.002. CREATION AND NATURE OF AUTHORITY  
 39-35 Sec. 8506.003. TERRITORY  
 39-36 Sec. 8506.004. LIBERAL CONSTRUCTION OF CHAPTER  
 39-37 SUBCHAPTER B. BOARD OF DIRECTORS; ADMINISTRATIVE PROVISIONS  
 39-38 Sec. 8506.051. MEMBERSHIP OF BOARD  
 39-39 Sec. 8506.052. TERMS  
 39-40 Sec. 8506.053. REMOVAL  
 39-41 Sec. 8506.054. VACANCY  
 39-42 Sec. 8506.055. VOTING REQUIREMENT  
 39-43 Sec. 8506.056. OFFICERS AND EMPLOYEES  
 39-44 Sec. 8506.057. SURETY BONDS  
 39-45 Sec. 8506.058. AUTHORITY'S OFFICE AND DOMICILE  
 39-46 Sec. 8506.059. CONFLICT OF INTEREST; CRIMINAL PENALTY  
 39-47 SUBCHAPTER C. POWERS AND DUTIES  
 39-48 Sec. 8506.101. GENERAL POWERS  
 39-49 Sec. 8506.102. POWERS RELATED TO WATER OF COLORADO  
 39-50 RIVER AND ITS TRIBUTARIES  
 39-51 Sec. 8506.103. SALE AND DISTRIBUTION OF WATER OUTSIDE  
 39-52 BOUNDARIES OF AUTHORITY  
 39-53 Sec. 8506.104. DEVELOPMENT, GENERATION, DISTRIBUTION,  
 39-54 AND SALE OF WATER POWER AND ELECTRIC  
 39-55 ENERGY  
 39-56 Sec. 8506.105. PREVENTION OF DAMAGE TO PERSONS OR  
 39-57 PROPERTY  
 39-58 Sec. 8506.106. FORESTATION AND REFORESTATION;  
 39-59 PREVENTION OF SOIL EROSION AND FLOODS  
 39-60 Sec. 8506.107. AUTHORITY PROPERTY; EMINENT DOMAIN  
 39-61 Sec. 8506.108. SALE, LEASE, MORTGAGE, OR OTHER  
 39-62 DISPOSITION OF AUTHORITY PROPERTY  
 39-63 Sec. 8506.109. OVERFLOW OR INUNDATION OF PUBLIC  
 39-64 PROPERTY; RELOCATION OF ROADS  
 39-65 Sec. 8506.110. CONSTRUCTION, MAINTENANCE, AND  
 39-66 OPERATION OF FACILITIES  
 39-67 Sec. 8506.111. SEAL  
 39-68 Sec. 8506.112. GENERAL CONTRACT POWERS  
 39-



- 40-1 Sec. 8506.113. ADDITIONAL POWERS RELATING TO  
40-2 CONTRACTS, RULES, AND REGULATIONS  
40-3 Sec. 8506.114. LIMITATIONS ON POWERS OF AUTHORITY  
40-4 Sec. 8506.115. PUBLIC USE OF AUTHORITY'S LAND  
40-5 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
40-6 Sec. 8506.151. DISBURSEMENT OF MONEY  
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40-27 CHAPTER 8506. UPPER COLORADO RIVER AUTHORITY  
40-28 SUBCHAPTER A. GENERAL PROVISIONS  
40-29 Sec. 8506.001. DEFINITIONS. In this chapter:  
40-30 (1) "Authority" means the Upper Colorado River  
40-31 Authority.  
40-32 (2) "Board" means the board of directors of the  
40-33 authority.  
40-34 (3) "Director" means a member of the board. (Acts 44th  
40-35 Leg., R.S., G.L., Ch. 126, Secs. 1 (part), 3(a) (part); New.)  
40-36 Sec. 8506.002. CREATION AND NATURE OF AUTHORITY. (a) The  
40-37 authority is created as a conservation and reclamation district and  
40-38 a state agency.  
40-39 (b) The creation of the authority is essential to the  
40-40 accomplishment of the purposes of Section 59(a), Article XVI, Texas  
40-41 Constitution. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 1 (part),  
40-42 18 (part).)  
40-43 Sec. 8506.003. TERRITORY. Unless modified under Subchapter  
40-44 J, Chapter 49, Water Code, or other law, the authority's territory  
40-45 consists of that part of this state included in the boundaries of  
40-46 Coke and Tom Green Counties. (Acts 44th Leg., R.S., G.L., Ch. 126,  
40-47 Sec. 1 (part); New.)  
40-48 Sec. 8506.004. LIBERAL CONSTRUCTION OF CHAPTER. This  
40-49 chapter shall be liberally construed to effect its purposes. (Acts  
40-50 44th Leg., R.S., G.L., Ch. 126, Sec. 20.)  
40-51 SUBCHAPTER B. BOARD OF DIRECTORS; ADMINISTRATIVE PROVISIONS  
40-52 Sec. 8506.051. MEMBERSHIP OF BOARD. (a) The board  
40-53 consists of nine directors appointed by the governor with the  
40-54 advice and consent of the senate.  
40-55 (b) Each director must be a resident of and a freehold  
40-56 property taxpayer in this state.  
40-57 (c) Three directors must be residents of Tom Green County,  
40-58 three directors must be residents of Coke County, and three  
40-59 directors must be residents of counties contiguous to the authority  
40-60 or a county any part of which is within 25 miles of the authority.  
40-61 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 3(a) (part).)  
40-62 Sec. 8506.052. TERMS. Directors are appointed for  
40-63 staggered terms of six years with three directors' terms expiring  
40-64 on February 1 of each odd-numbered year. (Acts 44th Leg., R.S.,  
40-65 G.L., Ch. 126, Sec. 3(a) (part).)  
40-66 Sec. 8506.053. REMOVAL. A director may be removed by the  
40-67 governor for inefficiency, neglect of duty, or misconduct in  
40-68 office, after at least 10 days' written notice of the charge against  
40-69 the director and an opportunity to be heard in person or by counsel



41-1 at a public hearing. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec.  
41-2 3(a) (part).)

41-3 Sec. 8506.054. VACANCY. A vacancy on the board shall be  
41-4 filled by the governor for the unexpired term. (Acts 44th Leg.,  
41-5 R.S., G.L., Ch. 126, Sec. 3(a) (part).)

41-6 Sec. 8506.055. VOTING REQUIREMENT. (a) Except as provided  
41-7 by this chapter or the bylaws, action may be taken by the  
41-8 affirmative vote of a majority of the directors present at a  
41-9 meeting.

41-10 (b) The following are valid only if authorized or ratified  
41-11 by the affirmative vote of at least five directors:

41-12 (1) a contract that involves an amount greater than  
41-13 \$10,000 or has a duration of more than one year;

41-14 (2) a bond, note, or other evidence of indebtedness;  
41-15 or

41-16 (3) an amendment of the bylaws. (Acts 44th Leg., R.S.,  
41-17 G.L., Ch. 126, Sec. 3(b) (part).)

41-18 Sec. 8506.056. OFFICERS AND EMPLOYEES. (a) The board shall  
41-19 select a secretary, a presiding officer, and a treasurer. The  
41-20 treasurer may also hold the office of secretary.

41-21 (b) The secretary shall keep accurate and complete records  
41-22 of all proceedings of the board.

41-23 (c) Until the board selects a secretary, or if the secretary  
41-24 is absent or unable to act, the board shall select a secretary pro  
41-25 tem.

41-26 (d) The presiding officer is the chief executive officer of  
41-27 the authority.

41-28 (e) The secretary, secretary pro tem, presiding officer,  
41-29 and treasurer have the powers and duties, hold office for the term,  
41-30 and are subject to removal in the manner provided by the bylaws.

41-31 (f) The board shall set the compensation of the secretary,  
41-32 secretary pro tem, presiding officer, and treasurer.

41-33 (g) The board may appoint other officers, agents, and  
41-34 employees, set their compensation and term of office, prescribe  
41-35 their duties and the method by which they may be removed, and  
41-36 delegate to them any of its powers and duties as it considers  
41-37 proper. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 2 (part), 4.)

41-38 Sec. 8506.057. SURETY BONDS. (a) The presiding officer,  
41-39 the treasurer, and any other officer, agent, or employee of the  
41-40 authority who is charged with the collection, custody, or payment  
41-41 of authority money shall give bond conditioned on:

41-42 (1) the faithful performance of the person's duties;  
41-43 and

41-44 (2) an accounting for all money and property of the  
41-45 authority coming into the person's possession.

41-46 (b) The bond must be in a form and amount and with a surety  
41-47 approved by the board, and the surety on the bond must be a surety  
41-48 company authorized to do business in this state.

41-49 (c) The authority shall pay the premium on the bond and  
41-50 charge the premium as an operating expense.

41-51 (d) The bond must be payable to the board for the use and  
41-52 benefit of the authority. (Acts 44th Leg., R.S., G.L., Ch. 126,  
41-53 Sec. 5 (part).)

41-54 Sec. 8506.058. AUTHORITY'S OFFICE AND DOMICILE. (a) The  
41-55 board by majority vote shall determine the location of the  
41-56 authority's general office.

41-57 (b) The county in which the authority's general office is  
41-58 located is the authority's domicile.

41-59 (c) The presiding officer is in charge of the authority's  
41-60 general office. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 6  
41-61 (part).)

41-62 Sec. 8506.059. CONFLICT OF INTEREST; CRIMINAL PENALTY. (a)  
41-63 A director, officer, agent, or employee of the authority may not be  
41-64 directly or indirectly interested in a contract for the purchase of  
41-65 any property or construction of any work by or for the authority.

41-66 (b) A person commits an offense if the person violates this  
41-67 section. An offense under this subsection is a felony punishable  
41-68 by:

41-69 (1) a fine not to exceed \$10,000;

42-1 (2) confinement in the institutional division of the  
42-2 Texas Department of Criminal Justice for not less than one year or  
42-3 more than 10 years; or

42-4 (3) both the fine and confinement. (Acts 44th Leg.,  
42-5 R.S., G.L., Ch. 126, Sec. 7.)

42-6 SUBCHAPTER C. POWERS AND DUTIES

42-7 Sec. 8506.101. GENERAL POWERS. (a) The authority has:

42-8 (1) the powers of government and the authority to  
42-9 exercise the rights, privileges, and functions specified by this  
42-10 chapter; and

42-11 (2) all powers, rights, privileges, and functions  
42-12 conferred by general law on any district created pursuant to  
42-13 Section 59(a), Article XVI, Texas Constitution, except as expressly  
42-14 limited by this chapter.

42-15 (b) The authority may perform any act necessary or  
42-16 convenient to the exercise of the powers, rights, privileges, or  
42-17 functions conferred on the authority by this chapter or any other  
42-18 law. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 1 (part), 2  
42-19 (part).)

42-20 Sec. 8506.102. POWERS RELATED TO WATER OF COLORADO RIVER  
42-21 AND ITS TRIBUTARIES. Inside the boundaries of the authority, the  
42-22 authority may:

42-23 (1) control, store, and preserve the water of the  
42-24 Colorado River and its tributaries for any useful purpose; and

42-25 (2) use, distribute, and sell the water described by  
42-26 Subdivision (1) for any useful purpose. (Acts 44th Leg., R.S.,  
42-27 G.L., Ch. 126, Sec. 2 (part).)

42-28 Sec. 8506.103. SALE AND DISTRIBUTION OF WATER OUTSIDE  
42-29 BOUNDARIES OF AUTHORITY. The authority may:

42-30 (1) sell and distribute water outside the boundaries  
42-31 of the authority to any municipality for domestic, municipal, or  
42-32 irrigation purposes or to any person for municipal purposes or  
42-33 irrigation; and

42-34 (2) construct a flume, irrigation ditch, pipeline, or  
42-35 storage reservoir outside the authority for a purpose described by  
42-36 Subdivision (1). (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2  
42-37 (part).)

42-38 Sec. 8506.104. DEVELOPMENT, GENERATION, DISTRIBUTION, AND  
42-39 SALE OF WATER POWER AND ELECTRIC ENERGY. (a) The authority may:

42-40 (1) develop and generate water power and electric  
42-41 energy inside the boundaries of the authority; and

42-42 (2) distribute and sell water power and electric  
42-43 energy inside or outside the boundaries of the authority.

42-44 (b) A use authorized by this section is subordinate and  
42-45 inferior to an irrigation requirement. (Acts 44th Leg., R.S.,  
42-46 G.L., Ch. 126, Sec. 2 (part).)

42-47 Sec. 8506.105. PREVENTION OF DAMAGE TO PERSONS OR PROPERTY.  
42-48 The authority may prevent or aid in the prevention of damage to  
42-49 persons or property from the water of the Colorado River and its  
42-50 tributaries. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2 (part).)

42-51 Sec. 8506.106. FORESTATION AND REFORESTATION; PREVENTION  
42-52 OF SOIL EROSION AND FLOODS. In the watershed of the Colorado River  
42-53 and its tributaries, the authority may:

42-54 (1) forest, reforest, or aid in foresting or  
42-55 reforesting; and

42-56 (2) prevent or aid in the prevention of soil erosion  
42-57 and floods. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2 (part).)

42-58 Sec. 8506.107. AUTHORITY PROPERTY; EMINENT DOMAIN.

42-59 (a) The authority may acquire, maintain, use, and operate property  
42-60 of any kind or any interest in property, inside or outside the  
42-61 boundaries of the authority, necessary or convenient to the  
42-62 exercise of the powers, rights, privileges, and functions conferred  
42-63 on the authority by this chapter. The authority may acquire the  
42-64 property or interest in property by purchase, lease, gift, exercise  
42-65 of the power of eminent domain, or any other manner.

42-66 (b) The authority must exercise the power of eminent domain  
42-67 in the manner provided by:

42-68 (1) Chapter 21, Property Code; or

42-69 (2) the statutes relating to condemnation by districts

43-1 organized under general law pursuant to Section 59(a), Article XVI,  
43-2 Texas Constitution. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2  
43-3 (part).)

43-4 Sec. 8506.108. SALE, LEASE, MORTGAGE, OR OTHER DISPOSITION  
43-5 OF AUTHORITY PROPERTY. (a) The authority may not:

43-6 (1) mortgage or otherwise encumber authority property  
43-7 of any kind, or any interest in authority property; or

43-8 (2) acquire any property or interest in property  
43-9 subject to a mortgage or conditional sale.

43-10 (b) Subsection (a) does not prevent pledging authority  
43-11 revenue as authorized by this chapter.

43-12 (c) This chapter does not authorize the sale, lease, or  
43-13 other disposition of authority property of any kind, or an interest  
43-14 in authority property, by the authority, by a receiver of any  
43-15 authority property, through a court proceeding, or otherwise.

43-16 (d) Notwithstanding Subsection (c), the authority may sell  
43-17 for cash authority property of any kind, or an interest in authority  
43-18 property, if:

43-19 (1) the board, by the affirmative vote of six members  
43-20 of the board, determines that the property or interest is not  
43-21 necessary or convenient to the business of the authority and  
43-22 approves the terms of the sale; and

43-23 (2) the aggregate value of the properties or interests  
43-24 sold in any year does not exceed \$50,000.

43-25 (e) It is the intent of the legislature that, except by sale  
43-26 as expressly authorized by this section, authority property or an  
43-27 interest in authority property never come into the ownership or  
43-28 control, directly or indirectly, of any person other than a public  
43-29 authority created under the laws of this state.

43-30 (f) Authority property is exempt from forced sale. The sale  
43-31 of authority property under a judgment rendered in a suit is  
43-32 prohibited. (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 2 (part),  
43-33 14.)

43-34 Sec. 8506.109. OVERFLOW OR INUNDATION OF PUBLIC PROPERTY;  
43-35 RELOCATION OF ROADS. The authority may overflow and inundate any  
43-36 public land or public property and require the relocation of a road  
43-37 or highway in the manner and to the extent permitted to a district  
43-38 organized under general law pursuant to Section 59(a), Article XVI,  
43-39 Texas Constitution. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2  
43-40 (part).)

43-41 Sec. 8506.110. CONSTRUCTION, MAINTENANCE, AND OPERATION OF  
43-42 FACILITIES. The authority may construct, extend, improve,  
43-43 maintain, and reconstruct, cause to be constructed, extended,  
43-44 improved, maintained, and reconstructed, and use and operate  
43-45 facilities of any kind necessary or convenient to the exercise of  
43-46 the authority's powers, rights, privileges, and functions. (Acts  
43-47 44th Leg., R.S., G.L., Ch. 126, Sec. 2 (part).)

43-48 Sec. 8506.111. SEAL. The authority may adopt and use a  
43-49 corporate seal. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 2  
43-50 (part).)

43-51 Sec. 8506.112. GENERAL CONTRACT POWERS. The authority may  
43-52 make a contract or execute an instrument necessary or convenient to  
43-53 the exercise of the powers, rights, privileges, and functions  
43-54 conferred on the authority by this chapter. (Acts 44th Leg., R.S.,  
43-55 G.L., Ch. 126, Sec. 2 (part).)

43-56 Sec. 8506.113. ADDITIONAL POWERS RELATING TO CONTRACTS,  
43-57 RULES, AND REGULATIONS. The authority may enter into and carry out  
43-58 contracts or establish or comply with rules and regulations  
43-59 concerning labor and materials and other related matters in  
43-60 connection with any project the authority considers desirable or as  
43-61 requested by the United States, or any corporation or agency  
43-62 created, designated, or established by the United States, that may  
43-63 assist in the financing of the project. (Acts 44th Leg., R.S.,  
43-64 G.L., Ch. 126, Sec. 12.)

43-65 Sec. 8506.114. LIMITATIONS ON POWERS OF AUTHORITY. (a)  
43-66 Notwithstanding any right or permit to use the water of the Colorado  
43-67 River and its tributaries for the generation of hydroelectric power  
43-68 that was issued by the former State Board of Water Engineers, was in  
43-69 existence as of May 2, 1935, and is acquired by the authority, the

44-1 impounding and use of the floodwaters of the Colorado River and its  
 44-2 tributaries for the generation of hydroelectric power by the  
 44-3 authority or a person who succeeds to the rights and privileges  
 44-4 conferred on the authority by this chapter are subject to the rights  
 44-5 of any other person who before May 2, 1935, was impounding or as of  
 44-6 that date was putting to beneficial use any water for the purposes  
 44-7 described by Sections 11.024(1) and (2), Water Code, if the person:

44-8 (1) before May 2, 1935, received a permit for that use  
 44-9 from the former State Board of Water Engineers; or

44-10 (2) by law was permitted before May 2, 1935, to impound  
 44-11 water for those purposes.

44-12 (b) This chapter may not be construed to subject to  
 44-13 condemnation by the authority or any successor of the authority, or  
 44-14 by any person who succeeds to the rights and privileges conferred on  
 44-15 the authority by this chapter, any water:

44-16 (1) impounded or to be impounded inside or outside the  
 44-17 authority under any law authorizing water to be impounded or under  
 44-18 any permit granted to a municipal corporation or body politic; or

44-19 (2) impounded or permitted to be impounded or used  
 44-20 outside the authority under a permit granted to any person.

44-21 (c) This chapter may not be construed to deprive any person  
 44-22 of the right to impound the water of the Colorado River or its  
 44-23 tributaries for domestic or municipal purposes or to repeal any law  
 44-24 granting such a right to a person.

44-25 (d) The rights of the authority to impound, use, or sell the  
 44-26 water of the Colorado River and its tributaries for the generation  
 44-27 of hydroelectric power are subordinate and inferior to the rights  
 44-28 of:

44-29 (1) municipalities situated in the watershed of the  
 44-30 Colorado River and its tributaries to build dams and impound  
 44-31 floodwaters for municipal purposes; and

44-32 (2) any residents of this state or bodies politic to  
 44-33 build dams and impound the floodwaters in the watershed of the  
 44-34 Colorado River and its tributaries for domestic purposes and for  
 44-35 the purposes of irrigation.

44-36 (e) The title to any right, property, license, franchise, or  
 44-37 permit acquired by the authority is subject to the limitations  
 44-38 imposed by Subsection (d). (Acts 44th Leg., R.S., G.L., Ch. 126,  
 44-39 Secs. 2 (part), 2-a.)

44-40 Sec. 8506.115. PUBLIC USE OF AUTHORITY'S LAND. (a) The  
 44-41 authority may not prevent free public use of its land for  
 44-42 recreational purposes, hunting, or fishing except:

44-43 (1) at such points where, in the opinion of the board,  
 44-44 the use would interfere with the proper conduct of the business;

44-45 (2) in connection with the enforcement of sanitary  
 44-46 regulations; or

44-47 (3) to protect the public's health.

44-48 (b) All public rights-of-way not traversing the areas to be  
 44-49 flooded by the impounded waters shall remain open as a way of free  
 44-50 public passage to and from the lakes created, and a charge may not  
 44-51 be made to the public for the right to engage in hunting, fishing,  
 44-52 boating, or swimming thereon.

44-53 (c) On notice by a resident of this state of a violation of  
 44-54 this section, the attorney general shall institute the proper legal  
 44-55 proceedings to require the authority or its successor to comply  
 44-56 with this section.

44-57 (d) If the authority sells any of the authority's land  
 44-58 bordering a lake created under this chapter, the authority shall  
 44-59 retain in each tract a strip 80 feet wide abutting the high-water  
 44-60 line of the lake for the purpose of passage and use by the public for  
 44-61 public sports and amusements. This subsection does not apply to a  
 44-62 sale of land by the authority to a state or federal agency to be used  
 44-63 for game or fish sanctuaries, preserves, or for propagation  
 44-64 purposes. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 15.)

#### 44-65 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

44-66 Sec. 8506.151. DISBURSEMENT OF MONEY. The authority may  
 44-67 disburse its money only by a check, draft, order, or other  
 44-68 instrument signed by a person authorized to sign the instrument by  
 44-69 the bylaws or a resolution in which at least five directors concur.



45-1 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 5 (part).)  
 45-2 Sec. 8506.152. ACCOUNTS, CONTRACTS, AND OTHER RECORDS;  
 45-3 PUBLIC INSPECTION. (a) The authority shall keep complete and  
 45-4 accurate accounts conforming to approved methods of bookkeeping.

45-5 (b) The accounts and all contracts, documents, and records  
 45-6 of the authority shall be kept at the principal office of the  
 45-7 authority.

45-8 (c) The contracts shall be open to public inspection at all  
 45-9 reasonable times. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 6  
 45-10 (part).)

45-11 Sec. 8506.153. FILING OF COPIES OF AUDIT REPORT. Copies of  
 45-12 the audit report prepared under Subchapter G, Chapter 49, Water  
 45-13 Code, shall be certified to by the accountant who performed the  
 45-14 audit and filed:

45-15 (1) as required by Section 49.194, Water Code; and  
 45-16 (2) with the comptroller. (Acts 44th Leg., R.S.,  
 45-17 G.L., Ch. 126, Sec. 6 (part); New.)

45-18 Sec. 8506.154. RATES AND OTHER CHARGES. (a) The board  
 45-19 shall establish and collect rates and other charges for the sale or  
 45-20 use of water, water connections, power, electric energy, or other  
 45-21 services sold, provided, or supplied by the authority.

45-22 (b) The rates and charges must be reasonable,  
 45-23 nondiscriminatory, and sufficient to provide revenue adequate to:

45-24 (1) pay all expenses necessary to the operation and  
 45-25 maintenance of the properties and facilities of the authority;

45-26 (2) pay the interest on and the principal of all bonds  
 45-27 issued under this chapter or its predecessor statute when and as  
 45-28 they become due and payable;

45-29 (3) pay all sinking fund or reserve fund payments  
 45-30 agreed to be made with respect to bonds issued under this chapter or  
 45-31 its predecessor statute and payable out of that revenue when and as  
 45-32 they become due and payable; and

45-33 (4) fulfill the terms of any agreements made with the  
 45-34 holders of bonds issued under this chapter or its predecessor  
 45-35 statute or with any person in their behalf.

45-36 (c) The rates and charges may not exceed what may be  
 45-37 necessary to fulfill the obligations imposed on the authority by  
 45-38 this chapter. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 8 (part).)

45-39 Sec. 8506.155. USE OF EXCESS REVENUE. If the authority  
 45-40 receives revenue in excess of that required for the purposes  
 45-41 specified by Section 8506.154(b), the board may:

45-42 (1) use the excess revenue to:

45-43 (A) establish a reasonable depreciation and  
 45-44 emergency fund; or

45-45 (B) retire bonds issued under this chapter or its  
 45-46 predecessor statute by purchase and cancellation or redemption; or

45-47 (2) apply the excess revenue to any corporate purpose.  
 45-48 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 8 (part).)

45-49 Sec. 8506.156. TAX OR ASSESSMENT OR PLEDGE OF CREDIT OF  
 45-50 STATE NOT AUTHORIZED BY CHAPTER. This chapter does not authorize  
 45-51 the authority to:

45-52 (1) levy or collect a tax or assessment;

45-53 (2) create any debt payable out of taxes or  
 45-54 assessments; or

45-55 (3) in any way pledge the credit of this state. (Acts  
 45-56 44th Leg., R.S., G.L., Ch. 126, Sec. 1 (part).)

45-57 SUBCHAPTER E. OBLIGATIONS RELATING TO BORROWED MONEY OR GRANTS

45-58 Sec. 8506.201. LOANS AND GRANTS. The authority may:

45-59 (1) borrow money for the authority's corporate  
 45-60 purposes;

45-61 (2) borrow money or accept a grant from the United  
 45-62 States and, in connection with the loan or grant, enter into any  
 45-63 agreement the United States or the corporation or agency may  
 45-64 require; and

45-65 (3) make and issue bonds for money borrowed, in the  
 45-66 manner and to the extent provided by Sections 8506.204, 8506.205,  
 45-67 8506.206, 8506.207, and 8506.208. (Acts 44th Leg., R.S., G.L., Ch.  
 45-68 126, Sec. 2 (part).)

45-69 Sec. 8506.202. STATE PLEDGE REGARDING RIGHTS AND REMEDIES

46-1 OF BONDHOLDERS. This chapter does not deprive this state of its  
 46-2 power to regulate and control rates or charges to be collected for  
 46-3 the use of water, water connections, power, electric energy, or  
 46-4 another service. The state pledges to and agrees with the  
 46-5 purchasers and successive holders of the bonds issued under this  
 46-6 chapter that the state will not limit or alter the power this  
 46-7 chapter gives the authority to establish and collect rates and  
 46-8 charges that will produce revenue sufficient to pay the items  
 46-9 specified by Section 8506.154(b) or in any way impair the rights or  
 46-10 remedies of the holders of the bonds, or of any person in their  
 46-11 behalf, until the following are fully met and discharged:

- 46-12 (1) the bonds;
- 46-13 (2) the interest on the bonds;
- 46-14 (3) interest on unpaid installments of interest;
- 46-15 (4) all costs and expenses in connection with any
- 46-16 action or proceedings by or on behalf of the bondholders; and
- 46-17 (5) all other obligations of the authority in
- 46-18 connection with the bonds. (Acts 44th Leg., R.S., G.L., Ch. 126,
- 46-19 Sec. 8 (part).)

46-20 Sec. 8506.203. OBLIGATION PAYABLE FROM REVENUE. A debt,  
 46-21 liability, or obligation of the authority for the payment of money,  
 46-22 however entered into or incurred and whether arising from an  
 46-23 express or implied contract or otherwise, is payable solely:

- 46-24 (1) out of the revenue received by the authority with
- 46-25 respect to its properties, subject to any prior lien on the revenue
- 46-26 conferred by any resolution previously adopted as provided by this
- 46-27 chapter authorizing the issuance of bonds; or
- 46-28 (2) if the board so determines, out of the proceeds of
- 46-29 sale by the authority of bonds payable solely from revenue
- 46-30 described by Subdivision (1). (Acts 44th Leg., R.S., G.L., Ch. 126,
- 46-31 Sec. 9.)

46-32 Sec. 8506.204. POWER TO ISSUE REVENUE BONDS. (a) The  
 46-33 authority may issue revenue bonds for any corporate purpose in any  
 46-34 amount authorized by the directors but not to exceed an aggregate  
 46-35 principal amount of \$6 million.

46-36 (b) The bonds may be secured only by a pledge of the amounts  
 46-37 granted or donated by this state or out of any other current revenue  
 46-38 of the district, which amounts shall be paid to the legal holders of  
 46-39 the bonds.

46-40 (c) The bonds must be authorized by a board resolution.  
 46-41 (Acts 44th Leg., R.S., G.L., Ch. 126, Secs. 2 (part), 10 (part).)

46-42 Sec. 8506.205. TERMS OF ISSUANCE. Authority bonds may be:

- 46-43 (1) sold for cash;
- 46-44 (2) issued on terms the board determines in exchange
- 46-45 for property of any kind, or any interest in property, that the
- 46-46 board considers necessary or convenient for the corporate purpose
- 46-47 for which the bonds are issued; or
- 46-48 (3) issued in exchange for like principal amounts of
- 46-49 other obligations of the authority, whether matured or unmatured.
- 46-50 (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 10 (part).)

46-51 Sec. 8506.206. DEPOSIT OF PROCEEDS. The proceeds of sale of  
 46-52 authority bonds shall be deposited in one or more banks or trust  
 46-53 companies, and shall be paid out according to the terms, on which  
 46-54 the authority and the purchasers of the bonds agree. (Acts 44th  
 46-55 Leg., R.S., G.L., Ch. 126, Sec. 10 (part).)

46-56 Sec. 8506.207. RESOLUTION PROVISIONS. (a) A resolution  
 46-57 authorizing bonds may contain provisions approved by the board that  
 46-58 are not inconsistent with this chapter, including provisions:

- 46-59 (1) reserving the right to redeem the bonds at the time
- 46-60 or times, in the amounts, and at the prices, not exceeding 105
- 46-61 percent of the principal amount of the bonds, plus accrued
- 46-62 interest, as may be provided;
- 46-63 (2) providing for the setting aside of sinking funds
- 46-64 or reserve funds and the regulation and disposition of those funds;
- 46-65 (3) pledging, to secure the payment of the principal
- 46-66 of and interest on the bonds and of the sinking fund or reserve fund
- 46-67 payments agreed to be made with respect to the bonds:

46-68 (A) all or any part of the gross or net revenue  
 46-69 subsequently received by the authority with respect to the property

47-1 to be acquired or constructed with the bonds or the proceeds of the  
47-2 bonds; or

47-3 (B) all or any part of the gross or net revenue  
47-4 subsequently received by the authority from any source;

47-5 (4) prescribing the purposes to which the bonds or any  
47-6 bonds subsequently to be issued, or the proceeds of the bonds, may  
47-7 be applied;

47-8 (5) agreeing to set and collect rates and charges  
47-9 sufficient to produce revenue adequate to pay the items specified  
47-10 by Section 8506.154(b) and prescribing the use and disposition of  
47-11 all revenue;

47-12 (6) prescribing limitations on the issuance of  
47-13 additional bonds and on the agreements that may be made with the  
47-14 purchasers and successive holders of those bonds;

47-15 (7) regarding the construction, extension,  
47-16 improvement, reconstruction, operation, maintenance, and repair of  
47-17 the properties of the authority and the carrying of insurance on all  
47-18 or any part of those properties covering loss or damage or loss of  
47-19 use and occupancy resulting from specified risks;

47-20 (8) setting the procedure, if any, by which, if the  
47-21 authority so desires, the terms of a contract with the bondholders  
47-22 may be amended or abrogated, the amount of bonds the holders of  
47-23 which must consent to that amendment or abrogation, and the manner  
47-24 in which the consent may be given; and

47-25 (9) providing for the execution and delivery by the  
47-26 authority to a bank or trust company authorized by law to accept  
47-27 trusts, or to the United States or any officer of the United States,  
47-28 of indentures and agreements for the benefit of the bondholders  
47-29 setting forth any or all of the agreements authorized by this  
47-30 chapter to be made with or for the benefit of the bondholders and  
47-31 any other provisions that are customary in such indentures or  
47-32 agreements.

47-33 (b) A provision authorized by this section that is contained  
47-34 in a bond resolution is part of the contract between the authority  
47-35 and the bondholders. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 10  
47-36 (part).)

47-37 Sec. 8506.208. DEFAULT PROCEDURES. (a) This section  
47-38 applies only to a default in:

47-39 (1) the payment of the interest on bonds as the  
47-40 interest becomes due and payable;

47-41 (2) the payment of the principal of bonds as they  
47-42 become due and payable, whether at maturity, by call for  
47-43 redemption, or otherwise; or

47-44 (3) the performance of an agreement made with the  
47-45 purchasers or successive holders of bonds.

47-46 (b) A resolution authorizing bonds and any indenture or  
47-47 agreement entered into under the resolution may provide that in the  
47-48 event of a default described by Subsection (a) that continues for a  
47-49 period, if any, prescribed by the resolution, the trustee under the  
47-50 indenture entered into with respect to the bonds authorized by the  
47-51 resolution, or, if there is no indenture, a trustee appointed in the  
47-52 manner provided in the resolution by the holders of 25 percent in  
47-53 aggregate principal amount of the bonds authorized by the  
47-54 resolution and then outstanding may, and on the written request of  
47-55 the holders of 25 percent in aggregate principal amount of the bonds  
47-56 authorized by the resolution then outstanding, shall, in the  
47-57 trustee's own name, but for the equal and proportionate benefit of  
47-58 the holders of all of the bonds, and with or without having  
47-59 possession of the bonds:

47-60 (1) by mandamus or other suit, action, or proceeding  
47-61 at law or in equity, enforce all rights of the bondholders;

47-62 (2) bring suit on the bonds or the appurtenant  
47-63 coupons;

47-64 (3) by action or suit in equity, require the authority  
47-65 to account as if it were the trustee of an express trust for the  
47-66 bondholders;

47-67 (4) by action or suit in equity, enjoin any acts or  
47-68 things that may be unlawful or in violation of the rights of the  
47-69 bondholders; or

48-1 (5) after such notice to the authority as the  
 48-2 resolution may provide, declare the principal of all of the bonds  
 48-3 due and payable, and if all defaults have been made good, then with  
 48-4 the written consent of the holders of 25 percent in aggregate  
 48-5 principal amount of the bonds then outstanding, annul the  
 48-6 declaration and its consequences.

48-7 (c) Notwithstanding Subsection (b), the holders of more  
 48-8 than a majority in principal amount of the bonds authorized by the  
 48-9 resolution and then outstanding, by written instrument delivered to  
 48-10 the trustee, are entitled to direct and control any and all action  
 48-11 taken or to be taken by the trustee under this section.

48-12 (d) A resolution, indenture, or agreement relating to bonds  
 48-13 may provide that in a suit, action, or proceeding under this  
 48-14 section, the trustee, whether or not all of the bonds have been  
 48-15 declared due and payable and with or without possession of any of  
 48-16 the bonds, is entitled to the appointment of a receiver who may:

48-17 (1) enter and take possession of all or any part of the  
 48-18 properties of the authority;

48-19 (2) operate and maintain the properties;

48-20 (3) set, collect, and receive rates and charges  
 48-21 sufficient to provide revenue adequate to pay the items specified  
 48-22 by Section 8506.154(b) and the costs and disbursements of the suit,  
 48-23 action, or proceeding; and

48-24 (4) apply the revenue in conformity with this chapter  
 48-25 and the resolution authorizing the bonds.

48-26 (e) In a suit, action, or proceeding by a trustee under this  
 48-27 section, the reasonable fees, attorney's fees, and expenses of the  
 48-28 trustee and of the receiver, if any, constitute taxable  
 48-29 disbursements, and all costs and disbursements allowed by the court  
 48-30 are a first charge on any revenue pledged to secure the payment of  
 48-31 the bonds.

48-32 (f) The courts of the county in which the authority is  
 48-33 domiciled have jurisdiction of a suit, action, or proceeding by a  
 48-34 trustee on behalf of the bondholders and of all property involved in  
 48-35 the suit, action, or proceeding.

48-36 (g) In addition to the powers specifically provided by this  
 48-37 section, a trustee has all powers necessary or appropriate for the  
 48-38 exercise of the powers specifically provided or incident to the  
 48-39 general representation of the bondholders in the enforcement of  
 48-40 their rights. (Acts 44th Leg., R.S., G.L., Ch. 126, Sec. 10  
 48-41 (part).)

48-42 Sec. 8506.209. POWER OF AUTHORITY TO PURCHASE BONDS ISSUED  
 48-43 BY AUTHORITY. (a) Using any money available for the purpose, the  
 48-44 authority may purchase bonds issued by it at a price not exceeding  
 48-45 the redemption price applicable at the time of purchase, or, if the  
 48-46 bonds are not redeemable, at a price not exceeding the principal  
 48-47 amount of the bonds plus accrued interest.

48-48 (b) All bonds purchased under this section shall be  
 48-49 canceled, and bonds may not be issued in lieu of those bonds. (Acts  
 48-50 44th Leg., R.S., G.L., Ch. 126, Sec. 13.)

48-51 Sec. 8506.210. BONDS EXEMPT FROM TAXATION. A bond issued  
 48-52 under this chapter and the interest on the bond is exempt from  
 48-53 taxation, except inheritance taxes, by this state or by any  
 48-54 political subdivision of this state. (Acts 44th Leg., R.S., G.L.,  
 48-55 Ch. 126, Sec. 16.)

48-56 SECTION 1.06. Subtitle I, Title 6, Special District Local  
 48-57 Laws Code, is amended by adding Chapters 9020, 9023, 9028, 9045,  
 48-58 9049, 9050, 9051, 9052, 9053, 9055, 9056, 9057, 9059, 9060, 9061,  
 48-59 9062, and 9063 to read as follows:

48-60 CHAPTER 9020. DONAHOE CREEK WATERSHED AUTHORITY

48-61 SUBCHAPTER A. GENERAL PROVISIONS

48-62 Sec. 9020.001. DEFINITIONS

48-63 Sec. 9020.002. NATURE OF AUTHORITY

48-64 Sec. 9020.003. FINDINGS OF BENEFIT AND PURPOSE

48-65 Sec. 9020.004. AUTHORITY TERRITORY

48-66 Sec. 9020.005. APPLICABILITY OF OTHER WATER CONTROL

48-67 AND IMPROVEMENT DISTRICT LAW

48-68 SUBCHAPTER B. BOARD OF DIRECTORS

48-69 Sec. 9020.051. COMPOSITION OF BOARD



- 49-1 Sec. 9020.052. QUALIFICATIONS FOR OFFICE  
 49-2 SUBCHAPTER C. POWERS AND DUTIES  
 49-3 Sec. 9020.101. GENERAL POWERS  
 49-4 Sec. 9020.102. WATER CONTROL AND IMPROVEMENT DISTRICT  
 49-5 POWERS  
 49-6 Sec. 9020.103. CONTROL OF WATER AND FLOODWATER;  
 49-7 RECLAMATION  
 49-8 Sec. 9020.104. COST OF RELOCATING OR ALTERING PROPERTY  
 49-9 SUBCHAPTER D. TAXES  
 49-10 Sec. 9020.151. IMPOSITION OF MAINTENANCE TAX; ELECTION  
 49-11 PROCEDURE  
 49-12 Sec. 9020.152. MAINTENANCE TAX RATE  
 49-13 Sec. 9020.153. HEARING ON CHANGE IN METHOD OF  
 49-14 TAXATION; LIMITATION  
 49-15 SUBCHAPTER E. BONDS  
 49-16 Sec. 9020.201. ISSUANCE OF BONDS  
 49-17 Sec. 9020.202. PLEDGE OF REVENUE TO PAY BONDS  
 49-18 CHAPTER 9020. DONAHOE CREEK WATERSHED AUTHORITY  
 49-19 SUBCHAPTER A. GENERAL PROVISIONS  
 49-20 Sec. 9020.001. DEFINITIONS. In this chapter:  
 49-21 (1) "Authority" means the Donahoe Creek Watershed  
 49-22 Authority.  
 49-23 (2) "Board" means the board of directors of the  
 49-24 authority.  
 49-25 (3) "Director" means a member of the board. (Acts 55th  
 49-26 Leg., 1st C.S., Ch. 29, Sec. 1 (part); New.)  
 49-27 Sec. 9020.002. NATURE OF AUTHORITY. The authority is a  
 49-28 conservation and reclamation district in portions of Bell, Milam,  
 49-29 and Williamson Counties. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 1  
 49-30 (part).)  
 49-31 Sec. 9020.003. FINDINGS OF BENEFIT AND PURPOSE. (a) All  
 49-32 territory included in the authority will benefit from the works and  
 49-33 projects accomplished by the authority under the powers conferred  
 49-34 by Section 59, Article XVI, Texas Constitution.  
 49-35 (b) The creation of the authority is essential to accomplish  
 49-36 the purposes of Section 59, Article XVI, Texas Constitution. (Acts  
 49-37 55th Leg., 1st C.S., Ch. 29, Secs. 1 (part), 2 (part).)  
 49-38 Sec. 9020.004. AUTHORITY TERRITORY. The authority is  
 49-39 composed of the territory described by Section 2, Chapter 29, Acts  
 49-40 of the 55th Legislature, 1st Called Session, 1957, as that  
 49-41 territory may have been modified under:  
 49-42 (1) Subchapter O, Chapter 51, Water Code;  
 49-43 (2) Subchapter J, Chapter 49, Water Code; or  
 49-44 (3) other law. (Acts 55th Leg., 1st C.S., Ch. 29, Sec.  
 49-45 1 (part); New.)  
 49-46 Sec. 9020.005. APPLICABILITY OF OTHER WATER CONTROL AND  
 49-47 IMPROVEMENT DISTRICT LAW. Except as provided by this chapter,  
 49-48 general laws pertaining to water control and improvement districts  
 49-49 govern the authority. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 13.)  
 49-50 SUBCHAPTER B. BOARD OF DIRECTORS  
 49-51 Sec. 9020.051. COMPOSITION OF BOARD. The board consists of  
 49-52 six elected directors. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 14  
 49-53 (part).)  
 49-54 Sec. 9020.052. QUALIFICATIONS FOR OFFICE. (a) Each  
 49-55 director of the authority must:  
 49-56 (1) be a landowner within the authority; and  
 49-57 (2) reside in Bell, Milam, or Williamson County.  
 49-58 (b) A director who fails to meet the requirements of  
 49-59 Subsection (a) during the director's tenure in office shall vacate  
 49-60 that office. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 14 (part).)  
 49-61 SUBCHAPTER C. POWERS AND DUTIES  
 49-62 Sec. 9020.101. GENERAL POWERS. The authority may exercise  
 49-63 the rights, privileges, and functions provided by this chapter.  
 49-64 (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 1 (part).)  
 49-65 Sec. 9020.102. WATER CONTROL AND IMPROVEMENT DISTRICT  
 49-66 POWERS. In exercising the power for which the authority is created,  
 49-67 the authority has the powers conferred by general law on water  
 49-68 control and improvement districts, including the power to:  
 49-69 (1) construct, acquire, improve, maintain, and repair

50-1 a dam or other structure; and

50-2 (2) acquire land, easements, equipment, or other  
50-3 property needed to use, control, and distribute water that may be  
50-4 impounded, diverted, or controlled by the authority. (Acts 55th  
50-5 Leg., 1st C.S., Ch. 29, Sec. 5.)

50-6 Sec. 9020.103. CONTROL OF WATER AND FLOODWATER;  
50-7 RECLAMATION. The authority may:

50-8 (1) control, store, preserve, and distribute the water  
50-9 and floodwater in the authority for the irrigation of arid land,  
50-10 conservation, preservation, reclamation, and drainage of the lands  
50-11 in the authority;

50-12 (2) carry out flood prevention measures to prevent  
50-13 damage to the land and other property in the authority; and

50-14 (3) reclaim lands heretofore damaged because of the  
50-15 prior failure to provide the facilities authorized to be  
50-16 constructed under this chapter. (Acts 55th Leg., 1st C.S., Ch. 29,  
50-17 Sec. 4.)

50-18 Sec. 9020.104. COST OF RELOCATING OR ALTERING PROPERTY. If  
50-19 the authority's exercise of the power of eminent domain, the power  
50-20 of relocation, or any other power granted under this chapter makes  
50-21 necessary relocating, raising, rerouting, changing the grade of, or  
50-22 altering the construction of a highway, railroad, electric  
50-23 transmission line, telephone or telegraph property or facility, or  
50-24 pipeline, the necessary action shall be accomplished at the sole  
50-25 expense of the authority. (Acts 55th Leg., 1st C.S., Ch. 29, Sec.  
50-26 11a.)

#### 50-27 SUBCHAPTER D. TAXES

50-28 Sec. 9020.151. IMPOSITION OF MAINTENANCE TAX; ELECTION  
50-29 PROCEDURE. (a) The authority may impose a maintenance tax for the  
50-30 purpose of maintaining structures, channeling, or other  
50-31 improvements constructed by the authority or others in cooperation  
50-32 with the authority.

50-33 (b) A maintenance tax election shall be called and notice  
50-34 given in the same manner as for a bond election.

50-35 (c) This chapter does not prevent the calling of a  
50-36 subsequent maintenance tax election to establish or increase the  
50-37 amount of tax if the board determines that a maintenance tax  
50-38 election is required. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 8  
50-39 (part).)

50-40 Sec. 9020.152. MAINTENANCE TAX RATE. In calling a  
50-41 maintenance tax election, the board must specify the maximum  
50-42 proposed tax rate. To impose a maintenance tax at a rate that  
50-43 exceeds the maximum proposed rate approved by the voters, the board  
50-44 must submit the question of a tax rate increase to the voters.  
50-45 (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 8 (part).)

50-46 Sec. 9020.153. HEARING ON CHANGE IN METHOD OF TAXATION;  
50-47 LIMITATION. (a) Except as provided by Subsection (b), the  
50-48 authority may call a hearing, in the same manner as for the adoption  
50-49 of the original plan of taxation, to consider changing the method of  
50-50 taxation.

50-51 (b) After authority bonds are approved by the attorney  
50-52 general or district court, the authority may not change its plan of  
50-53 taxation. (Acts 55th Leg., 1st C.S., Ch. 29, Sec. 10.)

#### 50-54 SUBCHAPTER E. BONDS

50-55 Sec. 9020.201. ISSUANCE OF BONDS. To accomplish an  
50-56 authority purpose, the authority may issue bonds as provided by  
50-57 general law for water control and improvement districts to acquire  
50-58 money necessary to furnish land or easements or permanent  
50-59 improvements on the land or easements. (Acts 55th Leg., 1st C.S.,  
50-60 Ch. 29, Secs. 8 (part), 11 (part), 12 (part).)

50-61 Sec. 9020.202. PLEDGE OF REVENUE TO PAY BONDS. When the  
50-62 board selects a plan of taxation, the board may pledge authority  
50-63 revenue to pay bonds authorized by voters. (Acts 55th Leg., 1st  
50-64 C.S., Ch. 29, Sec. 9.)

50-65 CHAPTER 9023. DUVAL COUNTY CONSERVATION AND RECLAMATION DISTRICT

50-66 SUBCHAPTER A. GENERAL PROVISIONS

50-67 Sec. 9023.001. DEFINITIONS

50-68 Sec. 9023.002. NATURE OF DISTRICT

50-69 Sec. 9023.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

- 51-1 Sec. 9023.004. DISTRICT TERRITORY  
51-2 SUBCHAPTER B. BOARD OF DIRECTORS  
51-3 Sec. 9023.051. COMPOSITION OF BOARD  
51-4 Sec. 9023.052. ELECTION OF DIRECTORS  
51-5 SUBCHAPTER C. POWERS AND DUTIES  
51-6 Sec. 9023.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
51-7 POWERS  
51-8 Sec. 9023.102. GENERAL CONTRACT POWERS  
51-9 Sec. 9023.103. ACQUISITION OF PROPERTY  
51-10 Sec. 9023.104. COST OF RELOCATING OR ALTERING PROPERTY  
51-11 Sec. 9023.105. WATER PERMIT ACQUIRED FROM MUNICIPALITY  
51-12 SUBCHAPTER D. BONDS  
51-13 Sec. 9023.151. AUTHORITY TO ISSUE BONDS  
51-14 Sec. 9023.152. CERTAIN BOND COVENANTS AUTHORIZED  
51-15 Sec. 9023.153. MATURITY  
51-16 Sec. 9023.154. USE OF BOND PROCEEDS  
51-17 Sec. 9023.155. BONDS SECURED BY REVENUE; ADDITIONAL  
51-18 BONDS  
51-19 Sec. 9023.156. BONDS SECURED BY AD VALOREM TAXES  
51-20 Sec. 9023.157. REFUNDING BONDS  
51-21 SUBCHAPTER E. DISANNEXATION OF MUNICIPAL TERRITORY  
51-22 Sec. 9023.201. DEFINITION  
51-23 Sec. 9023.202. DISANNEXATION OF MUNICIPAL TERRITORY  
51-24 Sec. 9023.203. PETITION  
51-25 Sec. 9023.204. ELECTION ORDER  
51-26 Sec. 9023.205. BALLOT  
51-27 Sec. 9023.206. ELECTION  
51-28 Sec. 9023.207. BOARD VOTE  
51-29 Sec. 9023.208. APPOINTMENT OF MASTER  
51-30 Sec. 9023.209. DISTRIBUTION OF PROPERTY, RECEIVABLES,  
51-31 AND OTHER ASSETS  
51-32 Sec. 9023.210. PROVISION OF SERVICES OUTSIDE  
51-33 DISANNEXED MUNICIPAL TERRITORY  
51-34 CHAPTER 9023. DUVAL COUNTY CONSERVATION AND RECLAMATION DISTRICT  
51-35 SUBCHAPTER A. GENERAL PROVISIONS  
51-36 Sec. 9023.001. DEFINITIONS. In this chapter:  
51-37 (1) "Board" means the district's board of directors.  
51-38 (2) "Director" means a member of the board.  
51-39 (3) "District" means the Duval County Conservation and  
51-40 Reclamation District. (Acts 51st Leg., R.S., Ch. 398, Sec. 1  
51-41 (part); New.)  
51-42 Sec. 9023.002. NATURE OF DISTRICT. The district is:  
51-43 (1) a conservation and reclamation district under  
51-44 Section 59, Article XVI, Texas Constitution; and  
51-45 (2) a municipal corporation. (Acts 51st Leg., R.S.,  
51-46 Ch. 398, Secs. 1 (part), 13 (part).)  
51-47 Sec. 9023.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
51-48 The district is created to serve a public use and benefit.  
51-49 (b) All land included in the boundaries of the district will  
51-50 benefit from that inclusion.  
51-51 (c) The district is essential to accomplish the purposes of  
51-52 Section 59, Article XVI, Texas Constitution. (Acts 51st Leg.,  
51-53 R.S., Ch. 398, Secs. 4 (part), 13 (part).)  
51-54 Sec. 9023.004. DISTRICT TERRITORY. The district is  
51-55 composed of the territory described by Section 1, Chapter 398, Acts  
51-56 of the 51st Legislature, Regular Session, 1949, as that territory  
51-57 may have been modified under:  
51-58 (1) Subchapter O, Chapter 51, Water Code;  
51-59 (2) Subchapter J, Chapter 49, Water Code;  
51-60 (3) Subchapter E or the relevant parts of its  
51-61 predecessor statute, former Section 4A, Chapter 398, Acts of the  
51-62 51st Legislature, Regular Session, 1949; or  
51-63 (4) other law. (New.)  
51-64 SUBCHAPTER B. BOARD OF DIRECTORS  
51-65 Sec. 9023.051. COMPOSITION OF BOARD. The board is composed  
51-66 of four elected directors. (Acts 51st Leg., R.S., Ch. 398, Secs.  
51-67 3(a) (part), (b) (part), (g).)  
51-68 Sec. 9023.052. ELECTION OF DIRECTORS. (a) Directors are  
51-69 elected to positions according to the place system as provided by

52-1 this section.

52-2 (b) Except as provided by Subsection (c):

52-3 (1) a director elected to place 1 or 2 must be a  
52-4 resident of Benavides and be elected by the voters of the district  
52-5 who reside in Benavides and its extraterritorial jurisdiction; and

52-6 (2) a director elected to place 3 or 4 must be a  
52-7 resident of, and be elected by the voters of the district who reside  
52-8 in, the part of Duval County that is not within:

52-9 (A) the corporate limits or extraterritorial  
52-10 jurisdiction of San Diego or Benavides; or

52-11 (B) the Freer Water Control and Improvement  
52-12 District.

52-13 (c) If Benavides and the area within its extraterritorial  
52-14 jurisdiction disannex under Subchapter E:

52-15 (1) a director who represents Benavides and the area  
52-16 within its extraterritorial jurisdiction ceases to be a director on  
52-17 the date disannexation takes effect;

52-18 (2) the remaining directors as soon as possible shall  
52-19 order a special election to elect the appropriate number of  
52-20 directors to fill the unexpired terms if the disannexation results  
52-21 in vacancies on the board; and

52-22 (3) a director for each place on the board must be a  
52-23 resident of the part of Duval County that is not within:

52-24 (A) the corporate limits or extraterritorial  
52-25 jurisdiction of San Diego or Benavides; or

52-26 (B) the Freer Water Control and Improvement  
52-27 District. (Acts 51st Leg., R.S., Ch. 398, Secs. 3(b) (part), (e),  
52-28 (f).)

52-29 SUBCHAPTER C. POWERS AND DUTIES

52-30 Sec. 9023.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
52-31 POWERS. The district has the rights, powers, privileges, and  
52-32 duties provided by general law applicable to a water control and  
52-33 improvement district created under Section 59, Article XVI, Texas  
52-34 Constitution, including Chapters 49 and 51, Water Code. (Acts 51st  
52-35 Leg., R.S., Ch. 398, Sec. 2 (part); New.)

52-36 Sec. 9023.102. GENERAL CONTRACT POWERS. The board may  
52-37 enter into a contract with any individual or any public or private  
52-38 corporation, inside or outside the district, that the board  
52-39 considers advisable and expedient to accomplish the district's  
52-40 purposes. (Acts 51st Leg., R.S., Ch. 398, Sec. 11 (part).)

52-41 Sec. 9023.103. ACQUISITION OF PROPERTY. The district may  
52-42 acquire property not already devoted to public use in the district  
52-43 that the board considers necessary to accomplish the district's  
52-44 objectives. (Acts 51st Leg., R.S., Ch. 398, Sec. 9 (part).)

52-45 Sec. 9023.104. COST OF RELOCATING OR ALTERING PROPERTY. If  
52-46 the district's exercise of the power of eminent domain, the power of  
52-47 relocation, or any other power granted by this chapter, makes  
52-48 necessary relocating, raising, rerouting, changing the grade of, or  
52-49 altering the construction of a highway, railroad, electric  
52-50 transmission line, pipeline, or telegraph or telephone property or  
52-51 facility, the necessary action shall be accomplished at the sole  
52-52 expense of the district. (Acts 51st Leg., R.S., Ch. 398, Sec. 9  
52-53 (part).)

52-54 Sec. 9023.105. WATER PERMIT ACQUIRED FROM MUNICIPALITY. A  
52-55 water permit acquired by the district from a municipality in the  
52-56 district must be acquired subject to a provision that, in case of a  
52-57 shortage of water supply, the municipality has a right to receive  
52-58 water from the district that is superior to the right of anyone else  
52-59 to use water. (Acts 51st Leg., R.S., Ch. 398, Sec. 12 (part).)

52-60 SUBCHAPTER D. BONDS

52-61 Sec. 9023.151. AUTHORITY TO ISSUE BONDS. The district may  
52-62 issue bonds pursuant to a board resolution for any purpose  
52-63 permitted to water control and improvement districts, including the  
52-64 acquisition by construction or otherwise of plants and improvements  
52-65 for storing, treating, purifying, protecting, transporting,  
52-66 transmitting, delivering, and disposing of, through sale or  
52-67 otherwise, flood, storm, flow, or underground water for lawful  
52-68 uses. (Acts 51st Leg., R.S., Ch. 398, Sec. 5 (part).)

52-69 Sec. 9023.152. CERTAIN BOND COVENANTS AUTHORIZED. A



53-1 resolution authorizing the issuance of district bonds may contain  
53-2 any covenant the board considers necessary to ensure:  
53-3       (1) the creation and maintenance of proper reserves;  
53-4 and  
53-5       (2) the payment of the principal of and interest on the  
53-6 bonds. (Acts 51st Leg., R.S., Ch. 398, Sec. 5 (part).)  
53-7       Sec. 9023.153. MATURITY. District bonds, including  
53-8 refunding bonds, must mature not later than 40 years after the date  
53-9 of their issuance. (Acts 51st Leg., R.S., Ch. 398, Sec. 5 (part).)  
53-10       Sec. 9023.154. USE OF BOND PROCEEDS. The district may  
53-11 appropriate and pay from the proceeds of the sale of bonds the  
53-12 interest to accrue on the bonds for a period not to exceed three  
53-13 years from their date. (Acts 51st Leg., R.S., Ch. 398, Sec. 5  
53-14 (part).)  
53-15       Sec. 9023.155. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.  
53-16 (a) In this section, "net revenues" means all income or increment  
53-17 from the ownership and operation of improvements and facilities  
53-18 operated by the district, minus the amount reasonably required to  
53-19 provide for the administration, efficient operation, and adequate  
53-20 maintenance of the improvements and facilities. The term does not  
53-21 include money derived from taxation.  
53-22       (b) District bonds may be secured by:  
53-23       (1) a pledge of the district's net revenues; or  
53-24       (2) a pledge of the district's net revenues and the  
53-25 imposition of a continuing ad valorem tax described by Section  
53-26 9023.156.  
53-27       (c) The district may issue bonds secured as provided by  
53-28 Subsection (b)(1) without submitting the question of the issuance  
53-29 to an election.  
53-30       (d) The district may not issue bonds secured as provided by  
53-31 Subsection (b)(2) unless the bonds are authorized by a majority of  
53-32 the votes cast in an election in the district.  
53-33       (e) Within the board's discretion, the bonds may also be  
53-34 secured by a lien on the physical properties of the district.  
53-35       (f) The district may execute contracts, evidences of  
53-36 pledge, deeds of trust, trust indentures, and other instruments  
53-37 that fix a lien on net revenues and the physical properties of the  
53-38 district that the board, in its discretion, determines are  
53-39 necessary or convenient to evidence and secure the obligation of  
53-40 the district to pay the principal of and interest on the bonds.  
53-41       (g) The resolution authorizing the issuance of bonds  
53-42 secured by a pledge of net revenues may:  
53-43       (1) contain the conditions under which additional  
53-44 bonds secured by a pledge of net revenues may be subsequently  
53-45 issued;  
53-46       (2) prescribe the conditions under which the district  
53-47 has the right to release the lien on net revenues and on the  
53-48 district's physical properties, if encumbered, by depositing at the  
53-49 bank or place of payment money sufficient to pay:  
53-50       (A) the principal of and interest on the bonds to  
53-51 the date on which the bonds may become optional and any premium  
53-52 payment stipulated in the resolution; or  
53-53       (B) the principal of and interest on the bonds to  
53-54 maturity if an option of prior payment is not reserved; or  
53-55       (3) prescribe the conditions under which the  
53-56 continuing ad valorem tax described by Section 9023.156, if any, to  
53-57 be collected in any year during which any of the bonds are  
53-58 outstanding may be reduced or omitted when net revenues are  
53-59 sufficient to provide the money necessary for principal, interest,  
53-60 and reserve requirements prescribed by this subchapter.  
53-61       (h) Additional bonds described by Subsection (g)(1) must be  
53-62 secured by a lien and pledge of net revenues that is inferior to the  
53-63 lien and pledge securing the bonds originally issued unless the  
53-64 additional bonds are issued in full compliance with the  
53-65 restrictions applicable to additional bonds on a parity with the  
53-66 bonds originally issued. (Acts 51st Leg., R.S., Ch. 398, Secs. 7,  
53-67 8.)  
53-68       Sec. 9023.156. BONDS SECURED BY AD VALOREM TAXES. (a) This  
53-69 section does not apply to district bonds secured only by a pledge of

54-1 net revenues as defined by Section 9023.155(a).

54-2 (b) If bonds have been voted, the board shall impose a  
54-3 continuing ad valorem tax on all property in the district  
54-4 sufficient:

54-5 (1) to pay the principal of and interest on the bonds  
54-6 as the principal and interest respectively mature;

54-7 (2) to create and maintain any reserve required by the  
54-8 resolution or resolutions authorizing the issuance of the bonds;

54-9 (3) to pay the expense of assessing and collecting the  
54-10 tax; and

54-11 (4) for anticipated delinquencies in the tax payments.

54-12 (c) The board annually shall determine and set or cause to  
54-13 be determined and set the rate of the ad valorem tax to be imposed  
54-14 under this section. (Acts 51st Leg., R.S., Ch. 398, Sec. 6.)

54-15 Sec. 9023.157. REFUNDING BONDS. (a) The district may issue  
54-16 refunding bonds without an election.

54-17 (b) District bonds may be refunded by:

54-18 (1) the issuance and delivery to holders of refunding  
54-19 bonds in lieu of the outstanding bonds; or

54-20 (2) the sale of refunding bonds and the use of the  
54-21 proceeds for retiring the outstanding bonds. (Acts 51st Leg.,  
54-22 R.S., Ch. 398, Sec. 5 (part).)

54-23 SUBCHAPTER E. DISANNEXATION OF MUNICIPAL TERRITORY

54-24 Sec. 9023.201. DEFINITION. In this subchapter, "municipal  
54-25 territory" means the territory located in the corporate boundaries  
54-26 and the extraterritorial jurisdiction of a municipality located in  
54-27 the district. (Acts 51st Leg., R.S., Ch. 398, Secs. 4A(a) (part),  
54-28 (b) (part).)

54-29 Sec. 9023.202. DISANNEXATION OF MUNICIPAL TERRITORY.  
54-30 Municipal territory may be disannexed from the district under this  
54-31 subchapter on petition for an election on disannexation and a vote  
54-32 in favor of the disannexation by the majority of voters voting at an  
54-33 election ordered for that purpose. (Acts 51st Leg., R.S., Ch. 398,  
54-34 Sec. 4A(a) (part).)

54-35 Sec. 9023.203. PETITION. (a) A petition for an election to  
54-36 disannex municipal territory under this subchapter must:

54-37 (1) be signed by at least the lesser of 250 registered  
54-38 voters of the district who are residents of the municipal territory  
54-39 or a number of registered voters equal to five percent of the total  
54-40 votes cast in the municipal territory in the most recent district  
54-41 election;

54-42 (2) state that the purpose of the petition is to order  
54-43 an election to determine whether the municipal territory should be  
54-44 disannexed; and

54-45 (3) include each petitioner's:

54-46 (A) signature;

54-47 (B) printed name;

54-48 (C) address;

54-49 (D) voting precinct;

54-50 (E) voter certificate number; and

54-51 (F) date of signing.

54-52 (b) The petition must be filed with the district manager.

54-53 (c) Not later than the 30th day after the date the petition  
54-54 is filed, the district manager shall:

54-55 (1) verify the validity of the petition; and

54-56 (2) determine whether the petition contains the number  
54-57 of signatures required to order an election. (Acts 51st Leg., R.S.,  
54-58 Ch. 398, Secs. 4A(a) (part), (b) (part).)

54-59 Sec. 9023.204. ELECTION ORDER. (a) The board shall order  
54-60 an election for the purpose of disannexation of municipal territory  
54-61 under this subchapter if the district manager certifies the number  
54-62 of signatures required for ordering the election.

54-63 (b) The board shall order the election not later than the  
54-64 90th day after the date the district manager certifies the  
54-65 sufficiency of the petition. (Acts 51st Leg., R.S., Ch. 398, Sec.  
54-66 4A(b) (part).)

54-67 Sec. 9023.205. BALLOT. The ballot for an election under  
54-68 this subchapter must permit voting for one of the following three  
54-69 propositions:

55-1 (1) "The City of (name of municipality) and the area  
55-2 within the city's extraterritorial jurisdiction shall not be  
55-3 disannexed from the Duval County Conservation and Reclamation  
55-4 District";

55-5 (2) "The City of (name of municipality) and the area  
55-6 within the city's extraterritorial jurisdiction shall be  
55-7 disannexed from the Duval County Conservation and Reclamation  
55-8 District, and on disannexation the city council of (name of  
55-9 municipality) shall establish or acquire systems to provide the  
55-10 water and sewer services formerly provided by the Duval County  
55-11 Conservation and Reclamation District in the disannexed area"; or

55-12 (3) "The City of (name of municipality) and the area  
55-13 within the city's extraterritorial jurisdiction shall be  
55-14 disannexed from the Duval County Conservation and Reclamation  
55-15 District, and on disannexation the city council of (name of  
55-16 municipality) shall initiate a petition for, and shall consent to,  
55-17 as provided by Sections 54.014 and 54.016, Water Code, the creation  
55-18 of a municipal utility district to provide the water and sewer  
55-19 services formerly provided by the Duval County Conservation and  
55-20 Reclamation District in the disannexed area." (Acts 51st Leg.,  
55-21 R.S., Ch. 398, Sec. 4A(c).)

55-22 Sec. 9023.206. ELECTION. (a) Only voters who reside in the  
55-23 municipal territory to be disannexed under this subchapter may vote  
55-24 in the disannexation election.

55-25 (b) The municipal territory is not disannexed from the  
55-26 district if a majority of the total votes cast in the election is in  
55-27 favor of the proposition stated in Section 9023.205(1).

55-28 (c) If the total vote in favor of the propositions stated in  
55-29 Sections 9023.205(2) and (3) is a majority of the votes cast in the  
55-30 election, the majority of the votes cast in the election is for  
55-31 disannexation from the district. As between the two propositions,  
55-32 the proposition that receives the greater number of votes prevails.

55-33 (d) If disannexation fails, an election under this  
55-34 subchapter to disannex the same municipal territory may not be held  
55-35 for one year. (Acts 51st Leg., R.S., Ch. 398, Secs. 4A(b) (part),  
55-36 (d).)

55-37 Sec. 9023.207. BOARD VOTE. (a) The directors shall vote to  
55-38 disannex municipal territory if the majority of the votes cast in an  
55-39 election under this subchapter is for disannexation.

55-40 (b) The directors shall vote to disannex the municipal  
55-41 territory at the same board meeting at which the directors canvass  
55-42 the election results. (Acts 51st Leg., R.S., Ch. 398, Sec. 4A(e)  
55-43 (part).)

55-44 Sec. 9023.208. APPOINTMENT OF MASTER. Not later than the  
55-45 30th day after the election results are canvassed and the board  
55-46 votes to disannex municipal territory under Section 9023.207, the  
55-47 executive director of the Texas Commission on Environmental Quality  
55-48 shall appoint an independent master to oversee the distribution of  
55-49 assets consistent with disannexation. (Acts 51st Leg., R.S., Ch.  
55-50 398, Sec. 4A(e) (part).)

55-51 Sec. 9023.209. DISTRIBUTION OF PROPERTY, RECEIVABLES, AND  
55-52 OTHER ASSETS. (a) All infrastructure and real property, including  
55-53 water and sewer lines, storage tanks, treatment plants, towers,  
55-54 buildings, land, and other facilities located within municipal  
55-55 territory disannexed under this subchapter that are related to the  
55-56 provision of water and sewer services by the district in the  
55-57 disannexed territory, shall revert to the disannexed municipality.

55-58 (b) All receivables from connections in municipal territory  
55-59 disannexed under this subchapter transfer to the disannexed  
55-60 municipality.

55-61 (c) Other assets, including vehicles, computers, office  
55-62 furniture and equipment, and cash, shall be divided between the  
55-63 district and the disannexed municipality by the master in  
55-64 proportion to the population of the district or the disannexed  
55-65 municipal territory. (Acts 51st Leg., R.S., Ch. 398, Sec. 4A(e)  
55-66 (part).)

55-67 Sec. 9023.210. PROVISION OF SERVICES OUTSIDE DISANNEXED  
55-68 MUNICIPAL TERRITORY. (a) This section applies only to a municipal  
55-69 water or sewer system established or acquired as a result of voter

56-1 approval of the proposition stated in Section 9023.205(2).  
 56-2 (b) A municipal water or sewer system may serve an area  
 56-3 immediately outside the extraterritorial jurisdiction of the  
 56-4 disannexed municipality if the residents of the area agree to be  
 56-5 served by the system. (Acts 51st Leg., R.S., Ch. 398, Sec. 4B(a).)  
 56-6 CHAPTER 9028. CHOCTAW WATERSHED WATER IMPROVEMENT DISTRICT  
 56-7 SUBCHAPTER A. GENERAL PROVISIONS  
 56-8 Sec. 9028.001. DEFINITIONS  
 56-9 Sec. 9028.002. NATURE OF DISTRICT  
 56-10 Sec. 9028.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
 56-11 Sec. 9028.004. DISTRICT TERRITORY  
 56-12 SUBCHAPTER B. BOARD OF DIRECTORS  
 56-13 Sec. 9028.051. COMPOSITION OF BOARD  
 56-14 SUBCHAPTER C. POWERS AND DUTIES  
 56-15 Sec. 9028.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
 56-16 POWERS  
 56-17 Sec. 9028.102. COST OF RELOCATING OR ALTERING PROPERTY  
 56-18 Sec. 9028.103. WATERSHED PROTECTION AND FLOOD  
 56-19 PREVENTION ACT  
 56-20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
 56-21 Sec. 9028.151. TAX METHOD  
 56-22 Sec. 9028.152. LIMITATION ON TAX RATE  
 56-23 Sec. 9028.153. TAX ASSESSOR-COLLECTOR  
 56-24 Sec. 9028.154. ELECTION REQUIRED FOR FEDERAL LOAN  
 56-25 Sec. 9028.155. APPROVAL OF AND FUNDING FOR CERTAIN  
 56-26 PLANS FOR WORKS AND IMPROVEMENTS  
 56-27 SUBCHAPTER E. BONDS  
 56-28 Sec. 9028.201. AUTHORITY TO ISSUE BONDS  
 56-29 Sec. 9028.202. BOND ELECTION REQUIRED  
 56-30 CHAPTER 9028. CHOCTAW WATERSHED WATER IMPROVEMENT DISTRICT  
 56-31 SUBCHAPTER A. GENERAL PROVISIONS  
 56-32 Sec. 9028.001. DEFINITIONS. In this chapter:  
 56-33 (1) "Board" means the district's board of directors.  
 56-34 (2) "Director" means a board member.  
 56-35 (3) "District" means the Choctaw Watershed Water  
 56-36 Improvement District. (Acts 56th Leg., R.S., Ch. 33, Sec. 1 (part);  
 56-37 New.)  
 56-38 Sec. 9028.002. NATURE OF DISTRICT. The district is a water  
 56-39 control and improvement district under Section 59, Article XVI,  
 56-40 Texas Constitution. (Acts 56th Leg., R.S., Ch. 33, Sec. 1 (part).)  
 56-41 Sec. 9028.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
 56-42 The district is created to serve a public use and benefit.  
 56-43 (b) All land and other property included in the boundaries  
 56-44 of the district will benefit from the district and the  
 56-45 improvements, works, and measures constructed and accomplished by  
 56-46 the district.  
 56-47 (c) The district is essential to accomplish the purposes of  
 56-48 Section 59, Article XVI, Texas Constitution. (Acts 56th Leg., R.S.,  
 56-49 Ch. 33, Secs. 6 (part), 7 (part).)  
 56-50 Sec. 9028.004. DISTRICT TERRITORY. The district is  
 56-51 composed of the territory described by Section 2, Chapter 33, Acts  
 56-52 of the 56th Legislature, Regular Session, 1959, as that territory  
 56-53 may have been modified under:  
 56-54 (1) Subchapter O, Chapter 51, Water Code;  
 56-55 (2) Subchapter J, Chapter 49, Water Code; or  
 56-56 (3) other law. (New.)  
 56-57 SUBCHAPTER B. BOARD OF DIRECTORS  
 56-58 Sec. 9028.051. COMPOSITION OF BOARD. The board is composed  
 56-59 of five elected directors. (Acts 56th Leg., R.S., Ch. 33, Secs.  
 56-60 5(a) (part), (c) (part).)  
 56-61 SUBCHAPTER C. POWERS AND DUTIES  
 56-62 Sec. 9028.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
 56-63 POWERS. The district has the rights, powers, privileges, and  
 56-64 duties provided by general law applicable to a water control and  
 56-65 improvement district created under Section 59, Article XVI, Texas  
 56-66 Constitution, including Chapters 49 and 51, Water Code. (Acts 56th  
 56-67 Leg., R.S., Ch. 33, Sec. 3 (part); New.)  
 56-68 Sec. 9028.102. COST OF RELOCATING OR ALTERING PROPERTY. If  
 56-69 the district's exercise of the power of eminent domain, the power of



57-1 relocation, or any other power granted by this chapter makes  
 57-2 necessary relocating, raising, rerouting, changing the grade of, or  
 57-3 altering the construction of a highway, railroad, electric  
 57-4 transmission line, pipeline, or telephone or telegraph property or  
 57-5 facility, the necessary action shall be accomplished at the sole  
 57-6 expense of the district. (Acts 56th Leg., R.S., Ch. 33, Sec. 8  
 57-7 (part).)

57-8 Sec. 9028.103. WATERSHED PROTECTION AND FLOOD PREVENTION  
 57-9 ACT. Subject to Section 9028.154, the district has the power  
 57-10 necessary to fully qualify for and gain the full benefits of the  
 57-11 Watershed Protection and Flood Prevention Act (16 U.S.C. Section  
 57-12 1001 et seq.), including:

57-13 (1) all powers necessary to carry out the projects,  
 57-14 works, and improvements contemplated by the Watershed Protection  
 57-15 and Flood Prevention Act;

57-16 (2) the power to secure a loan or loans from the proper  
 57-17 agencies of the federal government for the purpose of defraying the  
 57-18 costs and expenses of the district in connection with carrying out  
 57-19 its projects, works, and improvements under the Watershed  
 57-20 Protection and Flood Prevention Act; and

57-21 (3) if necessary, the power to issue bonds as  
 57-22 collateral for a loan described by Subdivision (2). (Acts 56th  
 57-23 Leg., R.S., Ch. 33, Sec. 4 (part); New.)

#### 57-24 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

57-25 Sec. 9028.151. TAX METHOD. (a) The district shall use the  
 57-26 ad valorem plan of taxation.

57-27 (b) The board is not required to hold a hearing on the  
 57-28 adoption of a plan of taxation. (Acts 56th Leg., R.S., Ch. 33, Sec.  
 57-29 6 (part).)

57-30 Sec. 9028.152. LIMITATION ON TAX RATE. The district may not  
 57-31 impose taxes under this subchapter at a rate that exceeds five cents  
 57-32 per \$100 valuation. (Acts 56th Leg., R.S., Ch. 33, Sec. 6 (part).)

57-33 Sec. 9028.153. TAX ASSESSOR-COLLECTOR. The Grayson County  
 57-34 tax assessor-collector shall collect taxes for the district and  
 57-35 make them available for district purposes. (Acts 56th Leg., R.S.,  
 57-36 Ch. 33, Sec. 6 (part).)

57-37 Sec. 9028.154. ELECTION REQUIRED FOR FEDERAL LOAN. The  
 57-38 district may not consummate a loan from the federal government  
 57-39 unless the loan is authorized by a majority of the votes cast in a  
 57-40 district election. (Acts 56th Leg., R.S., Ch. 33, Sec. 9 (part).)

57-41 Sec. 9028.155. APPROVAL OF AND FUNDING FOR CERTAIN PLANS  
 57-42 FOR WORKS AND IMPROVEMENTS. (a) In this section, "commission"  
 57-43 means the Texas Commission on Environmental Quality.

57-44 (b) This section applies only to plans contemplated by the  
 57-45 district for works and improvements, or amendments to the plans,  
 57-46 that are prepared by the Natural Resources Conservation Service of  
 57-47 the United States Department of Agriculture and approved by the  
 57-48 district's board.

57-49 (c) An engineer's report covering the plans and  
 57-50 improvements to be constructed, and the maps, plats, profiles, and  
 57-51 data fully showing and explaining the plans and improvements, are  
 57-52 not required to be filed in the district office before an election  
 57-53 is held to authorize the issuance of bonds for the works and  
 57-54 improvements. The plans and specifications, engineering reports,  
 57-55 profiles, maps, and other data, and subsequent amendments to those  
 57-56 items, are not required to be approved by the commission before the  
 57-57 bonds are issued.

57-58 (d) Before the district may spend any money for the  
 57-59 construction of any works and improvements, the commission must  
 57-60 approve the portion of the works and improvements to be  
 57-61 constructed. The commission's advance approval for the entire  
 57-62 project contemplated by the district is not required. The  
 57-63 commission may approve on a separate or individual basis the  
 57-64 portion of the entire project or works and improvements:

57-65 (1) to be constructed at a particular time; and

57-66 (2) on which plans and specifications of the Natural  
 57-67 Resources Conservation Service have been prepared and submitted by  
 57-68 the board to the commission. (Acts 56th Leg., R.S., Ch. 33, Sec.  
 57-69 10; New.)

## SUBCHAPTER E. BONDS

58-1  
58-2           Sec. 9028.201. AUTHORITY TO ISSUE BONDS. Subject to  
58-3 Section 9028.202, the district may issue bonds, in the manner  
58-4 provided by general law for water control and improvement  
58-5 districts, to:

58-6           (1) provide dams, structures, projects, and works of  
58-7 improvement for flood prevention, the conservation and development  
58-8 of water, and for other necessary plants, facilities, and equipment  
58-9 in connection therewith and for the improvement, repair, and  
58-10 operation of same;

58-11           (2) carry out any other power provided by this chapter  
58-12 or by Chapter 49 or 51, Water Code; and

58-13           (3) pay all costs, charges, and expenses of the  
58-14 district. (Acts 56th Leg., R.S., Ch. 33, Sec. 8 (part); New.)

58-15           Sec. 9028.202. BOND ELECTION REQUIRED. The district may  
58-16 not issue bonds unless the bonds are authorized by a majority of the  
58-17 votes cast in a district election. (Acts 56th Leg., R.S., Ch. 33,  
58-18 Sec. 9 (part).)

## CHAPTER 9045. FALLBROOK UTILITY DISTRICT

## SUBCHAPTER A. GENERAL PROVISIONS

58-21   Sec. 9045.001. DEFINITIONS

58-22   Sec. 9045.002. NATURE OF DISTRICT

58-23   Sec. 9045.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

58-24   Sec. 9045.004. DISTRICT TERRITORY

58-25   Sec. 9045.005. EXPANSION OF DISTRICT

58-26   Sec. 9045.006. HEARINGS FOR EXCLUSION OF LAND

58-27   Sec. 9045.007. STATE POLICY REGARDING WASTE DISPOSAL

## SUBCHAPTER B. DISTRICT ADMINISTRATION

58-29   Sec. 9045.051. COMPOSITION OF BOARD

58-30   Sec. 9045.052. APPOINTMENT OF TREASURER

58-31   Sec. 9045.053. DIRECTOR AND TREASURER BONDS

58-32   Sec. 9045.054. BOARD VACANCY

58-33   Sec. 9045.055. BOARD PRESIDENT'S POWER TO EXECUTE

58-34           CONTRACTS

58-35   Sec. 9045.056. ABSENCE OR INACTION OF BOARD PRESIDENT

58-36   Sec. 9045.057. DISTRICT OFFICE

## SUBCHAPTER C. POWERS AND DUTIES

58-38   Sec. 9045.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
58-39           POWERS

58-40   Sec. 9045.102. ADDITIONAL POWERS

58-41   Sec. 9045.103. LIMIT ON EMINENT DOMAIN

58-42   Sec. 9045.104. COST OF RELOCATING OR ALTERING PROPERTY

58-43   Sec. 9045.105. NOTICE OF ELECTION

## SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

58-45   Sec. 9045.151. TAX METHOD

58-46   Sec. 9045.152. DISTRICT ACCOUNTS

58-47   Sec. 9045.153. COPY OF AUDIT REPORT

58-48   Sec. 9045.154. PAYMENT OF TAX OR ASSESSMENT NOT

58-49           REQUIRED

58-50   Sec. 9045.155. DEPOSITORY

## SUBCHAPTER E. BONDS

58-52   Sec. 9045.201. ISSUANCE OF BONDS

58-53   Sec. 9045.202. ADDITIONAL SECURITY

58-54   Sec. 9045.203. TRUST INDENTURE

58-55   Sec. 9045.204. ORDER OR RESOLUTION AUTHORIZING

58-56           ISSUANCE OF CERTAIN BONDS

58-57   Sec. 9045.205. USE OF BOND PROCEEDS

## CHAPTER 9045. FALLBROOK UTILITY DISTRICT

## SUBCHAPTER A. GENERAL PROVISIONS

58-60   Sec. 9045.001. DEFINITIONS. In this chapter:

58-61           (1) "Board" means the district's board of directors.

58-62           (2) "Director" means a board member.

58-63           (3) "District" means the Fallbrook Utility District of  
58-64 Harris County, Texas. (Acts 61st Leg., R.S., Ch. 633, Sec. 1  
58-65 (part); New.)

58-66   Sec. 9045.002. NATURE OF DISTRICT. The district is a  
58-67 conservation and reclamation district in Harris County created  
58-68 under Section 59, Article XVI, Texas Constitution. (Acts 61st  
58-69 Leg., R.S., Ch. 633, Sec. 1 (part).)

59-1 Sec. 9045.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
59-2 The district is created to serve a public use and benefit.

59-3 (b) All land and other property included in the boundaries  
59-4 of the district will benefit from the works and projects  
59-5 accomplished by the district under the powers conferred by Section  
59-6 59, Article XVI, Texas Constitution.

59-7 (c) The district is essential to accomplish the purposes of  
59-8 Section 59, Article XVI, Texas Constitution.

59-9 (d) The accomplishment of the purposes stated in this  
59-10 chapter will benefit the people of this state and improve their  
59-11 property and industries.

59-12 (e) The district in carrying out the purposes of this  
59-13 chapter will be performing an essential public function under the  
59-14 Texas Constitution. (Acts 61st Leg., R.S., Ch. 633, Secs. 1 (part),  
59-15 4, 21 (part).)

59-16 Sec. 9045.004. DISTRICT TERRITORY. (a) The district is  
59-17 composed of the territory described by Section 2, Chapter 633, Acts  
59-18 of the 61st Legislature, Regular Session, 1969, as that territory  
59-19 may have been modified under:

59-20 (1) Subchapter O, Chapter 51, Water Code;

59-21 (2) Subchapter J, Chapter 49, Water Code;

59-22 (3) Section 9045.005 or its predecessor statute,  
59-23 former Section 9, Chapter 633, Acts of the 61st Legislature,  
59-24 Regular Session, 1969; or

59-25 (4) other law.

59-26 (b) The boundaries and field notes of the district form a  
59-27 closure. A mistake in the field notes or in copying the field notes  
59-28 in the legislative process does not affect:

59-29 (1) the district's organization, existence, or  
59-30 validity;

59-31 (2) the district's right to issue any type of bond for  
59-32 a purpose for which the district is created or to pay the principal  
59-33 of and interest on the bond;

59-34 (3) the district's right to impose a tax; or

59-35 (4) in any other manner, the legality or operation of  
59-36 the district or the board. (Acts 61st Leg., R.S., Ch. 633, Sec. 3;  
59-37 New.)

59-38 Sec. 9045.005. EXPANSION OF DISTRICT. (a) If land is  
59-39 annexed to the district under Section 49.301 or 51.714, Water Code,  
59-40 the board may require the petitioners to:

59-41 (1) assume the petitioners' pro rata share of the voted  
59-42 but unissued bonds of the district; and

59-43 (2) authorize the board to impose a tax on the  
59-44 petitioners' property to pay for the bonds after the bonds have been  
59-45 issued.

59-46 (b) If land is annexed to the district under Section 49.302,  
59-47 Water Code, the board may submit to the voters of the area to be  
59-48 annexed a proposition on the question of the assumption by the area  
59-49 to be annexed of its part of the voted but not yet issued or sold tax  
59-50 or tax-revenue bonds of the district and the imposition of an ad  
59-51 valorem tax on taxable property in the area to be annexed along with  
59-52 a tax in the rest of the district for the payment of the bonds.

59-53 (c) If the petitioners consent or if the election results  
59-54 favorably, the district may issue its voted but unissued tax or  
59-55 tax-revenue bonds regardless of changes to district boundaries  
59-56 since the voting or authorization of those bonds. (Acts 61st Leg.,  
59-57 R.S., Ch. 633, Sec. 9 (part).)

59-58 Sec. 9045.006. HEARINGS FOR EXCLUSION OF LAND. (a) The  
59-59 board is not required to call or hold a hearing on the exclusion of  
59-60 land or other property from the district; provided, however, that  
59-61 the board shall hold a hearing if an owner of land or other property  
59-62 located in the district files a written petition for a hearing with  
59-63 the board secretary before the district's first bond election is  
59-64 called.

59-65 (b) The board may act on the petition in the same manner that  
59-66 it may act on a petition for the addition of land under Section  
59-67 49.301 or 51.714, Water Code. A notice of hearing is not required.

59-68 (c) The board on its own motion may call and hold an  
59-69 exclusion hearing under general law. (Acts 61st Leg., R.S., Ch.

60-1 633, Sec. 7.)

60-2 Sec. 9045.007. STATE POLICY REGARDING WASTE DISPOSAL. The  
60-3 district's powers and duties are subject to the state policy of  
60-4 encouraging the development and use of integrated area-wide waste  
60-5 collection, treatment, and disposal systems to serve the waste  
60-6 disposal needs of this state's residents, if integrated systems can  
60-7 reasonably be provided for an area, so as to avoid the economic  
60-8 burden on residents and the impact on state water quality caused by  
60-9 the construction and operation of numerous small waste collection,  
60-10 treatment, and disposal facilities. (Acts 61st Leg., R.S., Ch.  
60-11 633, Sec. 5 (part).)

60-12 SUBCHAPTER B. DISTRICT ADMINISTRATION

60-13 Sec. 9045.051. COMPOSITION OF BOARD. The board consists of  
60-14 five elected directors. (Acts 61st Leg., R.S., Ch. 633, Sec. 10  
60-15 (part).)

60-16 Sec. 9045.052. APPOINTMENT OF TREASURER. The board may  
60-17 appoint the treasurer. (Acts 61st Leg., R.S., Ch. 633, Sec. 10  
60-18 (part).)

60-19 Sec. 9045.053. DIRECTOR AND TREASURER BONDS. (a) Each  
60-20 director shall qualify by giving bond in the amount of \$5,000 for  
60-21 the faithful performance of the director's duties.

60-22 (b) The directors' bonds shall be recorded in a record kept  
60-23 for that purpose in the district's office.

60-24 (c) The treasurer shall give bond in the amount required by  
60-25 the board. The treasurer's bond shall be conditioned on the  
60-26 treasurer's faithful accounting for all money that comes into the  
60-27 treasurer's custody as treasurer of the district. (Acts 61st Leg.,  
60-28 R.S., Ch. 633, Sec. 10 (part).)

60-29 Sec. 9045.054. BOARD VACANCY. (a) Except as provided by  
60-30 Subsection (b), a vacancy in the office of director shall be filled  
60-31 in the manner provided by Section 49.105, Water Code.

60-32 (b) The county judge of Harris County shall appoint  
60-33 directors to fill all of the vacancies on the board if the number of  
60-34 qualified directors is less than three. (Acts 61st Leg., R.S., Ch.  
60-35 633, Sec. 10 (part).)

60-36 Sec. 9045.055. BOARD PRESIDENT'S POWER TO EXECUTE  
60-37 CONTRACTS. The board president may execute all contracts,  
60-38 including construction contracts, entered into by the board on  
60-39 behalf of the district. (Acts 61st Leg., R.S., Ch. 633, Sec. 10  
60-40 (part).)

60-41 Sec. 9045.056. ABSENCE OR INACTION OF BOARD PRESIDENT. (a)  
60-42 When the board president is absent or fails or declines to act, the  
60-43 board vice president shall perform all duties and exercise all  
60-44 power that this chapter or general law gives the president.

60-45 (b) If the board president is absent from a board meeting,  
60-46 the board vice president may sign an order adopted or other action  
60-47 taken at the meeting, or the board may authorize the president to  
60-48 sign the order or other action. (Acts 61st Leg., R.S., Ch. 633,  
60-49 Sec. 10 (part).)

60-50 Sec. 9045.057. DISTRICT OFFICE. (a) The board shall  
60-51 designate, establish, and maintain a district office as provided by  
60-52 Section 49.062, Water Code.

60-53 (b) The board may establish a second district office outside  
60-54 the district. If the board establishes a district office outside  
60-55 the district, the board shall give notice of the location of that  
60-56 office by:

60-57 (1) filing a copy of the board resolution that  
60-58 establishes the location of the office:

60-59 (A) with the Texas Commission on Environmental  
60-60 Quality; and

60-61 (B) in the water control and improvement district  
60-62 records of Harris County; and

60-63 (2) publishing the location of the office in a  
60-64 newspaper of general circulation in Harris County.

60-65 (c) A district office may be a private residence, office, or  
60-66 dwelling. A district office that is a private residence, office, or  
60-67 dwelling is a public place for matters relating to the district's  
60-68 business.

60-69 (d) The board shall give notice of any change in the



61-1 location of the district office outside the district in the manner  
61-2 required by Subsection (b). (Acts 61st Leg., R.S., Ch. 633, Sec.  
61-3 15.)

61-4 SUBCHAPTER C. POWERS AND DUTIES

61-5 Sec. 9045.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
61-6 POWERS. The district has all of the rights, powers, privileges, and  
61-7 functions provided by general law applicable to water control and  
61-8 improvement districts created under Section 59, Article XVI, Texas  
61-9 Constitution, including Chapters 49 and 51, Water Code. (Acts 61st  
61-10 Leg., R.S., Ch. 633, Sec. 5 (part).)

61-11 Sec. 9045.102. ADDITIONAL POWERS. (a) The district may:

61-12 (1) make, purchase, construct, lease, or otherwise  
61-13 acquire property, works, facilities, or improvements, existing or  
61-14 to be made, constructed, or acquired, inside or outside the  
61-15 district's boundaries and necessary to carry out the powers granted  
61-16 by this chapter or general law; or

61-17 (2) enter into a contract with a person on terms the  
61-18 board considers desirable, fair, and advantageous for:

61-19 (A) the purchase or sale of water;

61-20 (B) the transportation, treatment, and disposal  
61-21 of the domestic, industrial, or communal wastes of the district or  
61-22 others;

61-23 (C) the continuing and orderly development of  
61-24 land and property in the district through the purchase,  
61-25 construction, or installation of facilities, works, or  
61-26 improvements that the district is otherwise authorized to do or  
61-27 perform so that, to the greatest extent reasonably possible,  
61-28 considering sound engineering and economic practices, all of the  
61-29 land and property may ultimately receive the services of the  
61-30 facilities, works, or improvements; and

61-31 (D) the performance of any of the rights or  
61-32 powers granted by this chapter or general law relating to water  
61-33 control and improvement districts.

61-34 (b) A contract under Subsection (a)(2) may not have a  
61-35 duration of more than 40 years. (Acts 61st Leg., R.S., Ch. 633,  
61-36 Sec. 5 (part).)

61-37 Sec. 9045.103. LIMIT ON EMINENT DOMAIN. The district may  
61-38 exercise the power of eminent domain only:

61-39 (1) in Harris County; and

61-40 (2) when necessary to carry out the purposes for which  
61-41 the district was created. (Acts 61st Leg., R.S., Ch. 633, Sec. 13  
61-42 (part).)

61-43 Sec. 9045.104. COST OF RELOCATING OR ALTERING PROPERTY.  
61-44 (a) In this section, "sole expense" means the actual cost of  
61-45 relocating, raising, lowering, rerouting, changing the grade of, or  
61-46 altering the construction of a facility described by Subsection (b)  
61-47 in providing comparable replacement without enhancement of the  
61-48 facility, after deducting from that cost the net salvage value  
61-49 derived from the old facility.

61-50 (b) If the district's exercise of the power of eminent  
61-51 domain makes necessary relocating, raising, lowering, rerouting,  
61-52 changing the grade of, or altering the construction of a highway,  
61-53 railroad, electric transmission line, telegraph or telephone  
61-54 property or facility, or pipeline, the necessary action shall be  
61-55 accomplished at the sole expense of the district. (Acts 61st Leg.,  
61-56 R.S., Ch. 633, Sec. 13 (part).)

61-57 Sec. 9045.105. NOTICE OF ELECTION. Notice of an election  
61-58 may be given under the hand of the board president or secretary.  
61-59 (Acts 61st Leg., R.S., Ch. 633, Sec. 18 (part).)

61-60 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

61-61 Sec. 9045.151. TAX METHOD. (a) The district shall use the  
61-62 ad valorem plan of taxation.

61-63 (b) The board is not required to call or hold a hearing on  
61-64 the adoption of a plan of taxation. (Acts 61st Leg., R.S., Ch. 633,  
61-65 Sec. 8.)

61-66 Sec. 9045.152. DISTRICT ACCOUNTS. The district shall keep  
61-67 a complete system of the district's accounts. (Acts 61st Leg.,  
61-68 R.S., Ch. 633, Sec. 14 (part).)

61-69 Sec. 9045.153. COPY OF AUDIT REPORT. A copy of the audit

62-1 report prepared under Subchapter G, Chapter 49, Water Code, shall  
62-2 be delivered:

- 62-3 (1) to each director; and
- 62-4 (2) to a holder of at least 25 percent of the  
62-5 outstanding bonds of the district, on request. (Acts 61st Leg.,  
62-6 R.S., Ch. 633, Sec. 14 (part); New.)

62-7 Sec. 9045.154. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.  
62-8 The district is not required to pay a tax or assessment on:

- 62-9 (1) district property; or
- 62-10 (2) a purchase made by the district. (Acts 61st Leg.,  
62-11 R.S., Ch. 633, Sec. 21 (part).)

62-12 Sec. 9045.155. DEPOSITORY. (a) The board shall select one  
62-13 or more banks in this state to act as depository for the district's  
62-14 money.

62-15 (b) To the extent that money in the depository bank is not  
62-16 insured by the Federal Deposit Insurance Corporation, the money  
62-17 must be secured in the manner provided by law for the security of  
62-18 county funds.

62-19 (c) A director may be a shareholder in a bank that is a  
62-20 depository of district money. (Acts 61st Leg., R.S., Ch. 633, Sec.  
62-21 14 (part).)

62-22 SUBCHAPTER E. BONDS

62-23 Sec. 9045.201. ISSUANCE OF BONDS. (a) The district may  
62-24 issue tax bonds, revenue bonds, or tax and revenue bonds to provide  
62-25 money for any purpose of this chapter, including the acquisition of  
62-26 land.

62-27 (b) The district must issue bonds in the manner provided by  
62-28 Chapters 49 and 51, Water Code, except that the district may issue  
62-29 bonds payable solely from net revenue by resolution or order of the  
62-30 board without an election.

62-31 (c) Bonds issued under this subchapter may be payable from  
62-32 all or any designated part of the revenue of district property and  
62-33 facilities or under a specific contract, as provided in the order or  
62-34 resolution authorizing the issuance of the bonds. (Acts 61st Leg.,  
62-35 R.S., Ch. 633, Sec. 12 (part).)

62-36 Sec. 9045.202. ADDITIONAL SECURITY. (a) Within the  
62-37 discretion of the board, bonds issued under this subchapter may be  
62-38 additionally secured by a deed of trust or mortgage lien on physical  
62-39 property of the district and franchises, easements, water rights  
62-40 and appropriation permits, leases, contracts, and all rights  
62-41 appurtenant to that property, vesting in the trustee:

- 62-42 (1) the power to sell the property for payment of the  
62-43 debt;
- 62-44 (2) the power to operate the property; and
- 62-45 (3) all other powers to further secure the bonds.

62-46 (b) A purchaser under a sale under the deed of trust or  
62-47 mortgage lien, if one is given:

- 62-48 (1) is the absolute owner of the property, facilities,  
62-49 and rights purchased; and
- 62-50 (2) may maintain and operate the property and  
62-51 facilities. (Acts 61st Leg., R.S., Ch. 633, Sec. 12 (part).)

62-52 Sec. 9045.203. TRUST INDENTURE. A trust indenture created  
62-53 under Section 9045.202, regardless of the existence of a deed of  
62-54 trust or mortgage lien on the property, may:

- 62-55 (1) contain provisions prescribed by the board for the  
62-56 security of the bonds and the preservation of the trust estate;
- 62-57 (2) provide for amendment or modification of the trust  
62-58 indenture;
- 62-59 (3) provide for the issuance of bonds to replace lost  
62-60 or mutilated bonds;
- 62-61 (4) condition the right to spend district money or  
62-62 sell district property on the approval of a licensed engineer  
62-63 selected as provided by the trust indenture; and
- 62-64 (5) provide for the investment of district money.  
62-65 (Acts 61st Leg., R.S., Ch. 633, Sec. 12 (part).)

62-66 Sec. 9045.204. ORDER OR RESOLUTION AUTHORIZING ISSUANCE OF  
62-67 CERTAIN BONDS. (a) In an order or resolution authorizing the  
62-68 issuance of revenue, tax-revenue, revenue refunding, or  
62-69 tax-revenue refunding bonds, the board may:

63-1 (1) provide for:  
 63-2 (A) the flow of money; and  
 63-3 (B) the establishment and maintenance of the  
 63-4 interest and sinking fund, reserve fund, or other fund;  
 63-5 (2) make additional covenants with respect to the  
 63-6 bonds and the pledged revenue and the operation and maintenance of  
 63-7 the improvements and facilities the revenue of which is pledged,  
 63-8 including provisions for the operation or leasing of all or part of  
 63-9 the improvements and facilities and the use or pledge of money  
 63-10 received from the operation contract or lease as the board  
 63-11 considers appropriate;  
 63-12 (3) prohibit the further issuance of bonds or other  
 63-13 obligations payable from the pledged revenue or reserve the right  
 63-14 to issue additional bonds to be secured by a pledge of and payable  
 63-15 from the revenue on a parity with, or subordinate to, the lien and  
 63-16 pledge in support of the bonds being issued, subject to any  
 63-17 conditions set forth in the order or resolution; and  
 63-18 (4) include any other provision or covenant, as the  
 63-19 board determines, that is not prohibited by the Texas Constitution  
 63-20 or this chapter.  
 63-21 (b) The board may adopt and cause to be executed any other  
 63-22 proceeding or instrument necessary or convenient in the issuance of  
 63-23 the bonds. (Acts 61st Leg., R.S., Ch. 633, Sec. 12 (part).)  
 63-24 Sec. 9045.205. USE OF BOND PROCEEDS. (a) The district may  
 63-25 appropriate or set aside out of proceeds from the sale of district  
 63-26 bonds an amount for:  
 63-27 (1) the payment of interest, administrative, and  
 63-28 operating expenses expected to accrue during the period of  
 63-29 construction, as may be provided in the bond orders or resolutions;  
 63-30 and  
 63-31 (2) the payment of all expenses incurred and to be  
 63-32 incurred in the issuance, sale, and delivery of the bonds.  
 63-33 (b) For purposes of this section, the period of construction  
 63-34 may not exceed three years. (Acts 61st Leg., R.S., Ch. 633, Sec. 12  
 63-35 (part).)  
 63-36 CHAPTER 9049. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT  
 63-37 DISTRICT-FONDREN ROAD  
 63-38 SUBCHAPTER A. GENERAL PROVISIONS  
 63-39 Sec. 9049.001. DEFINITIONS  
 63-40 Sec. 9049.002. NATURE OF DISTRICT  
 63-41 Sec. 9049.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
 63-42 Sec. 9049.004. DISTRICT TERRITORY  
 63-43 SUBCHAPTER B. BOARD OF DIRECTORS  
 63-44 Sec. 9049.051. BOARD OF DIRECTORS  
 63-45 Sec. 9049.052. APPOINTMENT OF SECRETARY AND TREASURER  
 63-46 Sec. 9049.053. DIRECTOR'S AND TREASURER'S BONDS  
 63-47 Sec. 9049.054. VOTE BY BOARD PRESIDENT  
 63-48 Sec. 9049.055. ABSENCE OR INACTION OF BOARD PRESIDENT  
 63-49 SUBCHAPTER C. POWERS AND DUTIES  
 63-50 Sec. 9049.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
 63-51 POWERS  
 63-52 Sec. 9049.102. LIMIT ON EMINENT DOMAIN POWER  
 63-53 Sec. 9049.103. COST OF RELOCATING OR ALTERING PROPERTY  
 63-54 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
 63-55 Sec. 9049.151. TAX METHOD  
 63-56 CHAPTER 9049. HARRIS COUNTY WATER CONTROL AND IMPROVEMENT  
 63-57 DISTRICT-FONDREN ROAD  
 63-58 SUBCHAPTER A. GENERAL PROVISIONS  
 63-59 Sec. 9049.001. DEFINITIONS. In this chapter:  
 63-60 (1) "Board" means the district's board of directors.  
 63-61 (2) "Director" means a board member.  
 63-62 (3) "District" means the Harris County Water Control  
 63-63 and Improvement District-Fondren Road. (Acts 58th Leg., R.S., Ch.  
 63-64 246, Sec. 1 (part); New.)  
 63-65 Sec. 9049.002. NATURE OF DISTRICT. The district is a  
 63-66 conservation and reclamation district in Harris County created  
 63-67 under Section 59, Article XVI, Texas Constitution. (Acts 58th  
 63-68 Leg., R.S., Ch. 246, Sec. 1 (part).)  
 63-69 Sec. 9049.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

64-1 The district is created to serve a public use and benefit.

64-2 (b) All land and other property included in the boundaries  
64-3 of the district will benefit from the works and projects  
64-4 accomplished by the district under the powers conferred by Section  
64-5 59, Article XVI, Texas Constitution.

64-6 (c) The district is essential to accomplish the purposes of  
64-7 Section 59, Article XVI, Texas Constitution. (Acts 58th Leg., R.S.,  
64-8 Ch. 246, Secs. 1 (part), 3; Acts 60th Leg., R.S., Ch. 611, Sec. 5.)

64-9 Sec. 9049.004. DISTRICT TERRITORY. (a) The district is  
64-10 composed of the territory described by Section 2, Chapter 246, Acts  
64-11 of the 58th Legislature, Regular Session, 1963, as amended by  
64-12 Sections 1 and 3, Chapter 611, Acts of the 60th Legislature, Regular  
64-13 Session, 1967, as that territory may have been modified under:

64-14 (1) Subchapter O, Chapter 51, Water Code;

64-15 (2) Subchapter J, Chapter 49, Water Code; or

64-16 (3) other law.

64-17 (b) The boundaries and field notes of the district form a  
64-18 closure. A mistake in the field notes or in copying the field notes  
64-19 in the legislative process does not affect:

64-20 (1) the district's organization, existence, or  
64-21 validity;

64-22 (2) the district's right to issue bonds or to pay the  
64-23 principal of and interest on the bonds;

64-24 (3) the district's right to impose a tax; or

64-25 (4) the legality or operation of the district or the  
64-26 board. (Acts 58th Leg., R.S., Ch. 246, Sec. 4; Acts 60th Leg.,  
64-27 R.S., Ch. 611, Secs. 2, 4; New.)

64-28 SUBCHAPTER B. BOARD OF DIRECTORS

64-29 Sec. 9049.051. BOARD OF DIRECTORS. (a) The board consists  
64-30 of five elected directors.

64-31 (b) To be appointed as a director a person must reside in  
64-32 this state, but such director is not required to reside in the  
64-33 district. (Acts 58th Leg., R.S., Ch. 246, Sec. 7 (part).)

64-34 Sec. 9049.052. APPOINTMENT OF SECRETARY AND TREASURER. The  
64-35 board shall appoint a secretary and a treasurer, who are not  
64-36 required to be directors. The board may combine the offices of  
64-37 secretary and treasurer. (Acts 58th Leg., R.S., Ch. 246, Sec. 7  
64-38 (part).)

64-39 Sec. 9049.053. DIRECTOR'S AND TREASURER'S BONDS. (a) Each  
64-40 director shall give bond in the amount of \$5,000 conditioned on the  
64-41 faithful performance of the director's duties.

64-42 (b) The treasurer shall give bond in the amount required by  
64-43 the board. The treasurer's bond shall be conditioned on the  
64-44 treasurer's faithful accounting for all money that comes into the  
64-45 treasurer's custody as treasurer of the district. (Acts 58th Leg.,  
64-46 R.S., Ch. 246, Sec. 7 (part).)

64-47 Sec. 9049.054. VOTE BY BOARD PRESIDENT. The board  
64-48 president has the same right to vote as any other director. (Acts  
64-49 58th Leg., R.S., Ch. 246, Sec. 7 (part).)

64-50 Sec. 9049.055. ABSENCE OR INACTION OF BOARD PRESIDENT.  
64-51 When the board president is absent or fails or declines to act, the  
64-52 board vice president shall perform all duties and exercise all  
64-53 power this chapter gives the president. (Acts 58th Leg., R.S., Ch.  
64-54 246, Sec. 7 (part).)

64-55 SUBCHAPTER C. POWERS AND DUTIES

64-56 Sec. 9049.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
64-57 POWERS. The district has the rights, powers, privileges, and  
64-58 duties provided by general law applicable to a water control and  
64-59 improvement district created under Section 59, Article XVI, Texas  
64-60 Constitution, including Chapters 49 and 51, Water Code. (Acts 58th  
64-61 Leg., R.S., Ch. 246, Sec. 5 (part); New.)

64-62 Sec. 9049.102. LIMIT ON EMINENT DOMAIN POWER. The district  
64-63 may exercise the power of eminent domain only in Harris County.  
64-64 (Acts 58th Leg., R.S., Ch. 246, Sec. 9 (part).)

64-65 Sec. 9049.103. COST OF RELOCATING OR ALTERING PROPERTY. If  
64-66 the district's exercise of the power of eminent domain, the power of  
64-67 relocation, or any other power granted by this chapter makes  
64-68 necessary relocating, raising, rerouting, changing the grade of, or  
64-69 altering the construction of a highway, railroad, electric



65-1 transmission line, telephone or telegraph property or facility, or  
 65-2 pipeline, the necessary action shall be accomplished at the sole  
 65-3 expense of the district. (Acts 58th Leg., R.S., Ch. 246, Sec. 9  
 65-4 (part).)

65-5 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
 65-6 Sec. 9049.151. TAX METHOD. (a) The district shall use the  
 65-7 ad valorem plan of taxation.  
 65-8 (b) The board is not required to hold a hearing on the  
 65-9 adoption of a plan of taxation. (Acts 58th Leg., R.S., Ch. 246,  
 65-10 Sec. 5 (part).)

65-11 CHAPTER 9050. INVERNESS FOREST IMPROVEMENT DISTRICT  
 65-12 SUBCHAPTER A. GENERAL PROVISIONS  
 65-13 Sec. 9050.001. DEFINITIONS  
 65-14 Sec. 9050.002. NATURE OF DISTRICT  
 65-15 Sec. 9050.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
 65-16 Sec. 9050.004. DISTRICT TERRITORY  
 65-17 Sec. 9050.005. EXPANSION OF DISTRICT  
 65-18 Sec. 9050.006. HEARINGS FOR EXCLUSION OF LAND  
 65-19 SUBCHAPTER B. DISTRICT ADMINISTRATION  
 65-20 Sec. 9050.051. BOARD OF DIRECTORS  
 65-21 Sec. 9050.052. DIRECTOR'S BOND  
 65-22 Sec. 9050.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY  
 65-23 FROM BOARD MEETING  
 65-24 Sec. 9050.054. VOTE BY BOARD PRESIDENT  
 65-25 Sec. 9050.055. ABSENCE OR INACTION OF BOARD PRESIDENT  
 65-26 SUBCHAPTER C. POWERS AND DUTIES  
 65-27 Sec. 9050.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
 65-28 POWERS  
 65-29 Sec. 9050.102. ADDITIONAL POWERS  
 65-30 Sec. 9050.103. LIMIT ON EMINENT DOMAIN POWER  
 65-31 Sec. 9050.104. COST OF RELOCATING OR ALTERING PROPERTY  
 65-32 Sec. 9050.105. NOTICE OF ELECTION  
 65-33 Sec. 9050.106. EFFECT OF ANNEXATION BY MUNICIPALITY  
 65-34 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
 65-35 Sec. 9050.151. TAX METHOD  
 65-36 Sec. 9050.152. DEPOSITORY  
 65-37 Sec. 9050.153. PAYMENT OF TAX OR ASSESSMENT NOT  
 65-38 REQUIRED  
 65-39 SUBCHAPTER E. BONDS  
 65-40 Sec. 9050.201. AUTHORITY TO ISSUE BONDS  
 65-41 Sec. 9050.202. FAILED BOND ELECTION  
 65-42 Sec. 9050.203. BONDS EXEMPT FROM TAXATION

65-43 CHAPTER 9050. INVERNESS FOREST IMPROVEMENT DISTRICT  
 65-44 SUBCHAPTER A. GENERAL PROVISIONS  
 65-45 Sec. 9050.001. DEFINITIONS. In this chapter:  
 65-46 (1) "Board" means the district's board of directors.  
 65-47 (2) "Director" means a board member.  
 65-48 (3) "District" means the Inverness Forest Improvement  
 65-49 District. (Acts 59th Leg., R.S., Ch. 605, Sec. 1 (part); New.)  
 65-50 Sec. 9050.002. NATURE OF DISTRICT. The district is a  
 65-51 conservation and reclamation district in Harris County created  
 65-52 under Section 59, Article XVI, Texas Constitution. (Acts 59th  
 65-53 Leg., R.S., Ch. 605, Sec. 1 (part).)  
 65-54 Sec. 9050.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
 65-55 The district is created to serve a public use and benefit.  
 65-56 (b) All land and other property included in the boundaries  
 65-57 of the district will benefit from the works and projects  
 65-58 accomplished by the district under the powers conferred by Section  
 65-59 59, Article XVI, Texas Constitution.  
 65-60 (c) The district is essential to accomplish the purposes of  
 65-61 Section 59, Article XVI, Texas Constitution.  
 65-62 (d) The accomplishment of the purposes stated in this  
 65-63 chapter will benefit the people of this state and improve their  
 65-64 property and industries.  
 65-65 (e) The district in carrying out the purposes of this  
 65-66 chapter will be performing an essential public function under the  
 65-67 Texas Constitution. (Acts 59th Leg., R.S., Ch. 605, Secs. 1 (part),  
 65-68 4, 22 (part).)  
 65-69 Sec. 9050.004. DISTRICT TERRITORY. (a) The district is

66-1 composed of the territory described by Section 2, Chapter 605, Acts  
66-2 of the 59th Legislature, Regular Session, 1965, as that territory  
66-3 may have been modified under:

- 66-4 (1) Subchapter O, Chapter 51, Water Code;
- 66-5 (2) Subchapter J, Chapter 49, Water Code;
- 66-6 (3) Section 9050.005 of this chapter or its  
66-7 predecessor statute, former Section 16, Chapter 605, Acts of the  
66-8 59th Legislature, Regular Session, 1965; or
- 66-9 (4) other law.

66-10 (b) The boundaries and field notes of the district form a  
66-11 closure. A mistake in the field notes or in copying the field notes  
66-12 in the legislative process does not affect:

- 66-13 (1) the district's organization, existence, or  
66-14 validity;
- 66-15 (2) the district's right to issue any type or kind of  
66-16 bond for a purpose for which the district is created or to pay the  
66-17 principal of and interest on the bond;
- 66-18 (3) the district's right to impose a tax; or
- 66-19 (4) the legality or operation of the district or the  
66-20 board. (Acts 59th Leg., R.S., Ch. 605, Sec. 3; New.)

66-21 Sec. 9050.005. EXPANSION OF DISTRICT. (a) Except as  
66-22 otherwise provided by this section, the district may annex  
66-23 territory as provided by Section 49.302, Water Code.

66-24 (b) Territory may not be annexed to the district without the  
66-25 written consent of at least a three-fourths majority of all  
66-26 landowners in the territory to be annexed whose land must also  
66-27 constitute at least three-fourths of the value of all land in the  
66-28 territory to be annexed, as shown by the tax rolls of the county in  
66-29 which the territory to be annexed is located.

66-30 (c) A person who owns land or an interest in land affected by  
66-31 the annexation may, on or before the 30th day after the date of the  
66-32 canvassing order of the election for the annexation, file in the  
66-33 district court in the county in which the district is located a  
66-34 petition to review, set aside, modify, or suspend the annexation.  
66-35 After the period for filing the suit has expired, the annexation is:

- 66-36 (1) conclusive for all purposes; and
- 66-37 (2) not subject to judicial review. (Acts 59th Leg.,  
66-38 R.S., Ch. 605, Sec. 16 (part).)

66-39 Sec. 9050.006. HEARINGS FOR EXCLUSION OF LAND. (a) The  
66-40 board is not required to call or hold a hearing on the exclusion of  
66-41 land or other property from the district; provided, however, that  
66-42 the board shall hold a hearing if an owner of land or other property  
66-43 located in the district files a written request for a hearing with  
66-44 the board secretary before the district's first bond election is  
66-45 called.

66-46 (b) This section may not be construed to prevent the board  
66-47 on its own motion from calling and holding an exclusion hearing  
66-48 under general law. (Acts 59th Leg., R.S., Ch. 605, Sec. 7.)

#### 66-49 SUBCHAPTER B. DISTRICT ADMINISTRATION

66-50 Sec. 9050.051. BOARD OF DIRECTORS. (a) The board consists  
66-51 of five elected directors.

66-52 (b) To be appointed as a director, a person must:

- 66-53 (1) be at least 18 years of age; and
- 66-54 (2) reside in this state.

66-55 (c) Such director is not required to reside in the district.

66-56 (d) Such director is not required to own land in the  
66-57 district, but before the district awards any construction  
66-58 contracts, each director must own land in the district subject to  
66-59 district taxation. (Acts 59th Leg., R.S., Ch. 605, Sec. 9 (part).)

66-60 Sec. 9050.052. DIRECTOR'S BOND. Each director shall give a  
66-61 bond in the amount of \$5,000 for the faithful performance of the  
66-62 director's duties. (Acts 59th Leg., R.S., Ch. 605, Sec. 9 (part).)

66-63 Sec. 9050.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY FROM  
66-64 BOARD MEETING. (a) The board secretary shall sign the minutes of  
66-65 each board meeting.

66-66 (b) If the board secretary is absent from a board meeting,  
66-67 the board shall name a secretary pro tem for the meeting who may:

- 66-68 (1) exercise all powers and duties of the secretary  
66-69 for the meeting;

67-1 (2) sign the minutes of the meeting; and  
 67-2 (3) attest all orders passed or other action taken at  
 67-3 the meeting. (Acts 59th Leg., R.S., Ch. 605, Sec. 9 (part).)

67-4 Sec. 9050.054. VOTE BY BOARD PRESIDENT. The board  
 67-5 president has the same right to vote as any other director. (Acts  
 67-6 59th Leg., R.S., Ch. 605, Sec. 9 (part).)

67-7 Sec. 9050.055. ABSENCE OR INACTION OF BOARD PRESIDENT.  
 67-8 When the board president is absent or fails or declines to act, the  
 67-9 board vice president shall perform all duties and exercise all  
 67-10 power this chapter or general law gives the president. (Acts 59th  
 67-11 Leg., R.S., Ch. 605, Sec. 9 (part).)

#### 67-12 SUBCHAPTER C. POWERS AND DUTIES

67-13 Sec. 9050.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
 67-14 POWERS. The district has the rights, powers, privileges, and  
 67-15 duties provided by general law applicable to a water control and  
 67-16 improvement district created under Section 59, Article XVI, Texas  
 67-17 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th  
 67-18 Leg., R.S., Ch. 605, Sec. 5 (part); New.)

67-19 Sec. 9050.102. ADDITIONAL POWERS. (a) The district may:

67-20 (1) purchase, construct, or otherwise acquire a  
 67-21 waterworks system, sanitary sewer system, storm sewer system, or  
 67-22 drainage facility or any part of those systems or facilities;

67-23 (2) make any purchase, construction, improvement,  
 67-24 extension, addition, or repair necessary to a system or facility  
 67-25 described by Subdivision (1);

67-26 (3) purchase or otherwise acquire, operate, and  
 67-27 maintain any land, right-of-way, easement, site, equipment,  
 67-28 building, plant, structure, or facility necessary for a system or  
 67-29 facility described by Subdivision (1); and

67-30 (4) sell water and other services.

67-31 (b) The district may exercise any of the rights or powers  
 67-32 granted by this chapter inside or outside the district's  
 67-33 boundaries, but only in Harris County. (Acts 59th Leg., R.S., Ch.  
 67-34 605, Sec. 17 (part).)

67-35 Sec. 9050.103. LIMIT ON EMINENT DOMAIN POWER. The district  
 67-36 may exercise the power of eminent domain only in Harris County.  
 67-37 (Acts 59th Leg., R.S., Ch. 605, Sec. 12 (part).)

67-38 Sec. 9050.104. COST OF RELOCATING OR ALTERING PROPERTY.  
 67-39 (a) In this section, "sole expense" means the actual cost of  
 67-40 relocating, raising, lowering, rerouting, changing the grade of, or  
 67-41 altering the construction of a facility described by Subsection (b)  
 67-42 in providing comparable replacement without enhancement of the  
 67-43 facility, after deducting from that cost the net salvage value  
 67-44 derived from the old facility.

67-45 (b) If the district's exercise of the power of eminent  
 67-46 domain, the power of relocation, or any other power granted by this  
 67-47 chapter makes necessary relocating, raising, rerouting, changing  
 67-48 the grade of, or altering the construction of a highway, railroad,  
 67-49 electric transmission line, telegraph or telephone property or  
 67-50 facility, or pipeline, the necessary action shall be accomplished  
 67-51 at the sole expense of the district. (Acts 59th Leg., R.S., Ch.  
 67-52 605, Sec. 12 (part).)

67-53 Sec. 9050.105. NOTICE OF ELECTION. Notice of an election  
 67-54 may be given under the hand of the board president or secretary.  
 67-55 (Acts 59th Leg., R.S., Ch. 605, Sec. 20.)

67-56 Sec. 9050.106. EFFECT OF ANNEXATION BY MUNICIPALITY. (a)  
 67-57 Notwithstanding Section 43.075(d)(3), Local Government Code, if a  
 67-58 municipality annexes all of the territory in the district, the  
 67-59 municipality is not required to assume the duties of the district to  
 67-60 provide flood control services or to operate or maintain the  
 67-61 levees, retainage ponds, pumps, mitigation channel, or other flood  
 67-62 control facilities, improvements, or properties that the district  
 67-63 operates and maintains or is required to operate and maintain.

67-64 (b) The municipality may elect to assume none, part, or all  
 67-65 of the duties described by Subsection (a). The municipality shall  
 67-66 state in the ordinance annexing the territory which duties, if any,  
 67-67 the municipality elects to assume.

67-68 (c) If the municipality elects to assume none or part of the  
 67-69 duties described by Subsection (a), the district is not abolished

68-1 and continues to exist for the exclusive purpose of performing the  
 68-2 duties the municipality does not assume. The district is not  
 68-3 required to transfer to the municipality money received from  
 68-4 maintenance taxes before the date of annexation and may continue to  
 68-5 impose a maintenance tax as necessary to perform the duties the  
 68-6 municipality does not assume. The district may retain other  
 68-7 property and assets, including money from the district's operation  
 68-8 and maintenance account, as the district considers necessary to  
 68-9 perform those duties.

68-10 (d) At any time after annexation the municipality by  
 68-11 ordinance may assume the remaining duties and assets retained by  
 68-12 the district and the district's debts, liabilities, and  
 68-13 obligations. The municipality shall provide the board written  
 68-14 notice of the assumption at least 120 days before the date the  
 68-15 assumption takes effect. The district is abolished on the date the  
 68-16 assumption takes effect. (Acts 59th Leg., R.S., Ch. 605, Sec. 17B.)

68-17 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

68-18 Sec. 9050.151. TAX METHOD. (a) The district shall use the  
 68-19 ad valorem plan of taxation.

68-20 (b) The board is not required to call or hold a hearing on  
 68-21 the adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 605,  
 68-22 Sec. 8.)

68-23 Sec. 9050.152. DEPOSITORY. (a) The board shall select one  
 68-24 or more banks or trust companies in this state to act as a  
 68-25 depository of bond proceeds or of revenue derived from the  
 68-26 operation of district facilities.

68-27 (b) The depository shall, as determined by the board:

68-28 (1) furnish indemnity bonds;

68-29 (2) pledge securities; or

68-30 (3) meet any other requirements. (Acts 59th Leg.,  
 68-31 R.S., Ch. 605, Sec. 15.)

68-32 Sec. 9050.153. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.  
 68-33 The district is not required to pay a tax or assessment on:

68-34 (1) a district project or any part of the project; or

68-35 (2) a district purchase. (Acts 59th Leg., R.S., Ch.  
 68-36 605, Sec. 22 (part).)

68-37 SUBCHAPTER E. BONDS

68-38 Sec. 9050.201. AUTHORITY TO ISSUE BONDS. The district may:

68-39 (1) issue bonds of any kind to carry out any purpose  
 68-40 authorized by this chapter; and

68-41 (2) provide for and make payment for the bonds and for  
 68-42 any expense necessarily incurred in connection with the issuance of  
 68-43 the bonds. (Acts 59th Leg., R.S., Ch. 605, Sec. 17 (part).)

68-44 Sec. 9050.202. FAILED BOND ELECTION. (a) A general law,  
 68-45 including Sections 51.781-51.791, Water Code, that provides for  
 68-46 calling a hearing on the dissolution of a district after a failed  
 68-47 district bond election does not apply to the district.

68-48 (b) After the expiration of six months from the date of a  
 68-49 failed bond election, the board may call a subsequent bond  
 68-50 election.

68-51 (c) The district continues to exist and retain its full  
 68-52 power to function and operate regardless of the outcome of a bond  
 68-53 election. (Acts 59th Leg., R.S., Ch. 605, Sec. 19.)

68-54 Sec. 9050.203. BONDS EXEMPT FROM TAXATION. A bond issued  
 68-55 under this chapter, the transfer of the bond, and income from the  
 68-56 bond, including profits made on the sale of the bond, are exempt  
 68-57 from taxation in this state. (Acts 59th Leg., R.S., Ch. 605, Sec.  
 68-58 22 (part).)

68-59 CHAPTER 9051. JEFFERSON COUNTY WATER CONTROL AND IMPROVEMENT  
 68-60 DISTRICT NO. 10

68-61 SUBCHAPTER A. GENERAL PROVISIONS

68-62 Sec. 9051.001. DEFINITIONS

68-63 Sec. 9051.002. NATURE OF DISTRICT

68-64 Sec. 9051.003. LEGISLATIVE FINDING

68-65 Sec. 9051.004. LIBERAL CONSTRUCTION OF CHAPTER

68-66 Sec. 9051.005. CORRECTION OF INVALID PROCEDURES

68-67 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATION

68-68 Sec. 9051.051. DISTRICT TERRITORY

68-



- 69-1 Sec. 9051.052. ANNEXATION OF DISTRICT TERRITORY BY  
69-2 MUNICIPALITY  
69-3 SUBCHAPTER C. DISTRICT ADMINISTRATION  
69-4 Sec. 9051.101. COMPOSITION OF BOARD; TERMS  
69-5 Sec. 9051.102. QUALIFICATIONS FOR OFFICE  
69-6 Sec. 9051.103. DIRECTOR'S BOND  
69-7 Sec. 9051.104. QUORUM  
69-8 Sec. 9051.105. OFFICERS  
69-9 Sec. 9051.106. EMPLOYEES  
69-10 Sec. 9051.107. EXPENDITURES  
69-11 Sec. 9051.108. COMPENSATION OF DIRECTORS  
69-12 Sec. 9051.109. BUDGET  
69-13 SUBCHAPTER D. POWERS AND DUTIES  
69-14 Sec. 9051.151. GENERAL POWERS  
69-15 Sec. 9051.152. DISTRICT PROPERTY  
69-16 Sec. 9051.153. COST OF RELOCATING OR ALTERING PROPERTY  
69-17 Sec. 9051.154. POWERS RELATING TO WATERWORKS OR  
69-18 SANITARY SEWER SYSTEM  
69-19 Sec. 9051.155. CHARGES, FEES, AND TOLLS; PENALTY FOR  
69-20 FAILURE TO PAY  
69-21 Sec. 9051.156. SURVEYS AND INVESTIGATIONS  
69-22 Sec. 9051.157. LIMITATION ON DISTRICT POWERS RELATING  
69-23 TO GROUNDWATER  
69-24 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS  
69-25 Sec. 9051.201. TAX METHOD  
69-26 Sec. 9051.202. AUTHORITY TO IMPOSE TAX; TAX ELECTION  
69-27 Sec. 9051.203. TAX ASSESSOR AND COLLECTOR  
69-28 Sec. 9051.204. TAX RATE  
69-29 SUBCHAPTER F. BONDS  
69-30 Sec. 9051.251. DEFINITION  
69-31 Sec. 9051.252. ISSUANCE OF BONDS  
69-32 Sec. 9051.253. FORM OF BONDS  
69-33 Sec. 9051.254. ELECTION FOR BONDS PAYABLE FROM AD  
69-34 VALOREM TAXES  
69-35 Sec. 9051.255. BONDS PAYABLE FROM AD VALOREM TAXES;  
69-36 TAX RATE  
69-37 Sec. 9051.256. ELECTION NOT REQUIRED FOR CERTAIN BONDS  
69-38 Sec. 9051.257. BONDS SECURED BY REVENUE; ADDITIONAL  
69-39 BONDS  
69-40 Sec. 9051.258. CHARGES FOR DISTRICT SERVICES  
69-41 Sec. 9051.259. REFUNDING BONDS  
69-42 Sec. 9051.260. BONDS EXEMPT FROM TAXATION  
69-43 CHAPTER 9051. JEFFERSON COUNTY WATER CONTROL AND IMPROVEMENT  
69-44 DISTRICT NO. 10  
69-45 SUBCHAPTER A. GENERAL PROVISIONS  
69-46 Sec. 9051.001. DEFINITIONS. In this chapter:  
69-47 (1) "Board" means the district's board of directors.  
69-48 (2) "Director" means a board member.  
69-49 (3) "District" means the Jefferson County Water  
69-50 Control and Improvement District No. 10. (Acts 54th Leg., R.S., Ch.  
69-51 245, Sec. 1 (part); New.)  
69-52 Sec. 9051.002. NATURE OF DISTRICT. The district is a  
69-53 conservation and reclamation district in Jefferson County created  
69-54 under Section 59, Article XVI, Texas Constitution, for the purposes  
69-55 of:  
69-56 (1) controlling, conserving, protecting, preserving,  
69-57 distributing, and using surface water;  
69-58 (2) producing, distributing, and using groundwater;  
69-59 and  
69-60 (3) regulating, controlling, and disposing of  
69-61 sewerage, waste, and other refuse to prevent the contamination of  
69-62 the public waters. (Acts 54th Leg., R.S., Ch. 245, Secs. 1 (part),  
69-63 2 (part), 3 (part).)  
69-64 Sec. 9051.003. LEGISLATIVE FINDING. The legislature finds  
69-65 that the district is essential to the accomplishment of the  
69-66 purposes of Section 59, Article XVI, Texas Constitution. (Acts 54th  
69-67 Leg., R.S., Ch. 245, Sec. 11 (part).)  
69-68 Sec. 9051.004. LIBERAL CONSTRUCTION OF CHAPTER. This  
69-69 chapter shall be liberally construed to effect its purposes. (Acts

70-1 54th Leg., R.S., Ch. 245, Sec. 11 (part).)

70-2 Sec. 9051.005. CORRECTION OF INVALID PROCEDURES. If a  
70-3 court holds that any procedure under this chapter violates the  
70-4 constitution of this state or of the United States, the district by  
70-5 resolution may provide an alternative procedure that conforms with  
70-6 the constitution. (Acts 54th Leg., R.S., Ch. 245, Sec. 12 (part).)

70-7 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATION

70-8 Sec. 9051.051. DISTRICT TERRITORY. The district is  
70-9 composed of the territory described by Section 3, Chapter 245, Acts  
70-10 of the 54th Legislature, Regular Session, 1955, as that territory  
70-11 may have been modified under:

- 70-12 (1) Subchapter O, Chapter 51, Water Code;
- 70-13 (2) Subchapter J, Chapter 49, Water Code; or
- 70-14 (3) other law. (New.)

70-15 Sec. 9051.052. ANNEXATION OF DISTRICT TERRITORY BY  
70-16 MUNICIPALITY. Territory contained in the district may not be  
70-17 annexed, either wholly or partly, by a municipality unless the  
70-18 annexation is approved by a majority of the voters voting in a  
70-19 single election held jointly in the municipality and the district  
70-20 for that purpose. (Acts 54th Leg., R.S., Ch. 245, Sec. 3A.)

70-21 SUBCHAPTER C. DISTRICT ADMINISTRATION

70-22 Sec. 9051.101. COMPOSITION OF BOARD; TERMS. The board  
70-23 consists of five elected directors who serve staggered four-year  
70-24 terms that begin on May 16 following their election. (Acts 54th  
70-25 Leg., R.S., Ch. 245, Sec. 4 (part).)

70-26 Sec. 9051.102. QUALIFICATIONS FOR OFFICE. A director must:

- 70-27 (1) be a resident, qualified voter; and
- 70-28 (2) own taxable property in the district. (Acts 54th  
70-29 Leg., R.S., Ch. 245, Sec. 4 (part).)

70-30 Sec. 9051.103. DIRECTOR'S BOND. (a) Each director must  
70-31 qualify by giving bond in the amount of \$5,000 for the faithful  
70-32 performance of the director's duties.

70-33 (b) The bond must be recorded in the official bond records  
70-34 of the county. (Acts 54th Leg., R.S., Ch. 245, Sec. 4 (part).)

70-35 Sec. 9051.104. QUORUM. Any three members of the board  
70-36 constitute a quorum. (Acts 54th Leg., R.S., Ch. 245, Sec. 4  
70-37 (part).)

70-38 Sec. 9051.105. OFFICERS. The board shall elect from among  
70-39 its members a president, a vice president, and a  
70-40 secretary-treasurer. (Acts 54th Leg., R.S., Ch. 245, Sec. 4  
70-41 (part).)

70-42 Sec. 9051.106. EMPLOYEES. The board may employ engineers,  
70-43 attorneys, and other technical or nontechnical employees or  
70-44 assistants and set and provide the amount and manner of their  
70-45 compensation. (Acts 54th Leg., R.S., Ch. 245, Sec. 4 (part).)

70-46 Sec. 9051.107. EXPENDITURES. The board may provide for the  
70-47 payment of expenditures considered essential to the proper  
70-48 maintenance and administration of the district. (Acts 54th Leg.,  
70-49 R.S., Ch. 245, Sec. 4 (part).)

70-50 Sec. 9051.108. COMPENSATION OF DIRECTORS. (a) A director  
70-51 shall receive a fee of \$3 per day for attending each board meeting,  
70-52 except that not more than \$6 per day may be paid to a director for  
70-53 meetings held in any one calendar month.

70-54 (b) In all areas of conflict with Subsection (a) of this  
70-55 section, Section 49.060, Water Code, takes precedence.

70-56 (c) A director's compensation may be increased as  
70-57 authorized by Section 49.060, Water Code, by resolution adopted by  
70-58 the board in accordance with Subsection (e) of that section on or  
70-59 after September 1, 1995. (Acts 54th Leg., R.S., Ch. 245, Sec. 4  
70-60 (part); New.)

70-61 Sec. 9051.109. BUDGET. (a) Before the adoption of the  
70-62 district's annual tax rate, the president of the board must  
70-63 prepare, or have prepared, and the board must approve a budget to  
70-64 cover all proposed expenditures of the district for the succeeding  
70-65 tax year.

70-66 (b) The budget must:

- 70-67 (1) be itemized to make as clear as practicable a  
70-68 comparison between the expenditures included in the proposed budget  
70-69 and the actual expenditures for the same or similar purposes for the

71-1 preceding tax year;

71-2 (2) show as definitely as possible each project for  
71-3 which appropriations are included in the budget and the estimated  
71-4 amount of money included in the budget for each project; and

71-5 (3) contain a complete financial statement of the  
71-6 district showing:

71-7 (A) all outstanding obligations;

71-8 (B) the cash on hand to the credit of each fund;

71-9 (C) the money received from all sources during  
71-10 the preceding year;

71-11 (D) the money available from all sources during  
71-12 the succeeding year;

71-13 (E) the estimated revenue available to cover the  
71-14 proposed budget; and

71-15 (F) the estimated tax rate required for the  
71-16 succeeding tax year. (Acts 54th Leg., R.S., Ch. 245, Sec. 6 (part).)

71-17 SUBCHAPTER D. POWERS AND DUTIES

71-18 Sec. 9051.151. GENERAL POWERS. (a) Except as otherwise  
71-19 provided by this chapter, the district has all the powers and duties  
71-20 granted to water control and improvement districts by Chapters 49  
71-21 and 51, Water Code, and all other laws applicable to water control  
71-22 and improvement districts.

71-23 (b) The district may formulate and execute any plan  
71-24 considered essential to the accomplishment of the purposes for  
71-25 which it is created. (Acts 54th Leg., R.S., Ch. 245, Sec. 2 (part).)

71-26 Sec. 9051.152. DISTRICT PROPERTY. (a) The district may  
71-27 acquire, maintain, use, and operate property of any kind or any  
71-28 interest in property necessary to the exercise of the powers,  
71-29 rights, privileges, and functions of the district under this  
71-30 chapter.

71-31 (b) The district may acquire property or an interest in  
71-32 property as provided by Subsection (a) by purchase, construction,  
71-33 lease, gift, or any other manner. (Acts 54th Leg., R.S., Ch. 245,  
71-34 Sec. 8.)

71-35 Sec. 9051.153. COST OF RELOCATING OR ALTERING PROPERTY. If  
71-36 the district's exercise of the power of eminent domain, the power of  
71-37 relocation, or any other power granted by this chapter makes  
71-38 necessary relocating, raising, rerouting, changing the grade of, or  
71-39 altering the construction of a highway, railroad, electric  
71-40 transmission line, telegraph or telephone property or facility, or  
71-41 pipeline, the necessary action shall be accomplished at the sole  
71-42 expense of the district. (Acts 54th Leg., R.S., Ch. 245, Sec. 8A.)

71-43 Sec. 9051.154. POWERS RELATING TO WATERWORKS OR SANITARY  
71-44 SEWER SYSTEM. The district may purchase, construct, or otherwise  
71-45 acquire a waterworks or sanitary sewer system and may:

71-46 (1) own and operate the system; and

71-47 (2) construct an addition, extension, or improvement  
71-48 to the system. (Acts 54th Leg., R.S., Ch. 245, Sec. 2 (part).)

71-49 Sec. 9051.155. CHARGES, FEES, AND TOLLS; PENALTY FOR  
71-50 FAILURE TO PAY. The district may set and collect charges, fees, or  
71-51 tolls for the services of its water and sanitary systems and  
71-52 facilities and impose penalties for the failure to pay when due  
71-53 those charges, fees, or tolls. (Acts 54th Leg., R.S., Ch. 245, Sec.  
71-54 7.)

71-55 Sec. 9051.156. SURVEYS AND INVESTIGATIONS. The board may  
71-56 conduct or arrange for a survey or an engineering investigation to  
71-57 provide information for the district to facilitate the  
71-58 accomplishment of a district purpose. (Acts 54th Leg., R.S., Ch.  
71-59 245, Sec. 4 (part).)

71-60 Sec. 9051.157. LIMITATION ON DISTRICT POWERS RELATING TO  
71-61 GROUNDWATER. The district may not adopt or enforce a rule relating  
71-62 to or require a permit for the production or use of groundwater by  
71-63 others. (Acts 54th Leg., R.S., Ch. 245, Sec. 2 (part).)

71-64 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

71-65 Sec. 9051.201. TAX METHOD. The district shall use the ad  
71-66 valorem plan of taxation. (Acts 54th Leg., R.S., Ch. 245, Sec. 2  
71-67 (part).)

71-68 Sec. 9051.202. AUTHORITY TO IMPOSE TAX; TAX ELECTION. (a)  
71-69 If a tax is authorized at an election under Section 49.107, Water

72-1 Code, the district may impose a tax to provide money:

72-2 (1) necessary to construct or acquire, maintain, and  
72-3 operate improvements, works, plants, and facilities considered  
72-4 essential or beneficial to the district; or

72-5 (2) adequate to defray the cost of the maintenance,  
72-6 operation, and administration of the district.

72-7 (b) An election for the imposition of taxes authorized by  
72-8 this section must be ordered by the board. (Acts 54th Leg., R.S.,  
72-9 Ch. 245, Sec. 5 (part).)

72-10 Sec. 9051.203. TAX ASSESSOR AND COLLECTOR. The board shall  
72-11 appoint a tax assessor and collector. (Acts 54th Leg., R.S., Ch.  
72-12 245, Sec. 6 (part).)

72-13 Sec. 9051.204. TAX RATE. The board shall set the tax rate  
72-14 of the district annually and certify the rate to the tax assessor  
72-15 and collector. (Acts 54th Leg., R.S., Ch. 245, Sec. 6 (part).)

72-16 SUBCHAPTER F. BONDS

72-17 Sec. 9051.251. DEFINITION. In this subchapter, "net  
72-18 revenue" means the gross revenue of the district minus the amount  
72-19 necessary to pay the cost of maintaining and operating the district  
72-20 and its property. (Acts 54th Leg., R.S., Ch. 245, Sec. 9(c)  
72-21 (part).)

72-22 Sec. 9051.252. ISSUANCE OF BONDS. (a) To accomplish  
72-23 district purposes, the board may borrow money, issue bonds, and  
72-24 prescribe the method of payment of the bonds by the use of net  
72-25 revenue, taxes, or both net revenue and taxes.

72-26 (b) Bonds must be authorized by a board resolution.

72-27 (c) In the resolution authorizing the bonds, the district  
72-28 may set aside an amount from the bond proceeds for:

72-29 (1) the payment of interest expected to accrue during  
72-30 construction; and

72-31 (2) a reserve interest and sinking fund.

72-32 (d) Bond proceeds may be used to pay all expenses  
72-33 necessarily incurred in accomplishing district purposes, including  
72-34 the expenses of issuing and selling the bonds.

72-35 (e) Pending the use of bond proceeds for the purpose for  
72-36 which the bonds were issued, the board may invest the proceeds in  
72-37 obligations of the United States. (Acts 54th Leg., R.S., Ch. 245,  
72-38 Secs. 9(a), (b) (part), (f).)

72-39 Sec. 9051.253. FORM OF BONDS. District bonds must be:

72-40 (1) signed by the president; and

72-41 (2) attested by the secretary. (Acts 54th Leg., R.S.,  
72-42 Ch. 245, Sec. 9(b) (part).)

72-43 Sec. 9051.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM  
72-44 TAXES. (a) Bonds, other than refunding bonds, payable wholly or  
72-45 partly from ad valorem taxes may not be issued unless authorized by  
72-46 a majority of the district voters voting at an election.

72-47 (b) The board may order an election under this section  
72-48 without a petition. The order must specify:

72-49 (1) the time and places at which the election will be  
72-50 held;

72-51 (2) the purpose for which the bonds will be issued;

72-52 (3) the maximum amount of the bonds;

72-53 (4) the maximum maturity of the bonds;

72-54 (5) the maximum interest rate;

72-55 (6) the form of the ballot; and

72-56 (7) the presiding judge for each voting place.

72-57 (c) Notice of the election must be given by publishing a  
72-58 substantial copy of the order in a newspaper of general circulation  
72-59 in the district. The notice must be published once each week for  
72-60 two consecutive weeks. The first publication must be at least 14  
72-61 days before the date of the election. (Acts 54th Leg., R.S., Ch.  
72-62 245, Sec. 9(i) (part).)

72-63 Sec. 9051.255. BONDS PAYABLE FROM AD VALOREM TAXES; TAX  
72-64 RATE. (a) If bonds are issued payable wholly or partly from ad  
72-65 valorem taxes, the board shall impose a tax sufficient to pay the  
72-66 bonds and the interest on the bonds as the bonds and interest become  
72-67 due.

72-68 (b) The board may adopt the rate of a tax imposed under  
72-69 Subsection (a) for any year after giving consideration to the money



73-1 received from the pledged revenue that may be available for payment  
 73-2 of principal and interest to the extent and in the manner permitted  
 73-3 by the resolution authorizing the issuance of the bonds. (Acts 54th  
 73-4 Leg., R.S., Ch. 245, Sec. 9(d).)

73-5 Sec. 9051.256. ELECTION NOT REQUIRED FOR CERTAIN BONDS.  
 73-6 Bonds payable solely from the district's net revenue, from the  
 73-7 proceeds of any water contract, or from any source other than ad  
 73-8 valorem taxes may be issued pursuant to a board resolution without a  
 73-9 hearing or election. (Acts 54th Leg., R.S., Ch. 245, Sec. 9(i)  
 73-10 (part).)

73-11 Sec. 9051.257. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.  
 73-12 District bonds may be secured by a pledge of all or part of the net  
 73-13 revenue of the district, or by the net revenue of one or more  
 73-14 contracts made before or after the issuance of the bonds, or other  
 73-15 revenue in the manner specified by board resolution. The pledge may  
 73-16 reserve the right, under conditions specified by the pledge, to  
 73-17 issue additional bonds that will be on a parity with or subordinate  
 73-18 to the bonds then being issued. (Acts 54th Leg., R.S., Ch. 245,  
 73-19 Sec. 9(c) (part).)

73-20 Sec. 9051.258. CHARGES FOR DISTRICT SERVICES. If district  
 73-21 bonds payable wholly or partly from revenue are issued, the board  
 73-22 shall set by contract with the persons who contract with it for a  
 73-23 water supply or water or sewer facilities the rates of compensation  
 73-24 for water sold and water or sewer services provided by the district.  
 73-25 The rates must be sufficient to pay:

73-26 (1) the expense of operating and maintaining the  
 73-27 district and its facilities; and

73-28 (2) all obligations incurred by the district as they  
 73-29 mature, including the reserve fund and other funds as may be  
 73-30 provided for the bonds or other contracts under the terms of the  
 73-31 bonds or other contracts and as may be provided in the board  
 73-32 resolution pertaining to the bonds or other contracts. (Acts 54th  
 73-33 Leg., R.S., Ch. 245, Sec. 9(e).)

73-34 Sec. 9051.259. REFUNDING BONDS. (a) The board may issue  
 73-35 refunding bonds without an election to refund outstanding bonds  
 73-36 issued under this subchapter and interest on those bonds.

73-37 (b) Refunding bonds may be issued to refund bonds of more  
 73-38 than one series.

73-39 (c) In the case of bonds secured wholly or partly by net  
 73-40 revenue, the district may:

73-41 (1) combine the pledges for the outstanding bonds for  
 73-42 the security of the refunding bonds; or

73-43 (2) secure the refunding bonds by a pledge of other or  
 73-44 additional revenue.

73-45 (d) The provisions of this subchapter regarding the  
 73-46 issuance of other bonds and the rights and remedies of the holders  
 73-47 apply to refunding bonds. (Acts 54th Leg., R.S., Ch. 245, Sec.  
 73-48 9(h).)

73-49 Sec. 9051.260. BONDS EXEMPT FROM TAXATION. A bond issued  
 73-50 under this chapter, the transfer of the bond, and the income from  
 73-51 the bond, including profits on the sale of the bond, are exempt from  
 73-52 taxation by this state or by any political subdivision of this  
 73-53 state. (Acts 54th Leg., R.S., Ch. 245, Sec. 10.)

73-54 CHAPTER 9052. FLAMINGO ISLES MUNICIPAL UTILITY DISTRICT OF  
 73-55 GALVESTON COUNTY, TEXAS

73-56 SUBCHAPTER A. GENERAL PROVISIONS

73-57 Sec. 9052.001. DEFINITIONS

73-58 Sec. 9052.002. NATURE OF DISTRICT

73-59 Sec. 9052.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

73-60 Sec. 9052.004. DISSOLUTION OF DISTRICT

73-61 SUBCHAPTER B. DISTRICT TERRITORY

73-62 Sec. 9052.051. DISTRICT TERRITORY

73-63 Sec. 9052.052. ADDITION OF LAND TO DISTRICT

73-64 SUBCHAPTER C. BOARD OF DIRECTORS

73-65 Sec. 9052.101. COMPOSITION OF BOARD

73-66 SUBCHAPTER D. POWERS AND DUTIES

73-67 Sec. 9052.151. WATER CONTROL AND IMPROVEMENT DISTRICT

73-68 POWERS

73-69 Sec. 9052.152. RECLAMATION AND DRAINAGE

74-1 Sec. 9052.153. ACQUISITION OF IMPROVEMENTS  
74-2 Sec. 9052.154. COST OF RELOCATING OR ALTERING PROPERTY  
74-3 Sec. 9052.155. LIMIT ON EMINENT DOMAIN POWER  
74-4 Sec. 9052.156. DURATION OF CONTRACT FOR WATER PURCHASE  
74-5 OR SALE  
74-6 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS  
74-7 Sec. 9052.201. TAX METHOD  
74-8 Sec. 9052.202. DEPOSITORY  
74-9 CHAPTER 9052. FLAMINGO ISLES MUNICIPAL UTILITY DISTRICT OF  
74-10 GALVESTON COUNTY, TEXAS  
74-11 SUBCHAPTER A. GENERAL PROVISIONS  
74-12 Sec. 9052.001. DEFINITIONS. In this chapter:  
74-13 (1) "Board" means the district's board of directors.  
74-14 (2) "District" means the Flamingo Isles Municipal  
74-15 Utility District of Galveston County, Texas. (Acts 59th Leg., R.S.,  
74-16 Ch. 613, Sec. 1 (part); New.)  
74-17 Sec. 9052.002. NATURE OF DISTRICT. The district is:  
74-18 (1) a conservation and reclamation district in  
74-19 Galveston County under Section 59, Article XVI, Texas Constitution;  
74-20 (2) a water control and improvement district; and  
74-21 (3) a municipal corporation. (Acts 59th Leg., R.S.,  
74-22 Ch. 613, Secs. 1 (part), 7 (part), 9 (part).)  
74-23 Sec. 9052.003. FINDINGS OF BENEFIT AND PUBLIC  
74-24 PURPOSE. (a) The district is created to serve a public use and  
74-25 benefit.  
74-26 (b) All land and other property in the district will benefit  
74-27 from the creation of the district and the improvements the district  
74-28 will purchase, construct, or otherwise acquire.  
74-29 (c) The district is essential to accomplish the purposes of  
74-30 Section 59, Article XVI, Texas Constitution. (Acts 59th Leg.,  
74-31 R.S., Ch. 613, Secs. 7 (part), 9 (part).)  
74-32 Sec. 9052.004. DISSOLUTION OF DISTRICT. The district may  
74-33 be dissolved by the board in accordance with Sections  
74-34 51.781-51.791, Water Code. (Acts 59th Leg., R.S., Ch. 613, Sec. 5  
74-35 (part).)  
74-36 SUBCHAPTER B. DISTRICT TERRITORY  
74-37 Sec. 9052.051. DISTRICT TERRITORY. (a) The district is  
74-38 composed of the territory described by Section 1, Chapter 613, Acts  
74-39 of the 59th Legislature, Regular Session, 1965, as that territory  
74-40 may have been modified under:  
74-41 (1) Subchapter O, Chapter 51, Water Code;  
74-42 (2) Subchapter J, Chapter 49, Water Code;  
74-43 (3) Section 9052.052 or its predecessor statute,  
74-44 former Section 5, Chapter 613, Acts of the 59th Legislature,  
74-45 Regular Session, 1965; or  
74-46 (4) other law.  
74-47 (b) The boundaries and field notes of the district form a  
74-48 closure. A mistake in the field notes or in copying the field notes  
74-49 in the legislative process does not affect:  
74-50 (1) the district's organization, existence, or  
74-51 validity;  
74-52 (2) the district's right to issue bonds or to pay the  
74-53 principal of and interest on the bonds;  
74-54 (3) the district's right to impose a tax; or  
74-55 (4) the legality or operation of the district or its  
74-56 governing body. (Acts 59th Leg., R.S., Ch. 613, Sec. 2; New.)  
74-57 Sec. 9052.052. ADDITION OF LAND TO DISTRICT. The district  
74-58 may not add land to the district unless:  
74-59 (1) an owner of land adjacent or contiguous to the  
74-60 district requests in writing that the district add land;  
74-61 (2) the owner of the land to be added consents to the  
74-62 addition; and  
74-63 (3) the land is adjacent or contiguous to the district  
74-64 when added. (Acts 59th Leg., R.S., Ch. 613, Sec. 5 (part).)  
74-65 SUBCHAPTER C. BOARD OF DIRECTORS  
74-66 Sec. 9052.101. COMPOSITION OF BOARD. The board is composed  
74-67 of five elected directors. (Acts 59th Leg., R.S., Ch. 613, Sec. 4  
74-68 (part).)  
74-

## SUBCHAPTER D. POWERS AND DUTIES

75-1  
75-2           Sec. 9052.151. WATER CONTROL AND IMPROVEMENT DISTRICT  
75-3 POWERS. The district has the rights, powers, privileges, and  
75-4 duties provided by general law applicable to a water control and  
75-5 improvement district created under Section 59, Article XVI, Texas  
75-6 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th  
75-7 Leg., R.S., Ch. 613, Sec. 3 (part).)

75-8           Sec. 9052.152. RECLAMATION AND DRAINAGE. The district may  
75-9 provide for the reclamation and drainage of overflowed land and  
75-10 other land needing drainage in the district. (Acts 59th Leg., R.S.,  
75-11 Ch. 613, Sec. 3 (part).)

75-12           Sec. 9052.153. ACQUISITION OF IMPROVEMENTS. The district  
75-13 may make, construct, or otherwise acquire existing improvements or  
75-14 improvements to be made, constructed, or acquired, inside or  
75-15 outside the district, that are necessary to carry out a power  
75-16 granted to the district under this chapter or a general law  
75-17 described by Section 9052.151. (Acts 59th Leg., R.S., Ch. 613, Sec.  
75-18 3 (part).)

75-19           Sec. 9052.154. COST OF RELOCATING OR ALTERING PROPERTY.  
75-20 (a) In this section, "sole expense" means the actual cost of  
75-21 relocating, raising, lowering, rerouting, changing the grade of, or  
75-22 altering the construction of a facility described by Subsection (b)  
75-23 in providing comparable replacement without enhancement of the  
75-24 facility, after deducting from that cost the net salvage value  
75-25 derived from the old facility.

75-26           (b) If the district's exercise of the power of eminent  
75-27 domain, the power of relocation, or any other power granted by this  
75-28 chapter makes necessary relocating, raising, rerouting, changing  
75-29 the grade of, or altering the construction of a highway, railroad,  
75-30 electric transmission line, telephone or telegraph property or  
75-31 facility, or pipeline, the necessary action shall be accomplished  
75-32 at the sole expense of the district. (Acts 59th Leg., R.S., Ch.  
75-33 613, Sec. 3 (part).)

75-34           Sec. 9052.155. LIMIT ON EMINENT DOMAIN POWER. The district  
75-35 may not exercise the power of eminent domain outside the district.  
75-36 (Acts 59th Leg., R.S., Ch. 613, Sec. 3 (part).)

75-37           Sec. 9052.156. DURATION OF CONTRACT FOR WATER PURCHASE OR  
75-38 SALE. A district contract for the purchase or sale of water may not  
75-39 exceed 40 years. (Acts 59th Leg., R.S., Ch. 613, Sec. 3 (part).)

## SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

75-41           Sec. 9052.201. TAX METHOD. (a) The district shall use the  
75-42 ad valorem basis or plan of taxation.

75-43           (b) The board is not required to hold a hearing on the  
75-44 adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 613,  
75-45 Sec. 7 (part).)

75-46           Sec. 9052.202. DEPOSITORY. (a) The board by resolution  
75-47 shall designate one or more banks inside or outside the district to  
75-48 serve as the district's depository. A designated bank serves for  
75-49 two years and until a successor is designated.

75-50           (b) All district money shall be secured in the manner  
75-51 provided for securing county funds. (Acts 59th Leg., R.S., Ch. 613,  
75-52 Sec. 8.)

## CHAPTER 9053. LAZY RIVER IMPROVEMENT DISTRICT

## SUBCHAPTER A. GENERAL PROVISIONS

75-55           Sec. 9053.001. DEFINITIONS

75-56           Sec. 9053.002. NATURE OF DISTRICT

75-57           Sec. 9053.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

75-58           Sec. 9053.004. DISTRICT TERRITORY

75-59           Sec. 9053.005. EXPANSION OF DISTRICT

75-60           Sec. 9053.006. HEARINGS FOR EXCLUSION OF LAND

75-61           Sec. 9053.007. CERTAIN STATUTES NOT APPLICABLE TO

75-62                           DISTRICT

## SUBCHAPTER B. DISTRICT ADMINISTRATION

75-64           Sec. 9053.051. BOARD OF DIRECTORS

75-65           Sec. 9053.052. DIRECTOR'S BOND

75-66           Sec. 9053.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY  
75-67                           FROM BOARD MEETING

75-68           Sec. 9053.054. VOTE BY BOARD PRESIDENT

75-69           Sec. 9053.055. ABSENCE OR INACTION OF BOARD PRESIDENT

## SUBCHAPTER C. POWERS AND DUTIES

76-1                   SUBCHAPTER C. POWERS AND DUTIES  
76-2 Sec. 9053.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
76-3                   POWERS

76-4 Sec. 9053.102. ADDITIONAL POWERS

76-5 Sec. 9053.103. LIMIT ON EMINENT DOMAIN POWER

76-6 Sec. 9053.104. COST OF RELOCATING OR ALTERING PROPERTY

76-7 Sec. 9053.105. NOTICE OF ELECTION

76-8                   SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

76-9 Sec. 9053.151. TAX METHOD

76-10 Sec. 9053.152. DEPOSITORY

76-11 Sec. 9053.153. PAYMENT OF TAX OR ASSESSMENT NOT  
76-12                   REQUIRED

## SUBCHAPTER E. BONDS

76-14 Sec. 9053.201. AUTHORITY TO ISSUE BONDS

76-15 Sec. 9053.202. EXCHANGING BONDS FOR PROPERTY OR WORK

76-16 Sec. 9053.203. FAILED BOND ELECTION

76-17 Sec. 9053.204. BONDS EXEMPT FROM TAXATION

## CHAPTER 9053. LAZY RIVER IMPROVEMENT DISTRICT

## SUBCHAPTER A. GENERAL PROVISIONS

76-20               Sec. 9053.001. DEFINITIONS. In this chapter:

76-21               (1) "Board" means the district's board of directors.

76-22               (2) "Director" means a board member.

76-23               (3) "District" means the Lazy River Improvement  
76-24 District. (Acts 59th Leg., R.S., Ch. 584, Sec. 1 (part); New.)

76-25               Sec. 9053.002. NATURE OF DISTRICT. The district is a  
76-26 conservation and reclamation district in Montgomery County created  
76-27 under Section 59, Article XVI, Texas Constitution. (Acts 59th  
76-28 Leg., R.S., Ch. 584, Sec. 1 (part).)

76-29               Sec. 9053.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
76-30 The district is created to serve a public use and benefit.

76-31               (b) All land and other property included in the boundaries  
76-32 of the district will benefit from the works and projects  
76-33 accomplished by the district under the powers conferred by Section  
76-34 59, Article XVI, Texas Constitution.

76-35               (c) The district is essential to accomplish the purposes of  
76-36 Section 59, Article XVI, Texas Constitution.

76-37               (d) The accomplishment of the purposes stated in this  
76-38 chapter will benefit the people of this state and improve their  
76-39 property and industries.

76-40               (e) The district in carrying out the purposes of this  
76-41 chapter will be performing an essential public function under the  
76-42 Texas Constitution. (Acts 59th Leg., R.S., Ch. 584, Secs. 1 (part),  
76-43 4, 22 (part).)

76-44               Sec. 9053.004. DISTRICT TERRITORY. (a) The district is  
76-45 composed of the territory described by Section 2, Chapter 584, Acts  
76-46 of the 59th Legislature, Regular Session, 1965, as that territory  
76-47 may have been modified under:

76-48               (1) Subchapter O, Chapter 51, Water Code;

76-49               (2) Subchapter J, Chapter 49, Water Code;

76-50               (3) Section 9053.005 of this chapter or its  
76-51 predecessor statute, former Section 16, Chapter 584, Acts of the  
76-52 59th Legislature, Regular Session, 1965; or

76-53               (4) other law.

76-54               (b) The boundaries and field notes of the district form a  
76-55 closure. A mistake in the field notes or in copying the field notes  
76-56 in the legislative process does not affect:

76-57               (1) the district's organization, existence, or  
76-58 validity;

76-59               (2) the district's right to issue any type or kind of  
76-60 bond or to pay the principal of and interest on the bond;

76-61               (3) the district's right to impose a tax; or

76-62               (4) the legality or operation of the district or the  
76-63 board. (Acts 59th Leg., R.S., Ch. 584, Sec. 3; New.)

76-64               Sec. 9053.005. EXPANSION OF DISTRICT. (a) Except as  
76-65 otherwise provided by this section, the district may annex  
76-66 territory as provided by Section 49.302, Water Code.

76-67               (b) Territory may not be annexed to the district without the  
76-68 written consent of at least a three-fourths majority of all  
76-69 landowners in the territory to be annexed whose land must also



77-1 constitute at least three-fourths of the value of all land in the  
77-2 territory to be annexed, as shown by the tax rolls of the county in  
77-3 which the territory to be annexed is located.

77-4 (c) A finding by the district that the requirements of  
77-5 Subsection (b) have been met is:

77-6 (1) conclusive for all purposes; and

77-7 (2) not subject to judicial review. (Acts 59th Leg.,  
77-8 R.S., Ch. 584, Sec. 16.)

77-9 Sec. 9053.006. HEARINGS FOR EXCLUSION OF LAND. (a) The  
77-10 board is not required to call or hold a hearing on the exclusion of  
77-11 land or other property from the district; provided, however, that  
77-12 the board shall hold a hearing if an owner of land or other property  
77-13 located in the district files a written request for a hearing with  
77-14 the board secretary before the district's first bond election is  
77-15 called.

77-16 (b) This section may not be construed to prevent the board  
77-17 on its own motion from calling and holding an exclusion hearing  
77-18 under general law. (Acts 59th Leg., R.S., Ch. 584, Sec. 7.)

77-19 Sec. 9053.007. CERTAIN STATUTES NOT APPLICABLE TO DISTRICT.

77-20 (a) The district is created notwithstanding the provisions of  
77-21 Chapter 160, Acts of the 58th Legislature, Regular Session, 1963  
77-22 (former Article 970a, Vernon's Texas Civil Statutes), as those  
77-23 provisions existed on June 17, 1965, and those provisions do not  
77-24 apply to the district.

77-25 (b) Any conflict between this section and subsequent  
77-26 amendments to provisions described by Subsection (a) or the  
77-27 subsequent codification of provisions described by Subsection (a)  
77-28 in the Local Government Code is governed by the rules of statutory  
77-29 construction, including Sections 311.025(a) and 311.026,  
77-30 Government Code (Code Construction Act). (Acts 59th Leg., R.S.,  
77-31 Ch. 584, Sec. 13; New.)

77-32 SUBCHAPTER B. DISTRICT ADMINISTRATION

77-33 Sec. 9053.051. BOARD OF DIRECTORS. (a) The board consists  
77-34 of five elected directors.

77-35 (b) To be appointed as a director, a person must:

77-36 (1) be at least 18 years of age; and

77-37 (2) reside in this state.

77-38 (c) Such director is not required to reside in the district.

77-39 (d) Such director is not required to own land in the  
77-40 district, but before the district awards any construction  
77-41 contracts, each director must own land in the district subject to  
77-42 district taxation. (Acts 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

77-43 Sec. 9053.052. DIRECTOR'S BOND. Each director shall give a  
77-44 bond in the amount of \$5,000 for the faithful performance of the  
77-45 director's duties. (Acts 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

77-46 Sec. 9053.053. DUTY OF SECRETARY; ABSENCE OF SECRETARY FROM  
77-47 BOARD MEETING. (a) The board secretary shall sign the minutes of  
77-48 each board meeting.

77-49 (b) If the board secretary is absent from a board meeting,  
77-50 the board shall name a secretary pro tem for the meeting who may:

77-51 (1) exercise all powers and duties of the secretary  
77-52 for the meeting;

77-53 (2) sign the minutes of the meeting; and

77-54 (3) attest all orders passed or other action taken at  
77-55 the meeting. (Acts 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

77-56 Sec. 9053.054. VOTE BY BOARD PRESIDENT. The board  
77-57 president has the same right to vote as any other director. (Acts  
77-58 59th Leg., R.S., Ch. 584, Sec. 9 (part).)

77-59 Sec. 9053.055. ABSENCE OR INACTION OF BOARD PRESIDENT.  
77-60 When the board president is absent or fails or declines to act, the  
77-61 board vice president shall perform all duties and exercise all  
77-62 power this chapter or general law gives the president. (Acts 59th  
77-63 Leg., R.S., Ch. 584, Sec. 9 (part).)

77-64 SUBCHAPTER C. POWERS AND DUTIES

77-65 Sec. 9053.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
77-66 POWERS. The district has the rights, powers, privileges, and  
77-67 duties provided by general law applicable to a water control and  
77-68 improvement district created under Section 59, Article XVI, Texas  
77-69 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th

78-1 Leg., R.S., Ch. 584, Sec. 5 (part); New.)

78-2 Sec. 9053.102. ADDITIONAL POWERS. (a) The district may:

78-3 (1) purchase, construct, or otherwise acquire a  
78-4 waterworks system, sanitary sewer system, storm sewer system, or  
78-5 drainage facility or any part of those systems or facilities;

78-6 (2) make any purchase, construction, improvement,  
78-7 extension, addition, or repair necessary to a system or facility  
78-8 described by Subdivision (1);

78-9 (3) purchase or otherwise acquire, operate, and  
78-10 maintain any land, right-of-way, easement, site, equipment,  
78-11 building, plant, structure, or facility necessary for a system or  
78-12 facility described by Subdivision (1); and

78-13 (4) sell water and other services.

78-14 (b) The district may exercise any of the rights or powers  
78-15 granted by this chapter inside or outside the district's  
78-16 boundaries, but only in Montgomery County. (Acts 59th Leg., R.S.,  
78-17 Ch. 584, Sec. 17 (part).)

78-18 Sec. 9053.103. LIMIT ON EMINENT DOMAIN POWER. The district  
78-19 may exercise the power of eminent domain only in Montgomery County.  
78-20 (Acts 59th Leg., R.S., Ch. 584, Sec. 12 (part).)

78-21 Sec. 9053.104. COST OF RELOCATING OR ALTERING PROPERTY. If  
78-22 the district's exercise of the power of eminent domain, the power of  
78-23 relocation, or any other power granted by this chapter makes  
78-24 necessary relocating, raising, rerouting, changing the grade of, or  
78-25 altering the construction of a highway, railroad, electric  
78-26 transmission line, telegraph or telephone property or facility, or  
78-27 pipeline, the necessary action shall be accomplished at the sole  
78-28 expense of the district. (Acts 59th Leg., R.S., Ch. 584, Sec. 12  
78-29 (part).)

78-30 Sec. 9053.105. NOTICE OF ELECTION. Notice of an election  
78-31 may be given under the hand of the board president or secretary.  
78-32 (Acts 59th Leg., R.S., Ch. 584, Sec. 20.)

#### 78-33 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

78-34 Sec. 9053.151. TAX METHOD. (a) The district shall use the  
78-35 ad valorem plan of taxation.

78-36 (b) The board is not required to call or hold a hearing on  
78-37 the adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 584,  
78-38 Sec. 8.)

78-39 Sec. 9053.152. DEPOSITORY. (a) The board shall select one  
78-40 or more banks or trust companies in this state to act as a  
78-41 depository of bond proceeds or of revenue derived from the  
78-42 operation of district facilities.

78-43 (b) The depository shall, as determined by the board:

78-44 (1) furnish indemnity bonds;

78-45 (2) pledge securities; or

78-46 (3) meet any other requirements. (Acts 59th Leg.,  
78-47 R.S., Ch. 584, Sec. 15.)

78-48 Sec. 9053.153. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.  
78-49 The district is not required to pay a tax or assessment on:

78-50 (1) a district project or any part of the project; or

78-51 (2) a district purchase. (Acts 59th Leg., R.S., Ch.  
78-52 584, Sec. 22 (part).)

#### 78-53 SUBCHAPTER E. BONDS

78-54 Sec. 9053.201. AUTHORITY TO ISSUE BONDS. The district may:

78-55 (1) issue bonds of any kind to carry out any purpose  
78-56 authorized by this chapter; and

78-57 (2) provide for and make payment for the bonds and for  
78-58 any expense necessarily incurred in connection with the issuance of  
78-59 the bonds. (Acts 59th Leg., R.S., Ch. 584, Sec. 17 (part).)

78-60 Sec. 9053.202. EXCHANGING BONDS FOR PROPERTY OR WORK. The  
78-61 district may exchange bonds, including refunding bonds:

78-62 (1) for property acquired by purchase; or

78-63 (2) in payment of the contract price of work performed  
78-64 or materials or services provided for the use and benefit of the  
78-65 district. (Acts 59th Leg., R.S., Ch. 584, Sec. 18 (part).)

78-66 Sec. 9053.203. FAILED BOND ELECTION. (a) A general law,  
78-67 including Sections 51.781-51.791, Water Code, that provides for  
78-68 calling a hearing on the dissolution of a district after a failed  
78-69 district bond election does not apply to the district.

- 79-1 (b) After the expiration of 30 days from the date of a failed
- 79-2 bond election, the board may call a subsequent bond election.
- 79-3 (c) The district continues to exist and retain its full
- 79-4 power to function and operate regardless of the outcome of a bond
- 79-5 election. (Acts 59th Leg., R.S., Ch. 584, Sec. 19.)
- 79-6 Sec. 9053.204. BONDS EXEMPT FROM TAXATION. A bond issued
- 79-7 under this chapter, the transfer of the bond, and income from the
- 79-8 bond, including profits made on the sale of the bond, are exempt
- 79-9 from taxation in this state. (Acts 59th Leg., R.S., Ch. 584, Sec.
- 79-10 22 (part).)
- 79-11 CHAPTER 9055. WISE COUNTY WATER SUPPLY DISTRICT
- 79-12 SUBCHAPTER A. GENERAL PROVISIONS
- 79-13 Sec. 9055.001. DEFINITIONS
- 79-14 Sec. 9055.002. NATURE OF DISTRICT
- 79-15 Sec. 9055.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
- 79-16 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATIONS TO DISTRICT
- 79-17 TERRITORY
- 79-18 Sec. 9055.051. DISTRICT TERRITORY
- 79-19 Sec. 9055.052. AUTHORITY TO ANNEX TERRITORY
- 79-20 Sec. 9055.053. PETITION FOR ANNEXATION; BOARD FINDINGS
- 79-21 AND RESOLUTION; HEARING
- 79-22 Sec. 9055.054. ANNEXATION HEARING
- 79-23 Sec. 9055.055. BOARD FINDINGS AND RESOLUTION; ELECTION
- 79-24 Sec. 9055.056. NOTICE OF ANNEXATION ELECTION
- 79-25 Sec. 9055.057. ELECTION RESULTS
- 79-26 Sec. 9055.058. ANNEXATION OF CERTAIN MUNICIPAL
- 79-27 TERRITORY
- 79-28 Sec. 9055.059. ASSUMPTION OF DEBT; TAXES
- 79-29 Sec. 9055.060. RESTRICTION ON ANNEXATION OF RAILROAD
- 79-30 RIGHT-OF-WAY, TRANSMISSION LINE, OR
- 79-31 OTHER UTILITY PROPERTY
- 79-32 SUBCHAPTER C. BOARD OF DIRECTORS
- 79-33 Sec. 9055.101. BOARD
- 79-34 Sec. 9055.102. APPOINTMENT OF DIRECTORS
- 79-35 Sec. 9055.103. QUALIFICATIONS FOR OFFICE
- 79-36 Sec. 9055.104. VACANCY
- 79-37 Sec. 9055.105. OFFICERS
- 79-38 Sec. 9055.106. VOTE BY BOARD PRESIDENT
- 79-39 Sec. 9055.107. DIRECTOR AND TREASURER BONDS
- 79-40 SUBCHAPTER D. GENERAL POWERS AND DUTIES
- 79-41 Sec. 9055.151. CONSTRUCTION OF DAM
- 79-42 Sec. 9055.152. SOURCES OF WATER
- 79-43 Sec. 9055.153. CONSTRUCTION OR ACQUISITION OF PROPERTY
- 79-44 Sec. 9055.154. WATER APPROPRIATION PERMITS
- 79-45 Sec. 9055.155. PURCHASE OF WATER
- 79-46 Sec. 9055.156. EMINENT DOMAIN
- 79-47 Sec. 9055.157. COST OF RELOCATING OR ALTERING PROPERTY
- 79-48 Sec. 9055.158. CONSTRUCTION CONTRACTS
- 79-49 Sec. 9055.159. CONTRACTS TO SUPPLY WATER AND OPERATE
- 79-50 FACILITIES
- 79-51 Sec. 9055.160. ADOPTION OF RULES
- 79-52 Sec. 9055.161. APPLICABILITY AND ENFORCEMENT OF
- 79-53 CERTAIN LAWS
- 79-54 SUBCHAPTER E. GENERAL FINANCIAL AND ADMINISTRATIVE PROVISIONS
- 79-55 Sec. 9055.201. DEPOSITORY
- 79-56 Sec. 9055.202. PROJECTS EXEMPT FROM ASSESSMENT OR
- 79-57 TAXATION
- 79-58 Sec. 9055.203. COLLECTION OF DISTRICT TAXES; CONTRACTS
- 79-59 FOR PERFORMANCE OF ADMINISTRATIVE
- 79-60 DUTIES
- 79-61 SUBCHAPTER F. BONDS
- 79-62 Sec. 9055.251. AUTHORITY TO ISSUE BONDS
- 79-63 Sec. 9055.252. FORM OF BONDS
- 79-64 Sec. 9055.253. MATURITY
- 79-65 Sec. 9055.254. ELECTION FOR BONDS PAYABLE FROM AD
- 79-66 VALOREM TAXES
- 79-67 Sec. 9055.255. BONDS PAYABLE FROM REVENUE
- 79-68 Sec. 9055.256. BONDS PAYABLE FROM AD VALOREM TAXES
- 79-69 Sec. 9055.257. TAX AND RATE REQUIREMENTS

80-1 Sec. 9055.258. ADDITIONAL SECURITY  
80-2 Sec. 9055.259. USE OF BOND PROCEEDS  
80-3 Sec. 9055.260. APPOINTMENT OF RECEIVER  
80-4 Sec. 9055.261. REFUNDING BONDS  
80-5 Sec. 9055.262. BONDS EXEMPT FROM TAXATION  
80-6 CHAPTER 9055. WISE COUNTY WATER SUPPLY DISTRICT  
80-7 SUBCHAPTER A. GENERAL PROVISIONS  
80-8 Sec. 9055.001. DEFINITIONS. In this chapter:  
80-9 (1) "Board" means the district's board of directors.  
80-10 (2) "Director" means a member of the board.  
80-11 (3) "District" means the Wise County Water Supply  
80-12 District. (Acts 53rd Leg., R.S., Ch. 268, Sec. 1 (part); New.)  
80-13 Sec. 9055.002. NATURE OF DISTRICT. The district is created  
80-14 under Section 59, Article XVI, Texas Constitution. (Acts 53rd  
80-15 Leg., R.S., Ch. 268, Sec. 1 (part).)  
80-16 Sec. 9055.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
80-17 All land in the district will benefit from the improvements to be  
80-18 acquired and constructed by the district.  
80-19 (b) The accomplishment of the purposes stated in this  
80-20 chapter will benefit the people of this state and improve their  
80-21 property and industries.  
80-22 (c) The district, in carrying out the purposes of this  
80-23 chapter, will be performing an essential public function under the  
80-24 Texas Constitution. (Acts 53rd Leg., R.S., Ch. 268, Secs. 2 (part),  
80-25 19 (part).)  
80-26 SUBCHAPTER B. DISTRICT TERRITORY AND ANNEXATIONS TO DISTRICT  
80-27 TERRITORY  
80-28 Sec. 9055.051. DISTRICT TERRITORY. The district is  
80-29 composed of the territory described by Section 2, Chapter 268, Acts  
80-30 of the 53rd Legislature, Regular Session, 1953, as that territory  
80-31 may have been modified under:  
80-32 (1) Subchapter J, Chapter 49, Water Code;  
80-33 (2) this subchapter or its predecessor statute, former  
80-34 Section 5, Chapter 268, Acts of the 53rd Legislature, Regular  
80-35 Session, 1953; or  
80-36 (3) other law. (Acts 53rd Leg., R.S., Ch. 268, Sec. 2  
80-37 (part); New.)  
80-38 Sec. 9055.052. AUTHORITY TO ANNEX TERRITORY. Territory  
80-39 inside Wise County, whether contiguous to the district or not, may  
80-40 be annexed to the district in the manner provided by this  
80-41 subchapter. (Acts 53rd Leg., R.S., Ch. 268, Sec. 5 (part).)  
80-42 Sec. 9055.053. PETITION FOR ANNEXATION; BOARD FINDINGS AND  
80-43 RESOLUTION; HEARING. (a) The board may annex territory under this  
80-44 subchapter if a petition requesting annexation is signed by 50  
80-45 registered voters of the territory to be annexed who own taxable  
80-46 property in that territory, or by a majority of the registered  
80-47 voters of that territory who own taxable property in that  
80-48 territory, and is filed with the board. The petition must describe  
80-49 the territory to be annexed by metes and bounds.  
80-50 (b) If the board determines that the petition complies with  
80-51 Subsection (a), that the annexation would be in the interest of the  
80-52 district, and that the district will be able to supply water to the  
80-53 territory, the board shall:  
80-54 (1) adopt a resolution declaring its intention to call  
80-55 an election in the territory to submit the proposition of whether  
80-56 the territory is to be annexed to the district; and  
80-57 (2) set a time and place to hold a board hearing on the  
80-58 question of whether the territory to be annexed will benefit from  
80-59 the improvements, works, and facilities then owned or operated or  
80-60 contemplated to be owned or operated by the district. (Acts 53rd  
80-61 Leg., R.S., Ch. 268, Secs. 5(a), (b).)  
80-62 Sec. 9055.054. ANNEXATION HEARING. (a) At least 10 days  
80-63 before the date of the annexation hearing, notice of the adoption of  
80-64 the resolution stating the time and place of the hearing and  
80-65 addressed to the citizens and owners of property in the territory to  
80-66 be annexed shall be published one time in a newspaper of general  
80-67 circulation in the territory to be annexed. The notice must  
80-68 describe the territory in the same manner in which Section  
80-69 9055.053(a) requires the petition to describe the territory.



81-1 (b) If a newspaper of general circulation is not published  
81-2 in the territory to be annexed, the notice shall be posted in three  
81-3 public places in the territory.

81-4 (c) Any interested person may appear at the hearing and  
81-5 offer evidence for or against the annexation.

81-6 (d) The hearing may proceed in the order and under the rules  
81-7 prescribed by the board and may be recessed from time to time.  
81-8 (Acts 53rd Leg., R.S., Ch. 268, Secs. 5(c), (d) (part).)

81-9 Sec. 9055.055. BOARD FINDINGS AND RESOLUTION; ELECTION.

81-10 If, at the conclusion of the annexation hearing, the board finds  
81-11 that all land in the territory to be annexed will benefit from the  
81-12 present or contemplated improvements, works, or facilities of the  
81-13 district, the board shall adopt a resolution that:

81-14 (1) calls an election in the territory to be annexed;  
81-15 and

81-16 (2) states the date of the election and the place or  
81-17 places of holding the election. (Acts 53rd Leg., R.S., Ch. 268,  
81-18 Sec. 5(d) (part).)

81-19 Sec. 9055.056. NOTICE OF ANNEXATION ELECTION. At least 10  
81-20 days before the date set for the election, notice of the election  
81-21 must be published one time in a newspaper of general circulation in  
81-22 the district. In addition to the requirements of Section 4.004,  
81-23 Election Code, notice of the annexation election must:

81-24 (1) state the conditions under which the territory may  
81-25 be annexed; or

81-26 (2) refer to the resolution of the board for that  
81-27 purpose. (Acts 53rd Leg., R.S., Ch. 268, Sec. 5(e).)

81-28 Sec. 9055.057. ELECTION RESULTS. (a) The board shall issue  
81-29 an order declaring the results of the annexation election.

81-30 (b) If the order shows that a majority of the votes cast are  
81-31 in favor of annexation, the board shall annex the proposed  
81-32 territory to the district. The annexation is incontestable except  
81-33 within the time for contesting elections under the general election  
81-34 law.

81-35 (c) A certified copy of the order shall be recorded in the  
81-36 deed records of the county in which the territory is located. (Acts  
81-37 53rd Leg., R.S., Ch. 268, Sec. 5(g) (part).)

81-38 Sec. 9055.058. ANNEXATION OF CERTAIN MUNICIPAL TERRITORY.

81-39 (a) Territory annexed to any municipality in the district may be  
81-40 annexed to the district as provided by this section.

81-41 (b) At any time after final passage of an ordinance or  
81-42 resolution annexing territory to a municipality in the district,  
81-43 the board may give notice of a hearing on the question of annexing  
81-44 that territory or any part of that territory to the district. The  
81-45 notice is sufficient if it:

81-46 (1) states the date and place of the hearing; and

81-47 (2) describes the area proposed to be annexed or  
81-48 refers to the annexation ordinance or resolution of the  
81-49 municipality.

81-50 (c) At least 10 days before the date set for the hearing, the  
81-51 notice must be published one time in a newspaper of general  
81-52 circulation in the annexing municipality.

81-53 (d) If, as a result of the hearing, the board finds that the  
81-54 territory will benefit from the water supplied or to be supplied by  
81-55 the district, the board shall adopt a resolution annexing the  
81-56 territory to the district. (Acts 53rd Leg., R.S., Ch. 268, Sec.  
81-57 5(h).)

81-58 Sec. 9055.059. ASSUMPTION OF DEBT; TAXES. (a) After  
81-59 territory is annexed to the district, the board may hold an election  
81-60 in the district as enlarged to determine whether the district as  
81-61 enlarged shall assume any tax-supported bonds then outstanding and  
81-62 those previously voted but not yet sold and impose an ad valorem tax  
81-63 on all taxable property in the district as enlarged to pay the  
81-64 bonds, unless the proposition is voted along with the annexation  
81-65 election and becomes binding on the territory annexed.

81-66 (b) An election held under Subsection (a) shall be held in  
81-67 the same manner as an election under this chapter for the issuance  
81-68 of bonds. (Acts 53rd Leg., R.S., Ch. 268, Sec. 5(i).)

81-69 Sec. 9055.060. RESTRICTION ON ANNEXATION OF RAILROAD

82-1 RIGHT-OF-WAY, TRANSMISSION LINE, OR OTHER UTILITY PROPERTY.  
 82-2 Railroad right-of-way, transmission lines and other property of  
 82-3 electric and gas utilities that are not in the limits of a  
 82-4 municipality will not benefit from improvements, works, and  
 82-5 facilities the district is authorized to construct. Therefore,  
 82-6 railroad right-of-way or transmission lines or other property of  
 82-7 electric and gas utilities may not be annexed to the district unless  
 82-8 the right-of-way, transmission lines and other property of electric  
 82-9 and gas utilities are contained in the limits of a municipality  
 82-10 annexed to the district. (Acts 53rd Leg., R.S., Ch. 268, Sec. 5(d)  
 82-11 (part).)

#### 82-12 SUBCHAPTER C. BOARD OF DIRECTORS

82-13 Sec. 9055.101. BOARD. (a) The district is governed by a  
 82-14 board of five directors.

82-15 (b) Directors serve staggered two-year terms expiring the  
 82-16 first Tuesday of May.

82-17 (c) A majority of directors constitutes a quorum. (Acts 53rd  
 82-18 Leg., R.S., Ch. 268, Sec. 3(a) (part).)

82-19 Sec. 9055.102. APPOINTMENT OF DIRECTORS. In April of each  
 82-20 year, the governing body of the City of Decatur shall appoint a  
 82-21 director to succeed each director whose term expires during the  
 82-22 following May. (Acts 53rd Leg., R.S., Ch. 268, Sec. 3(c) (part).)

82-23 Sec. 9055.103. QUALIFICATIONS FOR OFFICE. (a) A person may  
 82-24 not be appointed a director unless the person resides in and owns  
 82-25 taxable property in the district.

82-26 (b) A member of a municipality's governing body or an  
 82-27 employee of a municipality may not be a director. (Acts 53rd Leg.,  
 82-28 R.S., Ch. 268, Sec. 3(a) (part).)

82-29 Sec. 9055.104. VACANCY. The governing body of the City of  
 82-30 Decatur shall appoint a successor to fill a vacancy on the board for  
 82-31 the unexpired term. (Acts 53rd Leg., R.S., Ch. 268, Sec. 3(c)  
 82-32 (part).)

82-33 Sec. 9055.105. OFFICERS. (a) The board shall elect from  
 82-34 the board's membership a president, a vice president, and any other  
 82-35 officers as the board determines necessary. The president is the  
 82-36 chief executive officer of the district and the presiding officer  
 82-37 of the board. The vice president shall act as president if the  
 82-38 president is absent or fails or declines to act.

82-39 (b) The board shall appoint a secretary and a treasurer, who  
 82-40 are not required to be directors. The board may combine the offices  
 82-41 of secretary and treasurer. (Acts 53rd Leg., R.S., Ch. 268, Sec. 4  
 82-42 (part).)

82-43 Sec. 9055.106. VOTE BY BOARD PRESIDENT. The president has  
 82-44 the same right to vote as any other director. (Acts 53rd Leg.,  
 82-45 R.S., Ch. 268, Sec. 4 (part).)

82-46 Sec. 9055.107. DIRECTOR AND TREASURER BONDS. (a) Each  
 82-47 director shall give bond in the amount of \$5,000 conditioned on the  
 82-48 faithful performance of the director's duties. The district shall  
 82-49 pay the cost of the bond.

82-50 (b) The treasurer shall give bond in the amount required by  
 82-51 the board. The treasurer's bond shall be conditioned on the  
 82-52 treasurer's faithful accounting for all money that comes into the  
 82-53 treasurer's custody as treasurer of the district. (Acts 53rd Leg.,  
 82-54 R.S., Ch. 268, Secs. 3(a) (part), 4 (part).)

#### 82-55 SUBCHAPTER D. GENERAL POWERS AND DUTIES

82-56 Sec. 9055.151. CONSTRUCTION OF DAM. (a) The district may  
 82-57 impound storm and flood waters and the unappropriated flow waters  
 82-58 at one or more places and in an amount approved by the Texas  
 82-59 Commission on Environmental Quality by constructing one or more  
 82-60 dams inside or outside the district in Wise County. In exercising  
 82-61 its powers under this subsection, the district shall comply with  
 82-62 Subchapters A-D, Chapter 11, and Subchapter B, Chapter 12, Water  
 82-63 Code.

82-64 (b) A dam or other works for the impounding of water under  
 82-65 this section may not be constructed until the plans for the dam or  
 82-66 other works are approved by the Texas Commission on Environmental  
 82-67 Quality. (Acts 53rd Leg., R.S., Ch. 268, Sec. 6 (part).)

82-68 Sec. 9055.152. SOURCES OF WATER. The district may develop  
 82-69 or otherwise acquire sources of water. (Acts 53rd Leg., R.S., Ch.

83-1 268, Sec. 6 (part).)

83-2 Sec. 9055.153. CONSTRUCTION OR ACQUISITION OF PROPERTY.  
83-3 (a) The district may construct or otherwise acquire all works,  
83-4 plants, and other facilities necessary or useful for the purpose of  
83-5 processing water impounded, developed, or otherwise acquired and  
83-6 transporting it to municipalities and others for municipal,  
83-7 domestic, and industrial purposes.

83-8 (b) The district, inside or outside the district, may:

83-9 (1) construct or otherwise acquire all works, plants,  
83-10 and other facilities necessary for the purpose of receiving and  
83-11 treating water purchased from others; and

83-12 (2) transport the water to municipalities and others  
83-13 for municipal, domestic, and industrial purposes. (Acts 53rd Leg.,  
83-14 R.S., Ch. 268, Secs. 6 (part), 6a.)

83-15 Sec. 9055.154. WATER APPROPRIATION PERMITS. The district  
83-16 may acquire water appropriation permits directly from the Texas  
83-17 Commission on Environmental Quality or from owners of permits.  
83-18 (Acts 53rd Leg., R.S., Ch. 268, Sec. 16 (part).)

83-19 Sec. 9055.155. PURCHASE OF WATER. The district may  
83-20 purchase water or a water supply from any person. (Acts 53rd Leg.,  
83-21 R.S., Ch. 268, Sec. 16 (part).)

83-22 Sec. 9055.156. EMINENT DOMAIN. (a) To carry out a power  
83-23 provided by this chapter, the district may exercise the power of  
83-24 eminent domain to acquire land and easements inside or outside the  
83-25 district in Wise County, including land above the probable high  
83-26 water line around the reservoirs.

83-27 (b) The district must exercise the power of eminent domain  
83-28 in the manner provided by Chapter 21, Property Code.

83-29 (c) The board shall determine the amount and the type of  
83-30 interest in land and easements to be acquired under this section.  
83-31 (Acts 53rd Leg., R.S., Ch. 268, Sec. 7 (part).)

83-32 Sec. 9055.157. COST OF RELOCATING OR ALTERING PROPERTY. If  
83-33 the district's exercise of the power of eminent domain, the power of  
83-34 relocation, or any other power granted by this chapter makes  
83-35 necessary relocating, raising, rerouting, changing the grade of, or  
83-36 altering the construction of a highway, railroad, electric  
83-37 transmission line, telephone or telegraph property or facility, or  
83-38 pipeline, the necessary action shall be accomplished at the sole  
83-39 expense of the district. (Acts 53rd Leg., R.S., Ch. 268, Sec. 7  
83-40 (part).)

83-41 Sec. 9055.158. CONSTRUCTION CONTRACTS. (a) This section  
83-42 applies only to a construction contract or contract for the  
83-43 purchase of materials, equipment, or supplies requiring an  
83-44 expenditure of more than \$2,000.

83-45 (b) The district shall award a contract to the lowest and  
83-46 best bidder after publishing notice to bidders once a week for two  
83-47 weeks in a newspaper published in the district that is designated by  
83-48 the board.

83-49 (c) The notice is sufficient if it states:

83-50 (1) the time and place for opening the bids;

83-51 (2) the general nature of the work to be done or the  
83-52 materials, equipment, or supplies to be purchased; and

83-53 (3) the place where and the terms on which copies of  
83-54 the plans and specifications may be obtained. (Acts 53rd Leg.,  
83-55 R.S., Ch. 268, Sec. 8.)

83-56 Sec. 9055.159. CONTRACTS TO SUPPLY WATER AND OPERATE  
83-57 FACILITIES. (a) The district may contract with municipalities and  
83-58 others to supply water to those entities.

83-59 (b) The district may contract with a municipality for the  
83-60 rental or leasing of or for the operation of the water production,  
83-61 water supply, and water supply facilities of the municipality.

83-62 (c) The district may contract with the City of Decatur for  
83-63 the operation of the district's facilities by the city.

83-64 (d) The contract may be on terms and for the time agreed to  
83-65 by the parties.

83-66 (e) The contract may provide that it will continue in effect  
83-67 until bonds specified in it and refunding bonds issued in lieu of  
83-68 the bonds are paid. (Acts 53rd Leg., R.S., Ch. 268, Sec. 14.)

83-69 Sec. 9055.160. ADOPTION OF RULES. The board may adopt

84-1 reasonable rules to:

84-2 (1) secure, maintain, and preserve the sanitary  
84-3 condition of water in and water that flows into any reservoir owned  
84-4 by the district;

84-5 (2) prevent waste of or the unauthorized use of water;  
84-6 and

84-7 (3) regulate residence, hunting, fishing, boating,  
84-8 camping, and any other recreational or business privilege along or  
84-9 around any district reservoir and the stream leading into the  
84-10 reservoir, and its tributaries, or any body of land, or easement  
84-11 owned or controlled by the district. (Acts 53rd Leg., R.S., Ch.  
84-12 268, Sec. 21(a).)

84-13 Sec. 9055.161. APPLICABILITY AND ENFORCEMENT OF CERTAIN  
84-14 LAWS. (a) The general laws applicable to a water control and  
84-15 improvement district for the preservation of the sanitary condition  
84-16 of water, the prevention of waste, and the regulation of hunting,  
84-17 fishing, boating, and other similar uses, apply to the district.

84-18 (b) The law officers of the county and state shall enforce  
84-19 in court the laws described by Subsection (a). (Acts 53rd Leg.,  
84-20 R.S., Ch. 268, Sec. 21(b).)

84-21 SUBCHAPTER E. GENERAL FINANCIAL AND ADMINISTRATIVE PROVISIONS

84-22 Sec. 9055.201. DEPOSITORY. (a) Except as provided by  
84-23 Subsection (i), the board shall designate one or more banks in the  
84-24 district to serve as depository for the district's money.

84-25 (b) District money shall be deposited with a designated  
84-26 depository bank or banks, except that:

84-27 (1) money pledged to pay bonds may be deposited with  
84-28 the trustee bank named in the trust agreement; and

84-29 (2) money shall be remitted to the bank of payment for  
84-30 the payment of principal of and interest on bonds.

84-31 (c) To the extent that money in a depository bank or a  
84-32 trustee bank is not insured by the Federal Deposit Insurance  
84-33 Corporation, the money must be secured in the manner provided by law  
84-34 for the security of county funds.

84-35 (d) The board shall prescribe the terms of service for  
84-36 depositories.

84-37 (e) Before designating a depository bank, the board shall  
84-38 issue a notice that:

84-39 (1) states the time and place at which the board will  
84-40 meet to designate a depository bank or banks; and

84-41 (2) invites the banks in the district to submit an  
84-42 application to be designated as a depository.

84-43 (f) The notice must be published one time in a newspaper  
84-44 published in the district and specified by the board.

84-45 (g) At the time stated in the notice, the board shall:

84-46 (1) consider the application and the management and  
84-47 condition of each bank that applies; and

84-48 (2) designate as a depository the bank or banks that:

84-49 (A) offer the most favorable terms for handling  
84-50 the money; and

84-51 (B) the board finds have proper management and  
84-52 are in condition to handle the money.

84-53 (h) Membership on the board of an officer or director of a  
84-54 bank does not disqualify the bank from being designated as a  
84-55 depository.

84-56 (i) If the board does not receive any applications before  
84-57 the time stated in the notice, or if the board rejects all  
84-58 applications, the board shall designate one or more banks located  
84-59 inside or outside the district on terms that the board finds  
84-60 advantageous to the district. (Acts 53rd Leg., R.S., Ch. 268, Sec.  
84-61 15.)

84-62 Sec. 9055.202. PROJECTS EXEMPT FROM ASSESSMENT OR TAXATION.  
84-63 The district is not required to pay a tax or assessment on a project  
84-64 or any part of a project. (Acts 53rd Leg., R.S., Ch. 268, Sec. 19  
84-65 (part).)

84-66 Sec. 9055.203. COLLECTION OF DISTRICT TAXES; CONTRACTS FOR  
84-67 PERFORMANCE OF ADMINISTRATIVE DUTIES. (a) The City of Decatur  
84-68 shall collect all taxes imposed by the district.

84-69 (b) The district may enter into a contract with the City of



85-1 Decatur under which municipal employees, including the tax  
85-2 collector and assessor of the municipality, perform administrative  
85-3 duties that might otherwise require the district to employ  
85-4 personnel. (Acts 53rd Leg., R.S., Ch. 268, Secs. 20(a) (part),  
85-5 (b).)

## SUBCHAPTER F. BONDS

85-7 Sec. 9055.251. AUTHORITY TO ISSUE BONDS. (a) The district  
85-8 may issue bonds to:

85-9 (1) provide a source of water supply for  
85-10 municipalities and other users for municipal, domestic, and  
85-11 industrial purposes; or

85-12 (2) carry out any other power conferred by this  
85-13 chapter.

85-14 (b) The bonds must be authorized by a board resolution.  
85-15 (Acts 53rd Leg., R.S., Ch. 268, Secs. 9(a) (part), (b) (part), (c),  
85-16 (e) (part).)

85-17 Sec. 9055.252. FORM OF BONDS. District bonds must be:

85-18 (1) issued in the district's name;

85-19 (2) signed by the president or vice president; and

85-20 (3) attested by the secretary. (Acts 53rd Leg., R.S.,  
85-21 Ch. 268, Sec. 9(b) (part).)

85-22 Sec. 9055.253. MATURITY. District bonds must mature not  
85-23 later than 40 years after the date of their issuance. (Acts 53rd  
85-24 Leg., R.S., Ch. 268, Sec. 9(b) (part).)

85-25 Sec. 9055.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM  
85-26 TAXES. (a) Bonds, other than refunding bonds, payable wholly or  
85-27 partly from ad valorem taxes may not be issued unless authorized by  
85-28 a district election held for that purpose at which a majority of the  
85-29 votes cast favor the bond issuance.

85-30 (b) The board may order an election under this section  
85-31 without a petition. The order must specify:

85-32 (1) the time and places at which the election will be  
85-33 held;

85-34 (2) the purpose for which the bonds will be issued;

85-35 (3) the maximum amount of the bonds;

85-36 (4) the maximum maturity of the bonds;

85-37 (5) the form of the ballot; and

85-38 (6) the presiding judge for each voting place.

85-39 (c) Notice of the election must be given by publishing a  
85-40 substantial copy of the order calling the election in a newspaper  
85-41 published in the district for two consecutive weeks. The first  
85-42 publication must be not later than the 21st day before the date of  
85-43 the election. (Acts 53rd Leg., R.S., Ch. 268, Secs. 12(a) (part),  
85-44 (b).)

85-45 Sec. 9055.255. BONDS PAYABLE FROM REVENUE. (a) In this  
85-46 section, "net revenue" means the gross revenue of the district  
85-47 minus the amount necessary to pay the cost of maintaining and  
85-48 operating the district and its property.

85-49 (b) Bonds issued under this subchapter may be secured under  
85-50 board resolution by a pledge of:

85-51 (1) all or part of the district's net revenue;

85-52 (2) the net revenue of one or more contracts made  
85-53 before or after the issuance of the bonds; or

85-54 (3) other revenue specified by board resolution.

85-55 (c) The pledge may reserve the right to issue additional  
85-56 bonds on a parity with or subordinate to the bonds being issued,  
85-57 subject to conditions specified by the pledge.

85-58 (d) Bonds not payable wholly or partly from ad valorem taxes  
85-59 may be issued without an election. (Acts 53rd Leg., R.S., Ch. 268,  
85-60 Secs. 9(a) (part), (d), 12(a) (part).)

85-61 Sec. 9055.256. BONDS PAYABLE FROM AD VALOREM TAXES. The  
85-62 district may issue bonds payable from:

85-63 (1) ad valorem taxes imposed on taxable property in  
85-64 the district; or

85-65 (2) ad valorem taxes and revenue of the district.  
85-66 (Acts 53rd Leg., R.S., Ch. 268, Sec. 9(e) (part).)

85-67 Sec. 9055.257. TAX AND RATE REQUIREMENTS. (a) If the  
85-68 district issues bonds payable wholly or partly from ad valorem  
85-69 taxes, the board shall impose a tax sufficient to pay the bonds and

86-1 the interest on the bonds as the bonds and interest become due. The  
 86-2 board may adopt the rate of the tax after considering the money  
 86-3 received from the pledged revenue available for payment of  
 86-4 principal and interest to the extent and in the manner permitted by  
 86-5 the resolution authorizing the issuance of the bonds.

86-6 (b) If the district issues bonds payable wholly or partly  
 86-7 from revenue, the board shall set and revise the rates of  
 86-8 compensation for water sold and services rendered by the district.

86-9 (c) For bonds payable wholly from revenue, the rates of  
 86-10 compensation must be sufficient to:

86-11 (1) pay the expense of operating and maintaining the  
 86-12 facilities of the district;

86-13 (2) pay the bonds as they mature and the interest as it  
 86-14 accrues; and

86-15 (3) maintain the reserve and other funds as provided  
 86-16 by the resolution authorizing the issuance of the bonds.

86-17 (d) For bonds payable partly from revenue, the rates of  
 86-18 compensation must be sufficient to assure compliance with the  
 86-19 resolution authorizing the issuance of the bonds. (Acts 53rd Leg.,  
 86-20 R.S., Ch. 268, Secs. 9(e) (part), (f).)

86-21 Sec. 9055.258. ADDITIONAL SECURITY. (a) Bonds, including  
 86-22 refunding bonds, authorized by this subchapter that are not payable  
 86-23 wholly from ad valorem taxes may be additionally secured by a deed  
 86-24 of trust lien on physical property of the district and all  
 86-25 franchises, easements, water rights and appropriation permits,  
 86-26 leases, contracts, and all rights appurtenant to the property,  
 86-27 vesting in the trustee power to:

86-28 (1) sell the property for payment of the debt;

86-29 (2) operate the property; and

86-30 (3) take other action to further secure the bonds.

86-31 (b) The deed of trust may:

86-32 (1) contain any provision the board prescribes to  
 86-33 secure the bonds and preserve the trust estate;

86-34 (2) provide for amendment or modification of the deed  
 86-35 of trust; and

86-36 (3) provide for the issuance of bonds to replace lost  
 86-37 or mutilated bonds.

86-38 (c) A purchaser under a sale under the deed of trust:

86-39 (1) is the owner of the dam or dams and the other  
 86-40 property and facilities purchased; and

86-41 (2) is entitled to maintain and operate the property  
 86-42 and facilities. (Acts 53rd Leg., R.S., Ch. 268, Sec. 11.)

86-43 Sec. 9055.259. USE OF BOND PROCEEDS. (a) The district may  
 86-44 set aside an amount of proceeds from the sale of bonds issued under  
 86-45 this subchapter for the payment of interest expected to accrue  
 86-46 during construction and for one year after construction in a  
 86-47 reserve interest and sinking fund. The resolution authorizing the  
 86-48 bonds may provide for setting aside and using the proceeds as  
 86-49 provided by this subsection.

86-50 (b) The district may use proceeds from the sale of the bonds  
 86-51 to pay any expense necessarily incurred in accomplishing the  
 86-52 purposes of the district. (Acts 53rd Leg., R.S., Ch. 268, Sec.  
 86-53 9(g).)

86-54 Sec. 9055.260. APPOINTMENT OF RECEIVER. (a) On default or  
 86-55 threatened default in the payment of principal of or interest on  
 86-56 bonds issued under this subchapter that are payable wholly or  
 86-57 partly from revenue, a court may, on petition of the holders of 25  
 86-58 percent of the outstanding bonds of the issue in default or  
 86-59 threatened with default, appoint a receiver for the district.

86-60 (b) The receiver may collect and receive all district income  
 86-61 except taxes, employ and discharge district agents and employees,  
 86-62 take charge of money on hand, except money received from taxes,  
 86-63 unless commingled, and manage the district's proprietary affairs  
 86-64 without the consent of or hindrance by the board.

86-65 (c) The receiver may be authorized to sell or contract for  
 86-66 the sale of water or to renew those contracts with the approval of  
 86-67 the court that appointed the receiver.

86-68 (d) The court may vest the receiver with any other power or  
 86-69 duty the court finds necessary to protect the bondholders. (Acts

87-1 53rd Leg., R.S., Ch. 268, Sec. 9(h).)

87-2 Sec. 9055.261. REFUNDING BONDS. (a) The district may issue

87-3 refunding bonds to refund outstanding bonds issued under this

87-4 subchapter and interest on those bonds.

87-5 (b) Refunding bonds may:

87-6 (1) be issued to refund bonds of more than one series;

87-7 (2) combine the pledges for the outstanding bonds for

87-8 the security of the refunding bonds; or

87-9 (3) be secured by a pledge of other or additional

87-10 revenue.

87-11 (c) The provisions of this subchapter regarding the

87-12 issuance of other bonds and the remedies of the holders apply to

87-13 refunding bonds.

87-14 (d) The comptroller shall register the refunding bonds on

87-15 surrender and cancellation of the bonds to be refunded.

87-16 (e) Instead of issuing bonds to be registered on the

87-17 surrender and cancellation of the bonds to be refunded, the

87-18 district, in the resolution authorizing the issuance of the

87-19 refunding bonds, may provide for the sale of the refunding bonds and

87-20 the deposit of the proceeds in a bank at which the bonds to be

87-21 refunded are payable. In that case, the refunding bonds may be

87-22 issued in an amount sufficient to pay the interest on the bonds to

87-23 be refunded to their option date or maturity date, and the

87-24 comptroller shall register the refunding bonds without the

87-25 surrender and cancellation of the bonds to be refunded. (Acts 53rd

87-26 Leg., R.S., Ch. 268, Sec. 10.)

87-27 Sec. 9055.262. BONDS EXEMPT FROM TAXATION. A bond issued

87-28 under this subchapter, the transfer of the bond, and income from the

87-29 bond, including profits made on the sale of the bond, are exempt

87-30 from taxation in this state. (Acts 53rd Leg., R.S., Ch. 268, Sec.

87-31 19 (part).)

87-32 CHAPTER 9056. WILLOW CREEK WATER CONTROL DISTRICT

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## CHAPTER 9056. WILLOW CREEK WATER CONTROL DISTRICT

## SUBCHAPTER A. GENERAL PROVISIONS

88-3 Sec. 9056.001. DEFINITIONS. In this chapter:

88-4 (1) "Board" means the district's board of directors.

88-5 (2) "Director" means a board member.

88-6 (3) "District" means the Willow Creek Water Control  
88-7 District. (Acts 60th Leg., R.S., Ch. 638, Sec. 1 (part); New.)

88-8 Sec. 9056.002. NATURE OF DISTRICT. The district is a  
88-9 conservation and reclamation district in Runnels and Tom Green  
88-10 Counties. (Acts 60th Leg., R.S., Ch. 638, Sec. 1 (part).)

88-11 Sec. 9056.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
88-12 All territory included in the district will benefit from the works  
88-13 and projects accomplished by the district under the powers  
88-14 conferred by Section 59, Article XVI, Texas Constitution.

88-15 (b) The district is essential to accomplish the purposes of  
88-16 Section 59, Article XVI, Texas Constitution.

88-17 (c) The accomplishment of the purposes stated in this  
88-18 chapter will benefit the people of this state and improve their  
88-19 property and industries.

88-20 (d) The district in carrying out the purposes of this  
88-21 chapter will be performing an essential public function under the  
88-22 Texas Constitution. (Acts 60th Leg., R.S., Ch. 638, Secs. 1 (part),  
88-23 2(a), 4(a) (part).)

88-24 Sec. 9056.004. DISTRICT TERRITORY. (a) The district is  
88-25 composed of the territory described by Section 2, Chapter 638, Acts  
88-26 of the 60th Legislature, Regular Session, 1967, as that territory  
88-27 may have been modified under:

88-28 (1) Subchapter O, Chapter 51, Water Code;

88-29 (2) Subchapter J, Chapter 49, Water Code; or

88-30 (3) other law.

88-31 (b) The boundaries and field notes of the district form a  
88-32 closure. A mistake in the field notes or in copying the field notes  
88-33 in the legislative process does not affect:

88-34 (1) the district's organization, existence, or  
88-35 validity;

88-36 (2) the district's right to issue any type or kind of  
88-37 bond or to pay the principal of and interest on the bond;

88-38 (3) the district's right to impose a tax; or

88-39 (4) the legality or operation of the district or the  
88-40 board. (Acts 60th Leg., R.S., Ch. 638, Secs. 1 (part), 2(c); New.)

88-41 Sec. 9056.005. APPLICABILITY OF WATER CONTROL AND  
88-42 IMPROVEMENT DISTRICTS LAWS. Except as provided by this chapter,  
88-43 the general laws pertaining to water control and improvement  
88-44 districts, including Chapters 49 and 51, Water Code, govern the  
88-45 district. (Acts 60th Leg., R.S., Ch. 638, Sec. 14; New.)

## SUBCHAPTER B. BOARD OF DIRECTORS

88-47 Sec. 9056.051. COMPOSITION OF BOARD. The board is composed  
88-48 of five elected directors. (Acts 60th Leg., R.S., Ch. 638, Sec.  
88-49 15(g) (part); Acts 67th Leg., R.S., Ch. 475, Sec. 2 (part).)

88-50 Sec. 9056.052. QUALIFICATIONS FOR OFFICE. (a) Each  
88-51 director of the district must:

88-52 (1) be a landowner within the district; and

88-53 (2) reside in Runnels or Tom Green County.

88-54 (b) A director must maintain compliance with the  
88-55 requirements of Subsection (a) during the director's tenure in  
88-56 office or vacate that office. (Acts 60th Leg., R.S., Ch. 638, Sec.  
88-57 15(c).)

88-58 Sec. 9056.053. DIRECTOR'S BOND. Each director shall give  
88-59 bond in the amount of \$5,000 for the faithful performance of the  
88-60 director's duties. (Acts 60th Leg., R.S., Ch. 638, Sec. 15(d)  
88-61 (part).)

88-62 Sec. 9056.054. FAILURE TO CALL DIRECTOR ELECTION. Failure  
88-63 to call a director election does not affect the legal status of the  
88-64 district, the board, or a director or the right of the board to act  
88-65 or function, and the directors continue to serve until an election  
88-66 is held and succeeding directors have been elected or appointed and  
88-67 have qualified. (Acts 60th Leg., R.S., Ch. 638, Sec. 15(g).)

## SUBCHAPTER C. POWERS AND DUTIES

88-68 Sec. 9056.101. GENERAL POWERS. The district may exercise  
88-69



89-1 the rights, privileges, and functions specified by this chapter.  
89-2 (Acts 60th Leg., R.S., Ch. 638, Sec. 1 (part).)

89-3 Sec. 9056.102. WATER CONTROL AND IMPROVEMENT DISTRICT  
89-4 POWERS. The district has the rights, powers, privileges, and  
89-5 duties provided by the general laws of this state applicable to a  
89-6 water control and improvement district created under Section 59,  
89-7 Article XVI, Texas Constitution, including the power to:

89-8 (1) construct, acquire, improve, maintain, and repair  
89-9 a dam or other structure; and

89-10 (2) acquire, by eminent domain or otherwise, land,  
89-11 easements, equipment, or other property that may be needed to use,  
89-12 control, and distribute any water that may be impounded, diverted,  
89-13 or controlled by the district. (Acts 60th Leg., R.S., Ch. 638,  
89-14 Secs. 5 (part), 7(a).)

89-15 Sec. 9056.103. POWERS RELATING TO THE WATER OF WILLOW  
89-16 CREEK; SURVEYS AND PLAN. (a) The district shall conduct  
89-17 preliminary surveys and develop a plan for the control and use of  
89-18 the water of Willow Creek to the end that improvements on any one  
89-19 part of the watershed will be mechanically and economically related  
89-20 to the improvements of the entire watershed.

89-21 (b) On completion of the surveys and plan and adoption of  
89-22 the surveys and plan by the board, a certified copy of the surveys  
89-23 and plan shall be filed for informational purposes with the Texas  
89-24 Commission on Environmental Quality. (Acts 60th Leg., R.S., Ch.  
89-25 638, Sec. 3.)

89-26 Sec. 9056.104. COST OF RELOCATING OR ALTERING PROPERTY.  
89-27 (a) In this section, "sole expense" means the actual cost of  
89-28 relocating, raising, lowering, rerouting, changing the grade of, or  
89-29 altering the construction of a facility described by Subsection (b)  
89-30 in providing comparable replacement without enhancement of the  
89-31 facility, after deducting from that cost the net salvage value  
89-32 derived from the old facility.

89-33 (b) If the district's exercise of the power of eminent  
89-34 domain, the power of relocation, or any other power granted by this  
89-35 chapter makes necessary relocating, raising, rerouting, changing  
89-36 the grade of, or altering the construction of a highway, railroad,  
89-37 electric transmission line, telephone or telegraph property or  
89-38 facility, or pipeline, the necessary action shall be accomplished  
89-39 at the sole expense of the district. (Acts 60th Leg., R.S., Ch.  
89-40 638, Sec. 7(b).)

89-41 Sec. 9056.105. COOPERATION IN WILDLIFE PROGRAMS. The  
89-42 district may cooperate with state, federal, and other agencies and  
89-43 groups in wildlife programs that are:

89-44 (1) not inconsistent with the purposes of the district  
89-45 under this chapter; and

89-46 (2) designed to improve the general habitat of  
89-47 wildlife and promote the propagation of wildlife. (Acts 60th Leg.,  
89-48 R.S., Ch. 638, Sec. 13.)

89-49 Sec. 9056.106. WATERSHED PROTECTION AND FLOOD PREVENTION  
89-50 ACT. Subject to Section 9056.153, the district has the power  
89-51 necessary to fully qualify for and gain the full benefits of the  
89-52 Watershed Protection and Flood Prevention Act (16 U.S.C. Section  
89-53 1001 et seq.), including:

89-54 (1) all powers necessary to carry out the projects,  
89-55 works, and improvements contemplated by the Watershed Protection  
89-56 and Flood Prevention Act;

89-57 (2) the power to secure a loan or loans from the proper  
89-58 agencies of the federal government for the purpose of defraying the  
89-59 costs and expenses of the district in connection with carrying out  
89-60 its projects, works, and improvements under the Watershed  
89-61 Protection and Flood Prevention Act; and

89-62 (3) if necessary, the power to issue bonds as  
89-63 collateral for a loan described by Subdivision (2). (Acts 60th  
89-64 Leg., R.S., Ch. 638, Sec. 6 (part); New.)

#### 89-65 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

89-66 Sec. 9056.151. TAX METHOD. (a) The district shall use the  
89-67 ad valorem plan of taxation, and taxes imposed by the district shall  
89-68 be on the ad valorem basis.

89-69 (b) A hearing on a plan of taxation is not required. (Acts

90-1 60th Leg., R.S., Ch. 638, Sec. 4(c).)

90-2 Sec. 9056.152. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.  
90-3 The district is not required to pay a tax or assessment on a project  
90-4 or any part of a project. (Acts 60th Leg., R.S., Ch. 638, Sec. 4(a)  
90-5 (part).)

90-6 Sec. 9056.153. ELECTION REQUIRED FOR FEDERAL LOAN. The  
90-7 district may not consummate a loan from the federal government  
90-8 unless the loan is authorized by a majority of the votes cast in a  
90-9 district election. (Acts 60th Leg., R.S., Ch. 638, Sec. 9 (part).)

90-10 Sec. 9056.154. MAINTENANCE TAX ELECTION PROCEDURES. A  
90-11 maintenance tax election shall be held and notice of the election  
90-12 shall be given in the manner required by general law for a bond  
90-13 election. (Acts 60th Leg., R.S., Ch. 638, Sec. 12(b) (part).)

90-14 Sec. 9056.155. SPECIFICATION OF MAINTENANCE TAX RATE AND  
90-15 METHOD. In calling a maintenance tax election, the board shall  
90-16 specify:

90-17 (1) the maximum tax rate that may be imposed in any  
90-18 year; and

90-19 (2) that the tax will be imposed on an ad valorem  
90-20 basis. (Acts 60th Leg., R.S., Ch. 638, Sec. 12(b) (part).)

90-21 Sec. 9056.156. USE OF MAINTENANCE TAX PROCEEDS. (a) The  
90-22 district may spend maintenance tax proceeds for:

90-23 (1) an easement or right-of-way;

90-24 (2) any purpose for which a district may spend bond  
90-25 proceeds; and

90-26 (3) maintenance purposes.

90-27 (b) The district may place surplus maintenance tax proceeds  
90-28 not needed for maintenance purposes into the sinking funds for  
90-29 outstanding district bonds.

90-30 (c) The board's determination to spend district maintenance  
90-31 tax proceeds is final and is not subject to judicial review, except  
90-32 on the grounds of fraud, palpable error, or gross abuse of  
90-33 discretion. (Acts 60th Leg., R.S., Ch. 638, Sec. 12(c).)

90-34 Sec. 9056.157. APPROVAL OF AND FUNDING FOR CERTAIN PLANS  
90-35 FOR WORKS AND IMPROVEMENTS. (a) In this section, "commission"  
90-36 means the Texas Commission on Environmental Quality.

90-37 (b) This section applies only to plans contemplated by the  
90-38 district for works and improvements, or amendments to the plans,  
90-39 that are prepared by the Natural Resources Conservation Service of  
90-40 the United States Department of Agriculture and approved by the  
90-41 district's board.

90-42 (c) An engineer's report covering the plans and  
90-43 improvements to be constructed, and the maps, plats, profiles, and  
90-44 data fully showing and explaining the plans and improvements, are  
90-45 not required to be filed in the district office before an election  
90-46 is held to authorize the issuance of bonds for the works and  
90-47 improvements. The plans and specifications, engineering reports,  
90-48 profiles, maps, and other data, and subsequent amendments to those  
90-49 items, are not required to be approved by the commission before the  
90-50 bonds are issued.

90-51 (d) Before the district may spend any money for the  
90-52 construction of any works and improvements, the commission must  
90-53 approve the portion of the works and improvements to be  
90-54 constructed. The commission's advance approval for the entire  
90-55 project contemplated by the district is not required. The  
90-56 commission may approve on a separate or individual basis the  
90-57 portion of the project or works and improvements:

90-58 (1) to be constructed at a particular time; and

90-59 (2) on which plans and specifications of the Natural  
90-60 Resources Conservation Service have been prepared and submitted by  
90-61 the board to the commission. (Acts 60th Leg., R.S., Ch. 638, Sec.  
90-62 10; New.)

#### 90-63 SUBCHAPTER E. BONDS

90-64 Sec. 9056.201. AUTHORITY TO ISSUE BONDS. Subject to  
90-65 Section 9056.202, the district may issue bonds, in the manner  
90-66 provided by general law for water control and improvement  
90-67 districts, to:

90-68 (1) provide dams, structures, projects, and works of  
90-69 improvement for flood prevention, the conservation and development

91-1 of water, and for other necessary plants, facilities, and equipment  
91-2 in connection therewith and for the improvement, repair, and  
91-3 operation of same;

91-4 (2) carry out any other power provided by this chapter  
91-5 or by Chapter 49 or 51, Water Code; and

91-6 (3) pay all costs, charges, and expenses of the  
91-7 district. (Acts 60th Leg., R.S., Ch. 638, Sec. 8; New.)

91-8 Sec. 9056.202. BOND ELECTION REQUIRED. The district may  
91-9 not issue bonds unless the bonds are authorized by a majority of the  
91-10 votes cast in a district election. (Acts 60th Leg., R.S., Ch. 638,  
91-11 Sec. 9 (part).)

91-12 Sec. 9056.203. BONDS EXEMPT FROM TAXATION. A bond issued  
91-13 under this chapter, the transfer of the bond, and income from the  
91-14 bond, including profits made on the sale of the bond, are exempt  
91-15 from taxation in this state. (Acts 60th Leg., R.S., Ch. 638, Sec.  
91-16 4(a) (part).)

91-17 CHAPTER 9057. MEDINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT  
91-18 NO. 2

91-19 SUBCHAPTER A. GENERAL PROVISIONS

91-20 Sec. 9057.001. DEFINITIONS

91-21 Sec. 9057.002. NATURE OF DISTRICT

91-22 Sec. 9057.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

91-23 Sec. 9057.004. DISTRICT TERRITORY

91-24 SUBCHAPTER B. BOARD OF DIRECTORS

91-25 Sec. 9057.051. COMPOSITION OF BOARD

91-26 SUBCHAPTER C. POWERS AND DUTIES

91-27 Sec. 9057.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
91-28 POWERS

91-29 Sec. 9057.102. ACQUISITION OF PROPERTY; LIMIT ON  
91-30 EMINENT DOMAIN POWER

91-31 Sec. 9057.103. COST OF RELOCATING PROPERTY

91-32 SUBCHAPTER D. BONDS

91-33 Sec. 9057.151. AUTHORITY TO ISSUE BONDS; BOND ELECTION

91-34 Sec. 9057.152. CERTAIN BOND COVENANTS AUTHORIZED

91-35 CHAPTER 9057. MEDINA COUNTY WATER CONTROL AND IMPROVEMENT DISTRICT  
91-36 NO. 2

91-37 SUBCHAPTER A. GENERAL PROVISIONS

91-38 Sec. 9057.001. DEFINITIONS. In this chapter:

91-39 (1) "Board" means the district's board of directors.

91-40 (2) "District" means the Medina County Water Control  
91-41 and Improvement District No. 2. (Acts 53rd Leg., R.S., Ch. 198,  
91-42 Sec. 1 (part); New.)

91-43 Sec. 9057.002. NATURE OF DISTRICT. The district is:

91-44 (1) a conservation and reclamation district in Medina  
91-45 County under Section 59, Article XVI, Texas Constitution; and

91-46 (2) a municipal corporation. (Acts 53rd Leg., R.S.,  
91-47 Ch. 198, Secs. 1 (part), 7 (part).)

91-48 Sec. 9057.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
91-49 The district is created to serve a public use and benefit.

91-50 (b) All land included in the boundaries of the district will  
91-51 benefit from that inclusion.

91-52 (c) The district is essential to accomplish the purposes of  
91-53 Section 59, Article XVI, Texas Constitution. (Acts 53rd Leg., R.S.,  
91-54 Ch. 198, Secs. 4 (part), 7 (part).)

91-55 Sec. 9057.004. DISTRICT TERRITORY. The district is  
91-56 composed of the territory described by Section 1, Chapter 198, Acts  
91-57 of the 53rd Legislature, Regular Session, 1953, as that territory  
91-58 may have been modified under:

91-59 (1) Subchapter O, Chapter 51, Water Code;

91-60 (2) Subchapter J, Chapter 49, Water Code; or

91-61 (3) other law. (New.)

91-62 SUBCHAPTER B. BOARD OF DIRECTORS

91-63 Sec. 9057.051. COMPOSITION OF BOARD. The board is composed  
91-64 of five elected directors. (Acts 53rd Leg., R.S., Ch. 198, Sec. 3  
91-65 (part).)

91-66 SUBCHAPTER C. POWERS AND DUTIES

91-67 Sec. 9057.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
91-68 POWERS. The district has the rights, powers, privileges, and  
91-69 duties provided by general law applicable to a water control and

92-1 improvement district created under Section 59, Article XVI, Texas  
92-2 Constitution, including Chapters 49 and 51, Water Code. (Acts 53rd  
92-3 Leg., R.S., Ch. 198, Sec. 2 (part).)

92-4 Sec. 9057.102. ACQUISITION OF PROPERTY; LIMIT ON EMINENT  
92-5 DOMAIN POWER. (a) The district may acquire property that is  
92-6 necessary to accomplish the objectives of the district.

92-7 (b) To facilitate the acquisition of property, the district  
92-8 may exercise the power of eminent domain available to water control  
92-9 and improvement districts under general law.

92-10 (c) The powers granted in this section apply only in Medina  
92-11 County. (Acts 53rd Leg., R.S., Ch. 198, Sec. 6 (part).)

92-12 Sec. 9057.103. COST OF RELOCATING PROPERTY. If the  
92-13 district's exercise of a power granted by this chapter makes  
92-14 necessary the relocation of a railroad line or right-of-way, the  
92-15 district shall pay the cost of the relocation and any actual and  
92-16 reasonable damage incurred in changing and adjusting the railroad  
92-17 lines and grades. (Acts 53rd Leg., R.S., Ch. 198, Sec. 6 (part).)

SUBCHAPTER D. BONDS

92-19 Sec. 9057.151. AUTHORITY TO ISSUE BONDS; BOND ELECTION.  
92-20 (a) The district may issue bonds pursuant to a board order or  
92-21 resolution adopted after the proposition authorizing the bonds is:

- 92-22 (1) submitted to district voters at an election; and
- 92-23 (2) adopted by a majority of the district voters  
92-24 voting at the election.

92-25 (b) The district may issue bonds under this section for any  
92-26 purpose permitted to water control and improvement districts and in  
92-27 the manner and to the extent provided by the general laws governing  
92-28 water control and improvement districts. (Acts 53rd Leg., R.S., Ch.  
92-29 198, Sec. 5 (part).)

92-30 Sec. 9057.152. CERTAIN BOND COVENANTS AUTHORIZED. An order  
92-31 or resolution authorizing the issuance of district bonds may  
92-32 contain any covenant the board considers necessary to ensure:

- 92-33 (1) the creation and maintenance of proper reserves;  
92-34 and
- 92-35 (2) the payment of the principal of and interest on the  
92-36 bonds. (Acts 53rd Leg., R.S., Ch. 198, Sec. 5 (part).)

CHAPTER 9059. RIO GRANDE PALMS WATER DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

- 92-39 Sec. 9059.001. DEFINITIONS
- 92-40 Sec. 9059.002. NATURE OF DISTRICT
- 92-41 Sec. 9059.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE
- 92-42 Sec. 9059.004. DISTRICT TERRITORY

SUBCHAPTER B. BOARD OF DIRECTORS

- 92-44 Sec. 9059.051. COMPOSITION OF BOARD
- 92-45 Sec. 9059.052. QUALIFICATION FOR OFFICE

SUBCHAPTER C. POWERS AND DUTIES

- 92-47 Sec. 9059.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
92-48 POWERS
- 92-49 Sec. 9059.102. ACQUISITION OF PROPERTY
- 92-50 Sec. 9059.103. LIMIT ON EMINENT DOMAIN POWER
- 92-51 Sec. 9059.104. COST OF RELOCATING OR ALTERING PROPERTY

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

- 92-53 Sec. 9059.151. MAINTENANCE TAX

SUBCHAPTER E. BONDS

- 92-55 Sec. 9059.201. AUTHORITY TO ISSUE BONDS
- 92-56 Sec. 9059.202. EXCHANGING BONDS FOR PROPERTY
- 92-57 Sec. 9059.203. CERTAIN BOND COVENANTS AUTHORIZED
- 92-58 Sec. 9059.204. MATURITY
- 92-59 Sec. 9059.205. USE OF BOND PROCEEDS
- 92-60 Sec. 9059.206. BONDS SECURED BY AD VALOREM TAXES
- 92-61 Sec. 9059.207. REFUNDING BONDS

CHAPTER 9059. RIO GRANDE PALMS WATER DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

- 92-64 Sec. 9059.001. DEFINITIONS. In this chapter:
  - 92-65 (1) "Board" means the district's board of directors.
  - 92-66 (2) "Director" means a member of the board.
  - 92-67 (3) "District" means the Rio Grande Palms Water  
92-68 District. (Acts 57th Leg., R.S., Ch. 324, Sec. 1 (part); New.)
- 92-69 Sec. 9059.002. NATURE OF DISTRICT. The district is:



93-1 (1) a conservation and reclamation district in Cameron  
93-2 County under Section 59, Article XVI, Texas Constitution; and  
93-3 (2) a municipal corporation. (Acts 57th Leg., R.S.,  
93-4 Ch. 324, Secs. 1 (part), 9 (part).)  
93-5 Sec. 9059.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
93-6 The district is essential to accomplish the purposes of Section 59,  
93-7 Article XVI, Texas Constitution, including the conservation and  
93-8 utilization of water.  
93-9 (b) All land included in the district will benefit from that  
93-10 inclusion. (Acts 57th Leg., R.S., Ch. 324, Sec. 9 (part).)  
93-11 Sec. 9059.004. DISTRICT TERRITORY. (a) The district is  
93-12 composed of the territory described by Section 1, Chapter 324, Acts  
93-13 of the 57th Legislature, Regular Session, 1961, as that territory  
93-14 may have been modified under:  
93-15 (1) Subsection (b) or its predecessor statute, Section  
93-16 1, Chapter 324, Acts of the 57th Legislature, Regular Session,  
93-17 1961;  
93-18 (2) Subchapter O, Chapter 51, Water Code;  
93-19 (3) Subchapter J, Chapter 49, Water Code; or  
93-20 (4) other law.  
93-21 (b) The Commissioners Court of Cameron County shall  
93-22 redefine the boundaries of the district contained in Section 1,  
93-23 Chapter 324, Acts of the 57th Legislature, Regular Session, 1961,  
93-24 to correct any error or omission in those boundaries. (Acts 57th  
93-25 Leg., R.S., Ch. 324, Sec. 1 (part); New.)  
93-26 SUBCHAPTER B. BOARD OF DIRECTORS  
93-27 Sec. 9059.051. COMPOSITION OF BOARD. The board is composed  
93-28 of five elected directors. (Acts 57th Leg., R.S., Ch. 324, Sec. 3  
93-29 (part).)  
93-30 Sec. 9059.052. QUALIFICATION FOR OFFICE. (a) A director  
93-31 must own land in the district.  
93-32 (b) A director is not required to reside in the district.  
93-33 (Acts 57th Leg., R.S., Ch. 324, Sec. 3 (part).)  
93-34 SUBCHAPTER C. POWERS AND DUTIES  
93-35 Sec. 9059.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
93-36 POWERS. The district has the rights, powers, privileges, and  
93-37 duties provided by general law applicable to a water control and  
93-38 improvement district created under Section 59, Article XVI, Texas  
93-39 Constitution, including Chapters 49 and 51, Water Code. (Acts 57th  
93-40 Leg., R.S., Ch. 324, Sec. 2 (part); New.)  
93-41 Sec. 9059.102. ACQUISITION OF PROPERTY. The district may  
93-42 acquire property located inside or outside the district that the  
93-43 board considers necessary to accomplish the district's objectives.  
93-44 (Acts 57th Leg., R.S., Ch. 324, Sec. 6 (part).)  
93-45 Sec. 9059.103. LIMIT ON EMINENT DOMAIN POWER. The district  
93-46 may not exercise the power of eminent domain outside the district.  
93-47 (Acts 57th Leg., R.S., Ch. 324, Sec. 9 (part).)  
93-48 Sec. 9059.104. COST OF RELOCATING OR ALTERING PROPERTY.  
93-49 (a) In this section, "sole expense" means the actual cost of  
93-50 relocating, raising, lowering, rerouting, changing the grade of, or  
93-51 altering the construction of a facility described by Subsection (b)  
93-52 in providing comparable replacement without enhancement of the  
93-53 facility, after deducting from that cost the net salvage value  
93-54 derived from the old facility.  
93-55 (b) If the district's exercise of the power of eminent  
93-56 domain, the power of relocation, or any other power granted by this  
93-57 chapter makes necessary relocating, raising, rerouting, changing  
93-58 the grade of, or altering the construction of a highway, railroad,  
93-59 electric transmission line, telephone or telegraph property or  
93-60 facility, or pipeline, the necessary action shall be accomplished  
93-61 at the sole expense of the district. (Acts 57th Leg., R.S., Ch.  
93-62 324, Sec. 10.)  
93-63 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
93-64 Sec. 9059.151. MAINTENANCE TAX. The board may impose an ad  
93-65 valorem tax on all taxable property in the district for the  
93-66 maintenance and operation of district works and facilities if the  
93-67 tax is authorized by an election held as provided by law relating to  
93-68 water control and improvement district bond elections. (Acts 57th  
93-69 Leg., R.S., Ch. 324, Sec. 7.)



## SUBCHAPTER C. BOARD OF DIRECTORS

95-1  
95-2 Sec. 9060.101. COMPOSITION OF BOARD

## SUBCHAPTER D. POWERS AND DUTIES

95-3  
95-4 Sec. 9060.151. WATER CONTROL AND IMPROVEMENT DISTRICT  
95-5 POWERS

95-6 Sec. 9060.152. ACQUISITION OF IMPROVEMENTS

95-7 Sec. 9060.153. COST OF RELOCATING OR ALTERING PROPERTY

95-8 Sec. 9060.154. LIMIT ON EMINENT DOMAIN POWER

95-9 Sec. 9060.155. DURATION OF CONTRACT FOR WATER PURCHASE  
95-10 OR SALE

95-11 Sec. 9060.156. INSTALLATION OF STREETLIGHTS

## SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

95-12  
95-13 Sec. 9060.201. TAX METHOD

## CHAPTER 9060. SAN LEON MUNICIPAL UTILITY DISTRICT OF GALVESTON COUNTY, TEXAS

## SUBCHAPTER A. GENERAL PROVISIONS

95-16  
95-17 Sec. 9060.001. DEFINITIONS. In this chapter:

95-18 (1) "Board" means the district's board of directors.

95-19 (2) "District" means the San Leon Municipal Utility

95-20 District of Galveston County, Texas. (Acts 59th Leg., R.S., Ch.  
95-21 520, Sec. 1 (part); New.)

95-22 Sec. 9060.002. NATURE OF DISTRICT. The district is:

95-23 (1) a conservation and reclamation district in  
95-24 Galveston County under Section 59, Article XVI, Texas Constitution;  
95-25 and

95-26 (2) a municipal corporation. (Acts 59th Leg., R.S.,  
95-27 Ch. 520, Secs. 1 (part), 7 (part).)

95-28 Sec. 9060.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
95-29 The district is created to serve a public use and benefit.

95-30 (b) All land and other property included in the district  
95-31 will benefit from the creation of the district and the improvements  
95-32 the district will purchase, construct, or otherwise acquire.

95-33 (c) The district is essential to accomplish the purposes of  
95-34 Section 59, Article XVI, Texas Constitution. (Acts 59th Leg.,  
95-35 R.S., Ch. 520, Secs. 6(a) (part), 7 (part).)

95-36 Sec. 9060.004. APPLICABILITY OF CERTAIN STATUTES;  
95-37 DISSOLUTION OF DISTRICT. (a) Except as provided by Subsection (b),  
95-38 Sections 51.781-51.791, Water Code, do not apply to the district.

95-39 (b) The district may be dissolved by the board in accordance  
95-40 with Sections 51.781-51.791, Water Code. (Acts 59th Leg., R.S.,  
95-41 Ch. 520, Secs. 2 (part), 4 (part); New.)

## SUBCHAPTER B. DISTRICT TERRITORY

95-42  
95-43 Sec. 9060.051. DISTRICT TERRITORY. The district is  
95-44 composed of the territory described by Section 1, Chapter 520, Acts  
95-45 of the 59th Legislature, Regular Session, 1965, as that territory  
95-46 may have been modified under:

95-47 (1) Subchapter O, Chapter 51, Water Code;

95-48 (2) Subchapter J, Chapter 49, Water Code;

95-49 (3) Section 9060.052 or its predecessor statute,  
95-50 former Section 4, Chapter 520, Acts of the 59th Legislature,  
95-51 Regular Session, 1965; or

95-52 (4) other law. (New.)

95-53 Sec. 9060.052. ADDITION OF LAND TO DISTRICT. The district  
95-54 may not add land to the district unless:

95-55 (1) an owner of land adjacent or contiguous to the  
95-56 district requests in writing that the district add land;

95-57 (2) the owner of the land to be added consents to the  
95-58 addition; and

95-59 (3) the land is adjacent or contiguous to the district  
95-60 when added. (Acts 59th Leg., R.S., Ch. 520, Sec. 4 (part).)

## SUBCHAPTER C. BOARD OF DIRECTORS

95-61  
95-62 Sec. 9060.101. COMPOSITION OF BOARD. The board is composed  
95-63 of five elected directors. (Acts 59th Leg., R.S., Ch. 520, Sec. 3  
95-64 (part).)

## SUBCHAPTER D. POWERS AND DUTIES

95-65  
95-66 Sec. 9060.151. WATER CONTROL AND IMPROVEMENT DISTRICT  
95-67 POWERS. The district has the rights, powers, privileges, and  
95-68 duties provided by general law applicable to a water control and  
95-69 improvement district created under Section 59, Article XVI, Texas

96-1 Constitution, including Chapters 49 and 51, Water Code. (Acts 59th  
96-2 Leg., R.S., Ch. 520, Sec. 2 (part).)

96-3 Sec. 9060.152. ACQUISITION OF IMPROVEMENTS. The district  
96-4 may make, construct, or otherwise acquire improvements inside or  
96-5 outside the district that are necessary or convenient to carry out a  
96-6 power granted to the district under this chapter or a general law  
96-7 described by Section 9060.151. (Acts 59th Leg., R.S., Ch. 520, Sec.  
96-8 2 (part).)

96-9 Sec. 9060.153. COST OF RELOCATING OR ALTERING PROPERTY.  
96-10 (a) In this section, "sole expense" means the actual cost of  
96-11 relocating, raising, lowering, rerouting, changing the grade of, or  
96-12 altering the construction of a facility described by Subsection (b)  
96-13 in providing comparable replacement without enhancement of the  
96-14 facility, after deducting from that cost the net salvage value  
96-15 derived from the old facility.

96-16 (b) If the district's exercise of the power of eminent  
96-17 domain, power of relocation, or any other power granted by this  
96-18 chapter makes necessary relocating, raising, rerouting, changing  
96-19 the grade of, or altering the construction of a highway, railroad,  
96-20 electric transmission line, telephone or telegraph property or  
96-21 facility, or pipeline, the necessary action shall be accomplished  
96-22 at the sole expense of the district. (Acts 59th Leg., R.S., Ch.  
96-23 520, Sec. 2 (part).)

96-24 Sec. 9060.154. LIMIT ON EMINENT DOMAIN POWER. The district  
96-25 may not exercise the power of eminent domain outside the district.  
96-26 (Acts 59th Leg., R.S., Ch. 520, Sec. 2 (part).)

96-27 Sec. 9060.155. DURATION OF CONTRACT FOR WATER PURCHASE OR  
96-28 SALE. A district contract for the purchase or sale of water may not  
96-29 exceed 40 years. (Acts 59th Leg., R.S., Ch. 520, Sec. 2 (part).)

96-30 Sec. 9060.156. INSTALLATION OF STREETLIGHTS. (a) On  
96-31 approval by a majority of the voters of the district voting at an  
96-32 election held for that purpose, the district may:

96-33 (1) install, operate, and maintain street lighting in  
96-34 a public utility easement or public right-of-way inside the  
96-35 district; and

96-36 (2) assess the cost of the installation, operation,  
96-37 and maintenance of the street lighting as an additional charge in  
96-38 the monthly billings of the district's customers.

96-39 (b) The district may not use money from taxes or bonds  
96-40 supported by taxes for a purpose described by this section.

96-41 (c) This section does not authorize the district to install,  
96-42 operate, or maintain street lighting on a right-of-way that is part  
96-43 of the designated state highway system. (Acts 59th Leg., R.S., Ch.  
96-44 520, Sec. 2A.)

96-45 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

96-46 Sec. 9060.201. TAX METHOD. (a) The district shall use the  
96-47 ad valorem basis or plan of taxation.

96-48 (b) The board is not required to hold a hearing on the  
96-49 adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 520,  
96-50 Sec. 6(b).)

96-51 CHAPTER 9061. TATTOR ROAD MUNICIPAL DISTRICT

96-52 SUBCHAPTER A. GENERAL PROVISIONS

96-53 Sec. 9061.001. DEFINITIONS

96-54 Sec. 9061.002. NATURE OF DISTRICT

96-55 Sec. 9061.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

96-56 Sec. 9061.004. DISTRICT TERRITORY

96-57 Sec. 9061.005. EXPANSION OF DISTRICT

96-58 Sec. 9061.006. HEARINGS FOR EXCLUSION OF LAND

96-59 Sec. 9061.007. STATE POLICY REGARDING WASTE DISPOSAL

96-60 SUBCHAPTER B. BOARD OF DIRECTORS

96-61 Sec. 9061.051. COMPOSITION OF BOARD

96-62 Sec. 9061.052. APPOINTMENT OF TREASURER

96-63 Sec. 9061.053. DIRECTOR AND TREASURER BONDS

96-64 Sec. 9061.054. BOARD VACANCY

96-65 Sec. 9061.055. BOARD PRESIDENT'S POWER TO EXECUTE

96-66 CONTRACTS

96-67 Sec. 9061.056. ABSENCE OR INACTION OF BOARD PRESIDENT

96-68 Sec. 9061.057. DISTRICT OFFICE

96-



## SUBCHAPTER C. POWERS AND DUTIES

- 97-1  
 97-2 Sec. 9061.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
 97-3 POWERS  
 97-4 Sec. 9061.102. ADDITIONAL POWERS  
 97-5 Sec. 9061.103. LIMIT ON EMINENT DOMAIN  
 97-6 Sec. 9061.104. COST OF RELOCATING OR ALTERING PROPERTY  
 97-7 Sec. 9061.105. NOTICE OF ELECTION

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## CHAPTER 9061. TATTOR ROAD MUNICIPAL DISTRICT

## SUBCHAPTER A. GENERAL PROVISIONS

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 97-23  
 97-24 Sec. 9061.001. DEFINITIONS. In this chapter:  
 97-25 (1) "Board" means the district's board of directors.  
 97-26 (2) "Director" means a member of the board.  
 97-27 (3) "District" means the Tattor Road Municipal  
 97-28 District. (Acts 61st Leg., R.S., Ch. 846, Sec. 1 (part); New.)  
 97-29 Sec. 9061.002. NATURE OF DISTRICT. The district is a  
 97-30 conservation and reclamation district in Harris County created  
 97-31 under Section 59, Article XVI, Texas Constitution. (Acts 61st  
 97-32 Leg., R.S., Ch. 846, Sec. 1 (part).)  
 97-33 Sec. 9061.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
 97-34 The district is created to serve a public use and benefit.  
 97-35 (b) All land and other property included in the boundaries  
 97-36 of the district will benefit from the works and projects  
 97-37 accomplished by the district under the powers conferred by Section  
 97-38 59, Article XVI, Texas Constitution.  
 97-39 (c) The district is essential to accomplish the purposes of  
 97-40 Section 59, Article XVI, Texas Constitution.  
 97-41 (d) The accomplishment of the purposes stated in this  
 97-42 chapter will benefit the people of this state and improve their  
 97-43 property and industries.  
 97-44 (e) The district in carrying out the purposes of this  
 97-45 chapter will be performing an essential public function under the  
 97-46 Texas Constitution. (Acts 61st Leg., R.S., Ch. 846, Secs. 1 (part),  
 97-47 4, 21 (part).)  
 97-48 Sec. 9061.004. DISTRICT TERRITORY. (a) The district is  
 97-49 composed of the territory described by Section 2, Chapter 846, Acts  
 97-50 of the 61st Legislature, Regular Session, 1969, as that territory  
 97-51 may have been modified under:  
 97-52 (1) Subchapter O, Chapter 51, Water Code;  
 97-53 (2) Subchapter J, Chapter 49, Water Code;  
 97-54 (3) Section 9061.005 or its predecessor statute,  
 97-55 former Section 9, Chapter 846, Acts of the 61st Legislature,  
 97-56 Regular Session, 1969; or  
 97-57 (4) other law.  
 97-58 (b) The boundaries and field notes of the district form a  
 97-59 closure. A mistake in the field notes or in copying the field notes  
 97-60 in the legislative process does not affect:  
 97-61 (1) the district's organization, existence, or  
 97-62 validity;  
 97-63 (2) the district's right to issue any type of bond for  
 97-64 a purpose for which the district is created or to pay the principal  
 97-65 of and interest on the bond;  
 97-66 (3) the district's right to impose a tax; or  
 97-67 (4) in any other manner, the legality or operation of  
 97-68 the district or its governing body. (Acts 61st Leg., R.S., Ch. 846,  
 97-69 Sec. 3; New.)

98-1           Sec. 9061.005. EXPANSION OF DISTRICT. (a) If land is  
98-2 annexed by the district under Section 49.301 or 51.714, Water Code,  
98-3 the board may require the petitioners to:

98-4           (1) assume the petitioners' pro rata share of the voted  
98-5 but unissued bonds of the district; and

98-6           (2) authorize the board to impose a tax on the  
98-7 petitioners' property to pay for the bonds after the bonds have been  
98-8 issued.

98-9           (b) If land is annexed by the district under Section 49.302,  
98-10 Water Code, the board may submit to the voters of the area to be  
98-11 annexed a proposition on the question of the assumption by the area  
98-12 to be annexed of its part of the voted but not yet issued or sold tax  
98-13 or tax-revenue bonds of the district and the imposition of an ad  
98-14 valorem tax on taxable property in the area to be annexed along with  
98-15 a tax in the rest of the district for the payment of the bonds.

98-16           (c) If the petitioners consent or if the election results  
98-17 favorably, the district may issue its voted but unissued tax or  
98-18 tax-revenue bonds regardless of changes to district boundaries  
98-19 since the voting or authorization of those bonds. (Acts 61st Leg.,  
98-20 R.S., Ch. 846, Sec. 9 (part).)

98-21           Sec. 9061.006. HEARINGS FOR EXCLUSION OF LAND. (a) The  
98-22 board is not required to call or hold a hearing on the exclusion of  
98-23 land or other property from the district; provided, however, that  
98-24 the board shall hold a hearing if an owner of land or other property  
98-25 located in the district files a written petition for a hearing with  
98-26 the board secretary before the district's first bond election is  
98-27 called.

98-28           (b) The board may act on the petition in the same manner that  
98-29 it may act on a petition for the addition of land under Section  
98-30 49.301 or 51.714, Water Code. A notice of hearing is not required.

98-31           (c) The board on its own motion may call and hold an  
98-32 exclusion hearing under general law. (Acts 61st Leg., R.S., Ch.  
98-33 846, Sec. 7.)

98-34           Sec. 9061.007. STATE POLICY REGARDING WASTE DISPOSAL. The  
98-35 district's powers and duties are subject to the state policy of  
98-36 encouraging the development and use of integrated area-wide waste  
98-37 collection, treatment, and disposal systems to serve the waste  
98-38 disposal needs of this state's residents, if integrated systems can  
98-39 reasonably be provided for an area, so as to avoid the economic  
98-40 burden on residents and the impact on state water quality caused by  
98-41 the construction and operation of numerous small waste collection,  
98-42 treatment, and disposal facilities. (Acts 61st Leg., R.S., Ch.  
98-43 846, Sec. 5 (part).)

#### 98-44           SUBCHAPTER B. BOARD OF DIRECTORS

98-45           Sec. 9061.051. COMPOSITION OF BOARD. The board consists of  
98-46 five elected directors. (Acts 61st Leg., R.S., Ch. 846, Sec. 10  
98-47 (part).)

98-48           Sec. 9061.052. APPOINTMENT OF TREASURER. The board may  
98-49 appoint the treasurer. (Acts 61st Leg., R.S., Ch. 846, Sec. 10  
98-50 (part).)

98-51           Sec. 9061.053. DIRECTOR AND TREASURER BONDS. (a) Each  
98-52 director shall qualify by giving bond in the amount of \$5,000 for  
98-53 the faithful performance of the director's duties.

98-54           (b) The directors' bonds must be recorded in a record kept  
98-55 for that purpose in the district's office.

98-56           (c) The treasurer shall give bond in the amount required by  
98-57 the board, conditioned on the treasurer's faithful accounting for  
98-58 all money that comes into the treasurer's custody as district  
98-59 treasurer. (Acts 61st Leg., R.S., Ch. 846, Sec. 10 (part).)

98-60           Sec. 9061.054. BOARD VACANCY. (a) Except as provided by  
98-61 Subsection (b), a vacancy in the office of director shall be filled  
98-62 in the manner provided by Section 49.105, Water Code.

98-63           (b) The county judge of Harris County shall appoint  
98-64 directors to fill all of the vacancies on the board if the number of  
98-65 qualified directors is less than three. (Acts 61st Leg., R.S., Ch.  
98-66 846, Sec. 10 (part).)

98-67           Sec. 9061.055. BOARD PRESIDENT'S POWER TO EXECUTE  
98-68 CONTRACTS. The board president may execute all contracts, including  
98-69 construction contracts, entered into by the board on behalf of the

99-1 district. (Acts 61st Leg., R.S., Ch. 846, Sec. 10 (part).)  
 99-2 Sec. 9061.056. ABSENCE OR INACTION OF BOARD PRESIDENT. (a)  
 99-3 When the board president is absent or fails or declines to act, the  
 99-4 board vice president shall perform all duties and exercise all  
 99-5 power that this chapter or general law gives the president.

99-6 (b) If the board president is absent from a board meeting,  
 99-7 the board vice president may sign an order adopted or other action  
 99-8 taken at the meeting, or the board may authorize the president to  
 99-9 sign the order or action. (Acts 61st Leg., R.S., Ch. 846, Sec. 10  
 99-10 (part).)

99-11 Sec. 9061.057. DISTRICT OFFICE. (a) The board shall  
 99-12 designate, establish, and maintain a district office as provided by  
 99-13 Section 49.062, Water Code.

99-14 (b) The board may establish a second district office outside  
 99-15 the district. If the board establishes a district office outside  
 99-16 the district, the board shall give notice of the location of that  
 99-17 office by:

99-18 (1) filing a copy of the board resolution that  
 99-19 establishes the location of the office:

99-20 (A) with the Texas Commission on Environmental  
 99-21 Quality; and

99-22 (B) in the water control and improvement district  
 99-23 records of Harris County; and

99-24 (2) publishing the location of the office in a  
 99-25 newspaper of general circulation in Harris County.

99-26 (c) A district office may be a private residence, office, or  
 99-27 dwelling. A district office that is a private residence, office, or  
 99-28 dwelling is a public place for matters relating to the district's  
 99-29 business.

99-30 (d) The board shall give notice of any change in the  
 99-31 location of the district office outside the district in the manner  
 99-32 required by Subsection (b). (Acts 61st Leg., R.S., Ch. 846, Sec.  
 99-33 15.)

99-34 SUBCHAPTER C. POWERS AND DUTIES

99-35 Sec. 9061.101. WATER CONTROL AND IMPROVEMENT DISTRICT  
 99-36 POWERS. The district has all of the rights, powers, privileges, and  
 99-37 functions provided by general law applicable to water control and  
 99-38 improvement districts created under Section 59, Article XVI, Texas  
 99-39 Constitution, including Chapters 49 and 51, Water Code. (Acts 61st  
 99-40 Leg., R.S., Ch. 846, Sec. 5 (part).)

99-41 Sec. 9061.102. ADDITIONAL POWERS. (a) The district may:

99-42 (1) make, purchase, construct, lease, or otherwise  
 99-43 acquire property, works, facilities, or improvements, existing or  
 99-44 to be made, constructed, or acquired, inside or outside the  
 99-45 district's boundaries and necessary to carry out the powers granted  
 99-46 by this chapter or general law; or

99-47 (2) enter into a contract with a person on terms the  
 99-48 board considers desirable, fair, and advantageous for:

99-49 (A) the purchase or sale of water;

99-50 (B) the transportation, treatment, and disposal  
 99-51 of the domestic, industrial, or communal wastes of the district or  
 99-52 others;

99-53 (C) the continuing and orderly development of  
 99-54 land and property in the district through the purchase,  
 99-55 construction, or installation of facilities, works, or  
 99-56 improvements that the district is otherwise authorized to do or  
 99-57 perform so that, to the greatest extent reasonably possible,  
 99-58 considering sound engineering and economic practices, all of the  
 99-59 land and property may ultimately receive the services of the  
 99-60 facilities, works, or improvements; and

99-61 (D) the performance of any of the rights or  
 99-62 powers granted by this chapter or general law relating to water  
 99-63 control and improvement districts.

99-64 (b) A contract under Subsection (a)(2) may not have a  
 99-65 duration of more than 40 years. (Acts 61st Leg., R.S., Ch. 846,  
 99-66 Sec. 5 (part).)

99-67 Sec. 9061.103. LIMIT ON EMINENT DOMAIN. The district may  
 99-68 exercise the power of eminent domain only:

99-69 (1) in Harris County; and

100-1 (2) when necessary to carry out the purposes for which  
 100-2 the district was created. (Acts 61st Leg., R.S., Ch. 846, Sec. 13  
 100-3 (part).)

100-4 Sec. 9061.104. COST OF RELOCATING OR ALTERING PROPERTY.  
 100-5 (a) In this section, "sole expense" means the actual cost of  
 100-6 relocating, raising, lowering, rerouting, changing the grade of, or  
 100-7 altering the construction of a facility described by Subsection (b)  
 100-8 in providing comparable replacement without enhancement of the  
 100-9 facility, after deducting from that cost the net salvage value  
 100-10 derived from the old facility.

100-11 (b) If the district's exercise of the power of eminent  
 100-12 domain makes necessary relocating, raising, rerouting, changing  
 100-13 the grade of, or altering the construction of a highway, railroad,  
 100-14 electric transmission line, telegraph or telephone property or  
 100-15 facility, or pipeline, the necessary action shall be accomplished  
 100-16 at the sole expense of the district. (Acts 61st Leg., R.S., Ch.  
 100-17 846, Sec. 13 (part).)

100-18 Sec. 9061.105. NOTICE OF ELECTION. Notice of an election  
 100-19 may be given under the hand of the board president or secretary.  
 100-20 (Acts 61st Leg., R.S., Ch. 846, Sec. 18 (part).)

#### 100-21 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

100-22 Sec. 9061.151. TAX METHOD. (a) The district shall use the  
 100-23 ad valorem plan of taxation.

100-24 (b) The board is not required to call or hold a hearing on  
 100-25 the adoption of a plan of taxation. (Acts 61st Leg., R.S., Ch. 846,  
 100-26 Sec. 8.)

100-27 Sec. 9061.152. DISTRICT ACCOUNTS. The district shall keep  
 100-28 a complete system of the district's accounts. (Acts 61st Leg.,  
 100-29 R.S., Ch. 846, Sec. 14 (part).)

100-30 Sec. 9061.153. COPY OF AUDIT REPORT. A copy of the audit  
 100-31 report prepared under Subchapter G, Chapter 49, Water Code, shall  
 100-32 be delivered:

100-33 (1) to each director; and  
 100-34 (2) to a holder of at least 25 percent of the  
 100-35 outstanding bonds of the district, on request. (Acts 61st Leg.,  
 100-36 R.S., Ch. 846, Sec. 14 (part); New.)

100-37 Sec. 9061.154. PAYMENT OF TAX OR ASSESSMENT NOT REQUIRED.  
 100-38 The district is not required to pay a tax or assessment on:

100-39 (1) district property; or  
 100-40 (2) a purchase made by the district. (Acts 61st Leg.,  
 100-41 R.S., Ch. 846, Sec. 21 (part).)

100-42 Sec. 9061.155. DEPOSITORY. (a) The board shall select one  
 100-43 or more banks in this state to act as depository for the district's  
 100-44 money.

100-45 (b) To the extent that money in the depository bank is not  
 100-46 insured by the Federal Deposit Insurance Corporation, the money  
 100-47 must be secured in the manner provided by law for the security of  
 100-48 county funds.

100-49 (c) A director may be a shareholder in a bank that is a  
 100-50 depository of district money. (Acts 61st Leg., R.S., Ch. 846, Sec.  
 100-51 14 (part).)

#### 100-52 SUBCHAPTER E. BONDS

100-53 Sec. 9061.201. ISSUANCE OF BONDS. (a) The district may  
 100-54 issue tax bonds, revenue bonds, or tax and revenue bonds to provide  
 100-55 money for any purpose of this chapter, including the acquisition of  
 100-56 land.

100-57 (b) The district must issue bonds in the manner provided by  
 100-58 Chapters 49 and 51, Water Code, except that the district may issue  
 100-59 bonds payable solely from net revenue by resolution or order of the  
 100-60 board without an election.

100-61 (c) Bonds issued under this subchapter may be payable from  
 100-62 all or any designated part of the revenue of district property and  
 100-63 facilities or under a specific contract, as provided in the order or  
 100-64 resolution authorizing the issuance of the bonds. (Acts 61st Leg.,  
 100-65 R.S., Ch. 846, Sec. 12 (part).)

100-66 Sec. 9061.202. ADDITIONAL SECURITY. (a) Within the  
 100-67 discretion of the board, bonds issued under this subchapter may be  
 100-68 additionally secured by a deed of trust or mortgage lien on physical  
 100-69 property of the district and franchises, easements, water rights



101-1 and appropriation permits, leases, contracts, and all rights  
101-2 appurtenant to that property, vesting in the trustee:

101-3 (1) the power to sell the property for payment of the  
101-4 debt;

101-5 (2) the power to operate the property; and

101-6 (3) all other powers to further secure the bonds.

101-7 (b) A purchaser under a sale under the deed of trust or  
101-8 mortgage lien, if one is given:

101-9 (1) is the absolute owner of the property, facilities,  
101-10 and rights purchased; and

101-11 (2) may maintain and operate the property and  
101-12 facilities. (Acts 61st Leg., R.S., Ch. 846, Sec. 12 (part).)

101-13 Sec. 9061.203. TRUST INDENTURE. A trust indenture created  
101-14 under Section 9061.202, regardless of the existence of a deed of  
101-15 trust or mortgage lien on the property, may:

101-16 (1) contain provisions prescribed by the board for the  
101-17 security of the bonds and the preservation of the trust estate;

101-18 (2) provide for amendment or modification of the trust  
101-19 indenture;

101-20 (3) provide for the issuance of bonds to replace lost  
101-21 or mutilated bonds;

101-22 (4) condition the right to spend district money or  
101-23 sell district property on the approval of a licensed engineer  
101-24 selected as provided by the trust indenture; and

101-25 (5) provide for the investment of district money.  
101-26 (Acts 61st Leg., R.S., Ch. 846, Sec. 12 (part).)

101-27 Sec. 9061.204. ORDER OR RESOLUTION AUTHORIZING ISSUANCE OF  
101-28 CERTAIN BONDS. (a) In an order or resolution authorizing the  
101-29 issuance of revenue, tax-revenue, revenue refunding, or  
101-30 tax-revenue refunding bonds, the board may:

101-31 (1) provide for:

101-32 (A) the flow of money; and

101-33 (B) the establishment and maintenance of the  
101-34 interest and sinking fund, reserve fund, or other fund;

101-35 (2) make additional covenants with respect to the  
101-36 bonds and the pledged revenue and the operation and maintenance of  
101-37 the improvements and facilities the revenue of which is pledged,  
101-38 including provisions for the operation or leasing of all or part of  
101-39 the improvements and facilities and the use or pledge of money  
101-40 received from the operation contract or lease as the board  
101-41 considers appropriate;

101-42 (3) prohibit the further issuance of bonds or other  
101-43 obligations payable from the pledged revenue or reserve the right  
101-44 to issue additional bonds to be secured by a pledge of and payable  
101-45 from the revenue on a parity with, or subordinate to, the lien and  
101-46 pledge in support of the bonds being issued, subject to any  
101-47 conditions set forth in the order or resolution; and

101-48 (4) include any other provision or covenant, as the  
101-49 board determines, that is not prohibited by the Texas Constitution  
101-50 or this chapter.

101-51 (b) The board may adopt and cause to be executed any other  
101-52 proceeding or instrument necessary or convenient in the issuance of  
101-53 the bonds. (Acts 61st Leg., R.S., Ch. 846, Sec. 12 (part).)

101-54 Sec. 9061.205. USE OF BOND PROCEEDS. (a) The district may  
101-55 appropriate or set aside out of proceeds from the sale of district  
101-56 bonds an amount for:

101-57 (1) the payment of interest, administrative, and  
101-58 operating expenses expected to accrue during the period of  
101-59 construction, as may be provided in the bond orders or resolutions;  
101-60 and

101-61 (2) the payment of all expenses incurred and to be  
101-62 incurred in the issuance, sale, and delivery of the bonds.

101-63 (b) For purposes of this section, the period of construction  
101-64 may not exceed three years. (Acts 61st Leg., R.S., Ch. 846, Sec. 12  
101-65 (part).)

101-66 CHAPTER 9062. TREASURE ISLAND MUNICIPAL UTILITY DISTRICT OF  
101-67 BRAZORIA COUNTY, TEXAS

101-68 SUBCHAPTER A. GENERAL PROVISIONS

101-69 Sec. 9062.001. DEFINITIONS

- 102-1 Sec. 9062.002. NATURE OF DISTRICT  
102-2 Sec. 9062.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
102-3 Sec. 9062.004. DISSOLUTION OF DISTRICT  
102-4 SUBCHAPTER B. DISTRICT TERRITORY  
102-5 Sec. 9062.051. DISTRICT TERRITORY  
102-6 Sec. 9062.052. ADDITION OF LAND TO DISTRICT  
102-7 Sec. 9062.053. EXCLUSION OF LAND FROM DISTRICT  
102-8 SUBCHAPTER C. BOARD OF DIRECTORS  
102-9 Sec. 9062.101. COMPOSITION OF BOARD  
102-10 SUBCHAPTER D. POWERS AND DUTIES  
102-11 Sec. 9062.151. WATER CONTROL AND IMPROVEMENT DISTRICT  
102-12 POWERS  
102-13 Sec. 9062.152. RECLAMATION AND DRAINAGE  
102-14 Sec. 9062.153. ACQUISITION OF IMPROVEMENTS  
102-15 Sec. 9062.154. COST OF RELOCATING OR ALTERING PROPERTY  
102-16 Sec. 9062.155. LIMIT ON EMINENT DOMAIN POWER  
102-17 Sec. 9062.156. DURATION OF CONTRACT FOR WATER PURCHASE  
102-18 OR SALE  
102-19 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS  
102-20 Sec. 9062.201. TAX METHOD  
102-21 Sec. 9062.202. DEPOSITORY  
102-22 CHAPTER 9062. TREASURE ISLAND MUNICIPAL UTILITY DISTRICT OF  
102-23 BRAZORIA COUNTY, TEXAS  
102-24 SUBCHAPTER A. GENERAL PROVISIONS  
102-25 Sec. 9062.001. DEFINITIONS. In this chapter:  
102-26 (1) "Board" means the district's board of directors.  
102-27 (2) "District" means the Treasure Island Municipal  
102-28 Utility District of Brazoria County, Texas. (Acts 59th Leg., R.S.,  
102-29 Ch. 532, Sec. 1 (part); New.)  
102-30 Sec. 9062.002. NATURE OF DISTRICT. The district is:  
102-31 (1) a conservation and reclamation district in  
102-32 Brazoria County under Section 59, Article XVI, Texas Constitution;  
102-33 (2) a water control and improvement district; and  
102-34 (3) a municipal corporation. (Acts 59th Leg., R.S.,  
102-35 Ch. 532, Secs. 1 (part), 6 (part), 8 (part).)  
102-36 Sec. 9062.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
102-37 The district is created to serve a public use and benefit.  
102-38 (b) All land and other property in the district will benefit  
102-39 from the creation of the district and the improvements the district  
102-40 will purchase, construct, or otherwise acquire.  
102-41 (c) The district is essential to accomplish the purposes of  
102-42 Section 59, Article XVI, Texas Constitution. (Acts 59th Leg.,  
102-43 R.S., Ch. 532, Secs. 6 (part), 8 (part).)  
102-44 Sec. 9062.004. DISSOLUTION OF DISTRICT. The district may  
102-45 be dissolved by the board in accordance with Sections  
102-46 51.781-51.791, Water Code. (Acts 59th Leg., R.S., Ch. 532, Sec. 4  
102-47 (part).)  
102-48 SUBCHAPTER B. DISTRICT TERRITORY  
102-49 Sec. 9062.051. DISTRICT TERRITORY. The district is  
102-50 composed of the territory described by Section 1, Chapter 532, Acts  
102-51 of the 59th Legislature, Regular Session, 1965, as that territory  
102-52 may have been modified under:  
102-53 (1) Subchapter O, Chapter 51, Water Code;  
102-54 (2) Subchapter J, Chapter 49, Water Code;  
102-55 (3) Section 9062.052 or its predecessor statute,  
102-56 former Section 4, Chapter 532, Acts of the 59th Legislature,  
102-57 Regular Session, 1965; or  
102-58 (4) other law. (New.)  
102-59 Sec. 9062.052. ADDITION OF LAND TO DISTRICT. The district  
102-60 may not add land to the district unless:  
102-61 (1) an owner of land adjacent or contiguous to the  
102-62 district requests in writing that the district add land;  
102-63 (2) the owner of the land to be added consents to the  
102-64 addition; and  
102-65 (3) the land is adjacent or contiguous to the district  
102-66 when added. (Acts 59th Leg., R.S., Ch. 532, Sec. 4 (part).)  
102-67 Sec. 9062.053. EXCLUSION OF LAND FROM DISTRICT. (a) Land  
102-68 may be excluded from the district in the manner provided by:  
102-69 (1) Subchapter O, Chapter 51, Water Code; or

(2) Subchapter J, Chapter 49, Water Code.

(b) The board is not required to call or hold a hearing on the exclusion of land or other property from the district; provided, however, that the board shall hold a hearing if an owner of land or other property located in the district files a written request for a hearing with the board secretary before the district's first bond election is called.

(c) Subsection (b) may not be construed to prevent the board on its own motion from calling and holding an exclusion hearing under general law. (Acts 59th Leg., R.S., Ch. 532, Secs. 4 (part), 6 (part).)

#### SUBCHAPTER C. BOARD OF DIRECTORS

Sec. 9062.101. COMPOSITION OF BOARD. The board is composed of five elected directors. (Acts 59th Leg., R.S., Ch. 532, Sec. 3 (part).)

#### SUBCHAPTER D. POWERS AND DUTIES

Sec. 9062.151. WATER CONTROL AND IMPROVEMENT DISTRICT POWERS. The district has the rights, powers, privileges, and duties provided by general law applicable to a water control and improvement district created under Section 59, Article XVI, Texas Constitution, including Chapters 49 and 51, Water Code. (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

Sec. 9062.152. RECLAMATION AND DRAINAGE. The district may provide for the reclamation and drainage of overflowed land and other land needing drainage in the district. (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

Sec. 9062.153. ACQUISITION OF IMPROVEMENTS. The district may make, construct, or otherwise acquire improvements inside or outside the district that are necessary to carry out a power granted to the district under this chapter or a general law described by Section 9062.151. (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

Sec. 9062.154. COST OF RELOCATING OR ALTERING PROPERTY. (a) In this section, "sole expense" means the actual cost of relocating, raising, lowering, rerouting, changing the grade of, or altering the construction of a facility described by Subsection (b) in providing comparable replacement without enhancement of the facility, after deducting from that cost the net salvage value derived from the old facility.

(b) If the district's exercise of the power of eminent domain, the power of relocation, or any other power granted by this chapter makes necessary relocating, raising, rerouting, changing the grade of, or altering the construction of a highway, railroad, electric transmission line, telephone or telegraph property or facility, or pipeline, the necessary action shall be accomplished at the sole expense of the district. (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

Sec. 9062.155. LIMIT ON EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain outside the district. (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

Sec. 9062.156. DURATION OF CONTRACT FOR WATER PURCHASE OR SALE. A district contract for the purchase or sale of water may not exceed 40 years. (Acts 59th Leg., R.S., Ch. 532, Sec. 2 (part).)

#### SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

Sec. 9062.201. TAX METHOD. (a) The district shall use the ad valorem basis or plan of taxation.

(b) The board is not required to hold a hearing on the adoption of a plan of taxation. (Acts 59th Leg., R.S., Ch. 532, Sec. 6 (part).)

Sec. 9062.202. DEPOSITORY. (a) The board by resolution shall designate one or more banks inside or outside the district to serve as the district's depository. A designated bank serves for two years and until a successor is designated.

(b) All district money shall be secured in the manner provided for securing county funds. (Acts 59th Leg., R.S., Ch. 532, Sec. 7.)

### CHAPTER 9063. UPPER JASPER COUNTY WATER AUTHORITY

#### SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9063.001. DEFINITIONS

Sec. 9063.002. NATURE OF AUTHORITY

104-1 Sec. 9063.003. AUTHORITY TERRITORY

104-2 Sec. 9063.004. SABINE RIVER AUTHORITY NOT AFFECTED;

104-3 LEGISLATIVE INTENT

104-4 SUBCHAPTER B. BOARD OF DIRECTORS

104-5 Sec. 9063.051. COMPOSITION OF BOARD

104-6 Sec. 9063.052. QUALIFICATIONS FOR OFFICE

104-7 SUBCHAPTER C. POWERS AND DUTIES

104-8 Sec. 9063.101. GENERAL POWERS

104-9 Sec. 9063.102. WATER CONTROL AND IMPROVEMENT DISTRICT

104-10 POWERS

104-11 Sec. 9063.103. COOPERATION AND AGREEMENTS WITH OTHER

104-12 AGENCIES

104-13 Sec. 9063.104. COST OF RELOCATING OR ALTERING PROPERTY

104-14 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

104-15 Sec. 9063.151. TAX METHOD; HEARING REQUIRED

104-16 CHAPTER 9063. UPPER JASPER COUNTY WATER AUTHORITY

104-17 SUBCHAPTER A. GENERAL PROVISIONS

104-18 Sec. 9063.001. DEFINITIONS. In this chapter:

104-19 (1) "Authority" means the Upper Jasper County Water

104-20 Authority.

104-21 (2) "Board" means the authority's board of directors.

104-22 (3) "Director" means a board member. (Acts 54th Leg.,

104-23 R.S., Ch. 508, Sec. 1 (part); New.)

104-24 Sec. 9063.002. NATURE OF AUTHORITY. (a) The authority is a

104-25 conservation and reclamation district.

104-26 (b) The creation of the authority is essential to accomplish

104-27 the purposes of Section 59, Article XVI, Texas Constitution. (Acts

104-28 54th Leg., R.S., Ch. 508, Sec. 1 (part).)

104-29 Sec. 9063.003. AUTHORITY TERRITORY. The authority consists

104-30 of the territory included in the boundaries of County Commissioners

104-31 Precincts 1 and 2 of Jasper County, as those boundaries existed on

104-32 June 22, 1955. The authority's territory may have been modified

104-33 under:

104-34 (1) Subchapter O, Chapter 51, Water Code;

104-35 (2) Subchapter J, Chapter 49, Water Code; or

104-36 (3) other law. (Acts 54th Leg., R.S., Ch. 508, Sec. 1

104-37 (part); New.)

104-38 Sec. 9063.004. SABINE RIVER AUTHORITY NOT AFFECTED;

104-39 LEGISLATIVE INTENT. In enacting Chapter 508, Acts of the 54th

104-40 Legislature, Regular Session, 1955, revised as this chapter, the

104-41 legislature intended to preserve the area and authority of the

104-42 Sabine River Authority as that area and authority existed on June

104-43 22, 1955, and this chapter may not be construed as limiting the area

104-44 and authority of the Sabine River Authority as it existed on June

104-45 22, 1955. (Acts 54th Leg., R.S., Ch. 508, Sec. 4 (part).)

104-46 SUBCHAPTER B. BOARD OF DIRECTORS

104-47 Sec. 9063.051. COMPOSITION OF BOARD. The authority is

104-48 governed by a board of five elected directors. (Acts 54th Leg.,

104-49 R.S., Ch. 508, Sec. 2 (part).)

104-50 Sec. 9063.052. QUALIFICATIONS FOR OFFICE. (a) A director

104-51 must be:

104-52 (1) at least 18 years of age;

104-53 (2) a resident of the state and authority; and

104-54 (3) the owner of property subject to taxation in the

104-55 authority.

104-56 (b) At least one director must reside in County

104-57 Commissioners Precinct 1 of Jasper County. (Acts 54th Leg., R.S.,

104-58 Ch. 508, Sec. 2 (part).)

104-59 SUBCHAPTER C. POWERS AND DUTIES

104-60 Sec. 9063.101. GENERAL POWERS. The authority may exercise

104-61 the rights, privileges, and functions provided by this chapter.

104-62 (Acts 54th Leg., R.S., Ch. 508, Sec. 1 (part).)

104-63 Sec. 9063.102. WATER CONTROL AND IMPROVEMENT DISTRICT

104-64 POWERS. The authority has the rights, powers, privileges, and

104-65 duties provided by general law applicable to a water control and

104-66 improvement district created under Section 59, Article XVI, Texas

104-67 Constitution, including Chapters 49 and 51, Water Code. (Acts 54th

104-68 Leg., R.S., Ch. 508, Sec. 3 (part); New.)

104-69 Sec. 9063.103. COOPERATION AND AGREEMENTS WITH OTHER



105-1 AGENCIES. (a) On terms the board determines to be in the best  
 105-2 interests of the authority, the authority may cooperate and enter  
 105-3 into agreements with another political subdivision of the state,  
 105-4 including the Sabine River Authority, for the construction,  
 105-5 improvement, extension, maintenance, repair, and operation of  
 105-6 water supply and distribution projects and facilities in the  
 105-7 authority.

105-8 (b) The authority may, separately or jointly with an agency  
 105-9 described by Subsection (a), acquire, construct, enlarge, improve,  
 105-10 extend, repair, maintain, and operate water distribution projects  
 105-11 and facilities for supplying water to users in the authority. (Acts  
 105-12 54th Leg., R.S., Ch. 508, Sec. 4 (part).)

105-13 Sec. 9063.104. COST OF RELOCATING OR ALTERING PROPERTY. If  
 105-14 the authority's exercise of the power of eminent domain, the power  
 105-15 of relocation, or any other power granted by this chapter makes  
 105-16 necessary relocating, raising, rerouting, changing the grade of, or  
 105-17 altering the construction of a railroad, highway or other public  
 105-18 road, electric transmission line, or telephone or telegraph  
 105-19 property or facility, the necessary action shall be accomplished at  
 105-20 the sole expense of the authority. (Acts 54th Leg., R.S., Ch. 508,  
 105-21 Sec. 3a.)

105-22 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

105-23 Sec. 9063.151. TAX METHOD; HEARING REQUIRED. Before an  
 105-24 election authorizing bonds, the board must hold a public hearing on  
 105-25 the adoption of the plan of taxation to be used by the authority and  
 105-26 adopt a plan of taxation. (Acts 54th Leg., R.S., Ch. 508, Sec. 3  
 105-27 (part).)

105-28 SECTION 1.07. Subtitle X, Title 6, Special District Local  
 105-29 Laws Code, is amended by adding Chapters 11005, 11006, and 11007 to  
 105-30 read as follows:

105-31 CHAPTER 11005. MUENSTER WATER DISTRICT

105-32 SUBCHAPTER A. GENERAL PROVISIONS

105-33 Sec. 11005.001. DEFINITIONS  
 105-34 Sec. 11005.002. NATURE OF DISTRICT  
 105-35 Sec. 11005.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE

105-36 SUBCHAPTER B. DISTRICT TERRITORY; ANNEXATION

105-37 Sec. 11005.051. DISTRICT TERRITORY  
 105-38 Sec. 11005.052. ANNEXATION OF CITY TERRITORY  
 105-39 Sec. 11005.053. ANNEXATION OF OTHER TERRITORY  
 105-40 Sec. 11005.054. DETACHMENT OF DISTRICT TERRITORY AFTER  
 105-41 ISSUANCE OF BONDS

105-42 SUBCHAPTER C. BOARD OF DIRECTORS

105-43 Sec. 11005.101. COMPOSITION OF BOARD; TERMS  
 105-44 Sec. 11005.102. COMPENSATION OF DIRECTORS  
 105-45 Sec. 11005.103. QUALIFICATIONS FOR OFFICE  
 105-46 Sec. 11005.104. VACANCIES  
 105-47 Sec. 11005.105. REMOVAL FROM OFFICE  
 105-48 Sec. 11005.106. BOARD RESOLUTIONS; QUORUM; VOTING  
 105-49 REQUIREMENTS

105-50 Sec. 11005.107. OFFICERS AND ASSISTANTS  
 105-51 Sec. 11005.108. DUTIES OF OFFICERS AND ASSISTANTS  
 105-52 Sec. 11005.109. MEETINGS

105-53 Sec. 11005.110. PERSONAL LIABILITY OF DIRECTORS

105-54 SUBCHAPTER D. POWERS AND DUTIES

105-55 Sec. 11005.151. DISTRICT POWERS  
 105-56 Sec. 11005.152. PERMITS  
 105-57 Sec. 11005.153. GENERAL AUTHORITY OF PUBLIC AGENCIES  
 105-58 AND POLITICAL SUBDIVISIONS TO  
 105-59 CONTRACT WITH DISTRICT

105-60 Sec. 11005.154. DISTRICT AUTHORITY TO CONTRACT TO  
 105-61 SUPPLY WATER

105-62 Sec. 11005.155. SOURCES FOR WATER; ACQUISITION OF  
 105-63 LAND; STORAGE CAPACITY

105-64 Sec. 11005.156. CONSTRUCTION CONTRACTS

105-65 Sec. 11005.157. CONVEYANCE OF LAND TO DISTRICT

105-66 Sec. 11005.158. SURPLUS PROPERTY

105-67 Sec. 11005.159. EMINENT DOMAIN

105-  
 105-

106-1 Sec. 11005.160. COST OF RELOCATING OR ALTERING  
106-2 PROPERTY; RIGHTS-OF-WAY AND  
106-3 EASEMENTS  
106-4 Sec. 11005.161. OTHER DISTRICT POWERS  
106-5 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS  
106-6 Sec. 11005.201. DEPOSITORY  
106-7 Sec. 11005.202. INVESTMENT OF DISTRICT MONEY  
106-8 Sec. 11005.203. DISTRICT FACILITIES EXEMPT FROM  
106-9 TAXATION AND ASSESSMENT  
106-10 SUBCHAPTER F. BONDS  
106-11 Sec. 11005.251. AUTHORITY TO ISSUE BONDS  
106-12 Sec. 11005.252. FORM OF BONDS  
106-13 Sec. 11005.253. MATURITY  
106-14 Sec. 11005.254. ELECTION FOR BONDS PAYABLE FROM AD  
106-15 VALOREM TAXES  
106-16 Sec. 11005.255. BONDS SECURED BY REVENUE; ADDITIONAL  
106-17 BONDS  
106-18 Sec. 11005.256. BONDS PAYABLE FROM AD VALOREM TAXES  
106-19 Sec. 11005.257. ADDITIONAL SECURITY  
106-20 Sec. 11005.258. TRUST INDENTURE  
106-21 Sec. 11005.259. RATES FOR SERVICES; PAYMENT OF REVENUE  
106-22 BONDS  
106-23 Sec. 11005.260. USE OF BOND PROCEEDS  
106-24 Sec. 11005.261. APPOINTMENT OF RECEIVER  
106-25 Sec. 11005.262. REFUNDING BONDS  
106-26 Sec. 11005.263. LIMITATION ON RIGHTS OF BONDHOLDERS  
106-27 Sec. 11005.264. BONDS EXEMPT FROM TAXATION  
106-28 CHAPTER 11005. MUESTER WATER DISTRICT  
106-29 SUBCHAPTER A. GENERAL PROVISIONS  
106-30 Sec. 11005.001. DEFINITIONS. In this chapter:  
106-31 (1) "Board" means the board of directors of the  
106-32 district.  
106-33 (2) "City" means the city of Muenster.  
106-34 (3) "City council" means the city council of the city.  
106-35 (4) "Director" means a member of the board appointed  
106-36 by the city council.  
106-37 (5) "District" means the Muenster Water District.  
106-38 (Acts 63rd Leg., R.S., Ch. 619, Secs. 1 (part), 2 (part), 4(a)  
106-39 (part); New.)  
106-40 Sec. 11005.002. NATURE OF DISTRICT. The district is a  
106-41 conservation and reclamation district created under Section 59,  
106-42 Article XVI, Texas Constitution. (Acts 63rd Leg., R.S., Ch. 619,  
106-43 Sec. 1 (part).)  
106-44 Sec. 11005.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
106-45 (a) All territory and taxable property in the city will benefit  
106-46 from the works and improvements of the district.  
106-47 (b) The accomplishment of the purposes stated in this  
106-48 chapter will benefit the people of this state and improve their  
106-49 property and industries.  
106-50 (c) The district, in carrying out the purposes of this  
106-51 chapter, will be performing an essential public function under the  
106-52 constitution. (Acts 63rd Leg., R.S., Ch. 619, Secs. 2 (part), 22  
106-53 (part).)  
106-54 SUBCHAPTER B. DISTRICT TERRITORY; ANNEXATION  
106-55 Sec. 11005.051. DISTRICT TERRITORY. (a) The boundaries of  
106-56 the district are coextensive with the boundaries of the city as  
106-57 those boundaries existed on January 1, 1973, and as the district  
106-58 territory may have been modified under:  
106-59 (1) this subchapter or its predecessor statute,  
106-60 Section 7, Chapter 619, Acts of the 63rd Legislature, Regular  
106-61 Session, 1973;  
106-62 (2) Subchapter J, Chapter 49, Water Code; or  
106-63 (3) other law.  
106-64 (b) An invalidity in the fixing of the boundaries of the  
106-65 city as they existed on January 1, 1973, does not affect the  
106-66 boundaries of the district. (Acts 63rd Leg., R.S., Ch. 619, Sec. 2  
106-67 (part); New.)  
106-68 Sec. 11005.052. ANNEXATION OF CITY TERRITORY. (a)  
106-69 Territory annexed to the city after January 1, 1973, may be annexed

107-1 to the district as provided by this section.

107-2 (b) At any time after final passage of an ordinance or  
107-3 resolution annexing territory to the city, the board may give  
107-4 notice of a hearing on the question of annexing that territory to  
107-5 the district. The notice is sufficient if it:

107-6 (1) states the date and place of the hearing; and

107-7 (2) describes the territory proposed to be annexed or  
107-8 refers to the annexation ordinance or resolution of the city.

107-9 (c) At least 10 days before the date set for the hearing, the  
107-10 notice must be published one time in a newspaper of general  
107-11 circulation in the city.

107-12 (d) If, as a result of the hearing, the board finds that the  
107-13 territory will benefit from the present or contemplated  
107-14 improvements, works, or facilities of the district, the board shall  
107-15 adopt a resolution annexing the territory to the district.

107-16 (e) After the territory is annexed to the district, the  
107-17 board may hold an election in the entire district to determine  
107-18 whether:

107-19 (1) the entire district will assume any tax-supported  
107-20 bonds then outstanding and those bonds previously voted but not yet  
107-21 sold; and

107-22 (2) an ad valorem tax for the payment of the bonds will  
107-23 be imposed on all taxable property in the district.

107-24 (f) An election held under Subsection (e) must be held and  
107-25 notice must be given in the same manner as an election is held and  
107-26 notice is given under Section 11005.254 for the issuance of bonds.  
107-27 (Acts 63rd Leg., R.S., Ch. 619, Secs. 7 (part), (a), (b), (c), (d).)

107-28 Sec. 11005.053. ANNEXATION OF OTHER TERRITORY. (a)  
107-29 Territory other than territory subject to Section 11005.052 may be  
107-30 annexed to the district as provided by this section.

107-31 (b) The board may annex territory or a municipality under  
107-32 this section only if a petition requesting annexation is signed by  
107-33 50 registered voters of the territory or municipality to be  
107-34 annexed, or a majority of the registered voters of that territory or  
107-35 municipality, whichever is fewer, and is filed with the board. The  
107-36 petition must describe the territory to be annexed by metes and  
107-37 bounds, or otherwise. If the territory is the same as that  
107-38 contained in the boundaries of a municipality, the petition is  
107-39 sufficient if it states that the territory to be annexed is the  
107-40 territory contained in the municipal boundaries.

107-41 (c) If the board finds that the petition complies with  
107-42 Subsection (b), that the annexation would be in the best interest of  
107-43 the territory or municipality and the district, and that the  
107-44 district will be able to supply water to the territory or  
107-45 municipality, the board shall:

107-46 (1) adopt a resolution stating the conditions, if any,  
107-47 under which the territory or municipality may be annexed to the  
107-48 district; and

107-49 (2) set a time and place to hold a hearing on the  
107-50 question of whether the territory or municipality to be annexed  
107-51 will benefit from:

107-52 (A) the improvements, works, or facilities owned  
107-53 or operated or contemplated to be owned or operated by the district;  
107-54 or

107-55 (B) the other functions of the district.

107-56 (d) At least 10 days before the date of the hearing, notice  
107-57 of the adoption of the resolution stating the time and place of the  
107-58 hearing must be published one time in a newspaper of general  
107-59 circulation in the territory or municipality proposed to be  
107-60 annexed. The notice must describe the territory in the same manner  
107-61 in which Subsection (b) requires or permits the petition to  
107-62 describe the territory.

107-63 (e) Any interested person may appear at the hearing and  
107-64 offer evidence for or against the annexation.

107-65 (f) The hearing may proceed in the order and under the rules  
107-66 prescribed by the board. The hearing may be recessed from time to  
107-67 time.

107-68 (g) If, at the conclusion of the hearing, the board finds  
107-69 that the property in the territory or municipality will benefit

108-1 from the present or contemplated improvements, works, or facilities  
 108-2 of the district, the board shall adopt a resolution making a finding  
 108-3 of the benefit and calling an election in the territory or  
 108-4 municipality to be annexed.

108-5 (h) The resolution must state:

108-6 (1) the date of the election;

108-7 (2) each place where the election will be held; and

108-8 (3) the proposition to be voted on.

108-9 (i) At least 10 days before the date set for the election,  
 108-10 notice of the election must be given by publishing a substantial  
 108-11 copy of the resolution calling the election one time in a newspaper  
 108-12 of general circulation in the territory proposed to be annexed.

108-13 (j) In calling an election on the proposition for annexation  
 108-14 of the territory or municipality, the board may include, as part of  
 108-15 the same proposition or as a separate proposition, a proposition  
 108-16 for:

108-17 (1) the territory to assume its part of the  
 108-18 tax-supported bonds of the district then outstanding and those  
 108-19 bonds previously voted but not yet sold; and

108-20 (2) an ad valorem tax to be imposed on taxable property  
 108-21 in the territory along with the tax in the rest of the district for  
 108-22 the payment of the bonds.

108-23 (k) If a majority of the votes cast at the election are in  
 108-24 favor of annexation, the board by resolution shall annex the  
 108-25 territory to the district.

108-26 (l) An annexation under this section is incontestable  
 108-27 except in the manner and within the time for contesting elections  
 108-28 under the Election Code. (Acts 63rd Leg., R.S., Ch. 619, Sec. 7(e)  
 108-29 (part).)

108-30 Sec. 11005.054. DETACHMENT OF DISTRICT TERRITORY AFTER  
 108-31 ISSUANCE OF BONDS. Territory may not be detached from the district  
 108-32 after the issuance of bonds payable from revenue or taxes, or both  
 108-33 revenue and taxes. (Acts 63rd Leg., R.S., Ch. 619, Sec. 17(a)  
 108-34 (part).)

#### 108-35 SUBCHAPTER C. BOARD OF DIRECTORS

108-36 Sec. 11005.101. COMPOSITION OF BOARD; TERMS. (a) The  
 108-37 district is governed by a board of five directors appointed by the  
 108-38 city council. The directors occupy numbered places on the board.

108-39 (b) Directors serve staggered two-year terms, with the  
 108-40 terms of the directors occupying Places 1, 2, and 3 expiring at  
 108-41 midnight on March 1 of each odd-numbered year and the terms of the  
 108-42 directors occupying Places 4 and 5 expiring at midnight on March 1  
 108-43 of each even-numbered year.

108-44 (c) The mayor of the city serves, ex officio, as an honorary  
 108-45 board member. The mayor may attend all board meetings and  
 108-46 participate in all board proceedings except that the mayor may not  
 108-47 vote. (Acts 63rd Leg., R.S., Ch. 619, Sec. 4(a) (part).)

108-48 Sec. 11005.102. COMPENSATION OF DIRECTORS. (a) A director  
 108-49 may not receive any remuneration or emolument of office, but the  
 108-50 director is entitled to reimbursement for the actual expenses  
 108-51 incurred in performing the director's duties, to the extent  
 108-52 authorized and permitted by the board.

108-53 (b) In all areas of conflict with Subsection (a) of this  
 108-54 section, Section 49.060, Water Code, takes precedence.

108-55 (c) A director's compensation may be increased as  
 108-56 authorized by Section 49.060, Water Code, by resolution adopted by  
 108-57 the board in accordance with Subsection (e) of that section on or  
 108-58 after September 1, 1995. (Acts 63rd Leg., R.S., Ch. 619, Sec. 5(a);  
 108-59 New.)

108-60 Sec. 11005.103. QUALIFICATIONS FOR OFFICE. (a) To be  
 108-61 eligible to be appointed or to serve as a director, a person:

108-62 (1) must be a resident, qualified voter of the  
 108-63 district;

108-64 (2) must not hold any other public office; and

108-65 (3) must not be an officer or employee of the city.

108-66 (b) A director is eligible for reappointment. (Acts 63rd  
 108-67 Leg., R.S., Ch. 619, Secs. 4(a) (part), (b).)

108-68 Sec. 11005.104. VACANCIES. Any vacancy occurring on the  
 108-69 board shall be filled for the unexpired term by appointment in the



109-1 manner in which the vacating director was appointed. (Acts 63rd  
109-2 Leg., R.S., Ch. 619, Sec. 4(a) (part).)

109-3 Sec. 11005.105. REMOVAL FROM OFFICE. (a) After reasonable  
109-4 notice and a public hearing, the board may remove a director from  
109-5 office for misfeasance, malfeasance, or wilful neglect of duty.

109-6 (b) Reasonable notice and a public hearing are not required  
109-7 if the notice and hearing are expressly waived in writing. (Acts  
109-8 63rd Leg., R.S., Ch. 619, Sec. 4(c).)

109-9 Sec. 11005.106. BOARD RESOLUTIONS; QUORUM; VOTING  
109-10 REQUIREMENTS. (a) The district shall act through resolutions  
109-11 adopted by the board.

109-12 (b) Three directors constitute a quorum.

109-13 (c) Each director has a vote.

109-14 (d) The affirmative vote of at least three directors is  
109-15 necessary to adopt any resolution. (Acts 63rd Leg., R.S., Ch. 619,  
109-16 Sec. 5(c).)

109-17 Sec. 11005.107. OFFICERS AND ASSISTANTS. (a) The board  
109-18 shall elect a president, vice president, secretary, and treasurer  
109-19 at the first meeting of the board in March of each year or at any  
109-20 time necessary to fill a vacancy.

109-21 (b) The board shall elect the president and vice president  
109-22 from among the directors.

109-23 (c) The president shall serve for a term of one year.

109-24 (d) The offices of secretary and treasurer:

109-25 (1) may be held by one person; and

109-26 (2) are not required to be held by a director.

109-27 (e) The board may appoint as assistant board secretary one  
109-28 or more persons who are not directors. (Acts 63rd Leg., R.S., Ch.  
109-29 619, Secs. 5(b) (part), (d) (part).)

109-30 Sec. 11005.108. DUTIES OF OFFICERS AND ASSISTANTS. (a) The  
109-31 board president shall preside at board meetings and perform other  
109-32 duties prescribed by the board.

109-33 (b) The board secretary is the official custodian of the  
109-34 minutes, books, records, and seal of the board and shall perform  
109-35 other duties and functions prescribed by the board. An assistant  
109-36 board secretary may perform any duty or function of the board  
109-37 secretary.

109-38 (c) The board treasurer shall perform duties and functions  
109-39 prescribed by the board. (Acts 63rd Leg., R.S., Ch. 619, Sec. 5(b)  
109-40 (part).)

109-41 Sec. 11005.109. MEETINGS. The board shall have regular  
109-42 meetings at times specified by board resolution and shall have  
109-43 special meetings when called by the board president or by any three  
109-44 directors. (Acts 63rd Leg., R.S., Ch. 619, Sec. 5(e).)

109-45 Sec. 11005.110. PERSONAL LIABILITY OF DIRECTORS. A  
109-46 director is not personally liable for any bond issued or contract  
109-47 executed by the district. (Acts 63rd Leg., R.S., Ch. 619, Sec.  
109-48 5(f).)

#### 109-49 SUBCHAPTER D. POWERS AND DUTIES

109-50 Sec. 11005.151. DISTRICT POWERS. The district may exercise  
109-51 any power necessary or appropriate to achieve the purposes of this  
109-52 chapter, including the power to:

109-53 (1) sue and be sued, and plead and be impleaded, in its  
109-54 own name;

109-55 (2) adopt an official seal;

109-56 (3) adopt and enforce bylaws and rules for the conduct  
109-57 of its affairs;

109-58 (4) acquire, hold, use, and dispose of its receipts  
109-59 and money from any source;

109-60 (5) select a depository or depositories;

109-61 (6) acquire, own, rent, lease, accept, hold, or  
109-62 dispose of property, or an interest in property, including a right  
109-63 or easement, by purchase, exchange, gift, assignment,  
109-64 condemnation, sale, lease, or otherwise, in performing district  
109-65 duties or exercising district powers under this chapter;

109-66 (7) hold, manage, operate, or improve property;

109-67 (8) lease or rent any land, building, structure, or  
109-68 facility from or to any person;

109-69 (9) sell, assign, lease, encumber, mortgage, or

110-1 otherwise dispose of property, or an interest in property, and  
 110-2 release or relinquish a right, title, claim, lien, interest,  
 110-3 easement, or demand, regardless of the manner in which acquired,  
 110-4 and conduct a transaction authorized by this subdivision by public  
 110-5 or private sale, with or without public bidding;

110-6 (10) issue bonds, provide for and secure the payment  
 110-7 of the bonds, and provide for the rights of the holders of the bonds  
 110-8 in the manner and to the extent authorized by this chapter;

110-9 (11) request and accept any appropriation, grant,  
 110-10 allocation, subsidy, guaranty, aid, service, material, or gift from  
 110-11 any source, including the federal government, the state, a public  
 110-12 agency, or a political subdivision;

110-13 (12) operate and maintain an office;

110-14 (13) appoint and determine the duties, tenure,  
 110-15 qualifications, and compensation of officers, employees, agents,  
 110-16 professional advisors, and counselors considered necessary or  
 110-17 advisable by the board, including financial consultants,  
 110-18 accountants, attorneys, architects, engineers, appraisers, and  
 110-19 financing experts; and

110-20 (14) exercise any power granted by Chapter 30, Water  
 110-21 Code, to districts created under Section 59, Article XVI, Texas  
 110-22 Constitution. (Acts 63rd Leg., R.S., Ch. 619, Sec. 6 (part).)

110-23 Sec. 11005.152. PERMITS. (a) The district may obtain  
 110-24 through appropriate proceedings an appropriation permit or a  
 110-25 diversion permit from the Texas Commission on Environmental  
 110-26 Quality.

110-27 (b) The district may acquire a water appropriation permit  
 110-28 from a permit owner by contract or otherwise. (Acts 63rd Leg., R.S.,  
 110-29 Ch. 619, Sec. 8 (part).)

110-30 Sec. 11005.153. GENERAL AUTHORITY OF PUBLIC AGENCIES AND  
 110-31 POLITICAL SUBDIVISIONS TO CONTRACT WITH DISTRICT. A public agency  
 110-32 or political subdivision of this state, including the city, may  
 110-33 enter into a contract or agreement with the district, on terms  
 110-34 agreed to by the parties, for any purpose relating to the district's  
 110-35 powers or functions, including a contract or agreement for a water  
 110-36 supply. Approval, notice, consent, or an election is not required  
 110-37 in connection with the contract or agreement. (Acts 63rd Leg.,  
 110-38 R.S., Ch. 619, Sec. 9(b) (part).)

110-39 Sec. 11005.154. DISTRICT AUTHORITY TO CONTRACT TO SUPPLY  
 110-40 WATER. (a) The district may contract with municipalities and  
 110-41 others, including the city, to supply water to them. The district  
 110-42 may sell water inside or outside the boundaries of the district.

110-43 (b) The district may contract with a public agency or  
 110-44 political subdivision for the rental or leasing of or for the  
 110-45 operation of the water production, water supply, water filtration  
 110-46 or purification, and water supply facilities of the entity on the  
 110-47 consideration agreed to by the district and the entity.

110-48 (c) A contract under Subsection (a) or (b) may:

110-49 (1) be on terms and for the time agreed to by the  
 110-50 parties; and

110-51 (2) provide that it will continue in effect until  
 110-52 bonds specified in it and refunding bonds issued in lieu of the  
 110-53 bonds are paid.

110-54 (d) The district may contract with the city for the  
 110-55 operation of the district's water facilities by the city. An  
 110-56 election is not required in connection with the contract. (Acts  
 110-57 63rd Leg., R.S., Ch. 619, Secs. 9(a) (part), 19.)

110-58 Sec. 11005.155. SOURCES FOR WATER; ACQUISITION OF LAND;  
 110-59 STORAGE CAPACITY. (a) The district may acquire or construct,  
 110-60 inside or outside the district, a reservoir or any work, plant,  
 110-61 transmission line, or other facility necessary or useful to divert,  
 110-62 impound, store, treat, or transport to the city and others water for  
 110-63 municipal, domestic, industrial, mining, oil flooding, or any other  
 110-64 useful purpose.

110-65 (b) The district may develop or otherwise acquire  
 110-66 underground sources of water.

110-67 (c) The district may acquire land, or an interest in land,  
 110-68 inside or outside the district, for any work, plant, or other  
 110-69 facility necessary or useful to divert, impound, store, treat, or

111-1 transport to the city and others water for municipal, domestic,  
111-2 industrial, mining, oil flooding, or any other useful purpose.

111-3 (d) The district may lease, purchase, or otherwise acquire  
111-4 rights in and to storage and storage capacity in any reservoir  
111-5 constructed or to be constructed by any person or from the United  
111-6 States. (Acts 63rd Leg., R.S., Ch. 619, Secs. 8 (part), 9(a)  
111-7 (part), 10 (part).)

111-8 Sec. 11005.156. CONSTRUCTION CONTRACTS. (a) The district  
111-9 may award a construction contract that requires an expenditure of  
111-10 more than \$5,000 only after publication of notice to bidders once  
111-11 each week for two weeks in a newspaper of general circulation in the  
111-12 district.

111-13 (b) The notice is sufficient if it states:

111-14 (1) the time and place for opening the bids;

111-15 (2) the general nature of the work to be done or the  
111-16 material, equipment, or supplies to be purchased; and

111-17 (3) where the terms of bidding and copies of the plans  
111-18 and specifications may be obtained. (Acts 63rd Leg., R.S., Ch. 619,  
111-19 Sec. 12.)

111-20 Sec. 11005.157. CONVEYANCE OF LAND TO DISTRICT. A public  
111-21 agency or political subdivision of this state, including the city,  
111-22 may lease, sell, or otherwise convey its land or an interest in its  
111-23 land to the district for consideration that the parties agree is  
111-24 adequate. Approval, notice, consent, or an election is not  
111-25 required in connection with the conveyance. (Acts 63rd Leg., R.S.,  
111-26 Ch. 619, Sec. 9(b) (part).)

111-27 Sec. 11005.158. SURPLUS PROPERTY. Subject to the terms of a  
111-28 resolution or deed of trust authorizing or securing bonds issued by  
111-29 the district, the district may sell, lease, rent, trade, or  
111-30 otherwise dispose of property that the board considers is not  
111-31 needed for a district purpose. (Acts 63rd Leg., R.S., Ch. 619, Sec.  
111-32 10 (part).)

111-33 Sec. 11005.159. EMINENT DOMAIN. (a) To carry out a power  
111-34 conferred by this chapter, the district may exercise the power of  
111-35 eminent domain to acquire the fee simple title to land, or any other  
111-36 interest in land, and other property and easements, inside or  
111-37 outside the district, including land or an interest in land needed  
111-38 for a reservoir, dam, or flood easement above the probable  
111-39 high-water line around a reservoir.

111-40 (b) The district must exercise the power of eminent domain  
111-41 in the manner provided by Chapter 21, Property Code.

111-42 (c) The district is a municipal corporation for the purposes  
111-43 of Chapter 21, Property Code.

111-44 (d) The board shall determine the amount and the type of  
111-45 interest in land, other property, or easements to be acquired under  
111-46 this section. (Acts 63rd Leg., R.S., Ch. 619, Sec. 11(a) (part).)

111-47 Sec. 11005.160. COST OF RELOCATING OR ALTERING PROPERTY;  
111-48 RIGHTS-OF-WAY AND EASEMENTS. (a) If the district's exercise of its  
111-49 eminent domain, police, or other power requires relocating,  
111-50 raising, lowering, rerouting, or changing the grade of or altering  
111-51 the construction of any railroad, electric transmission,  
111-52 telegraph, or telephone line, conduit, pole, property, or facility  
111-53 or pipeline, the action shall be accomplished at the sole expense of  
111-54 the district. The term "sole expense" means the actual cost of the  
111-55 lowering, rerouting, or change in grade or alteration of  
111-56 construction to provide a comparable replacement without enhancing  
111-57 the facility, after deducting from the cost the net salvage value  
111-58 derived from the old facility.

111-59 (b) The district has all necessary or useful rights-of-way  
111-60 and easements along, over, under, and across all public, state,  
111-61 municipal, and county roads, highways, and places for any of its  
111-62 purposes. The district shall restore a used facility to its  
111-63 previous condition as nearly as possible at the sole expense of the  
111-64 district. (Acts 63rd Leg., R.S., Ch. 619, Secs. 11(b), (c).)

111-65 Sec. 11005.161. OTHER DISTRICT POWERS. The district has  
111-66 the same power as is conferred by general law on municipal utility  
111-67 districts or on water control and improvement districts, with  
111-68 reference to entering land and making surveys and attending to  
111-69 other business of the district. (Acts 63rd Leg., R.S., Ch. 619,

112-1 Sec. 11(a) (part).)

112-2 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

112-3 Sec. 11005.201. DEPOSITORY. (a) The board shall designate  
112-4 one or more banks inside or outside the district to serve as the  
112-5 depository for the district's money.

112-6 (b) District money shall be deposited in the depository  
112-7 designated by the board, except that:

112-8 (1) bond proceeds and money pledged to pay bonds, to  
112-9 the extent provided in a resolution or trust indenture authorizing  
112-10 or securing district bonds, may be deposited with another bank or  
112-11 trustee named in the bond resolution or trust indenture; and

112-12 (2) money shall be remitted to each paying agent for  
112-13 the payment of principal of and interest on the bonds.

112-14 (c) To the extent that money in a depository bank or trustee  
112-15 bank is not insured by the Federal Deposit Insurance Corporation,  
112-16 the money must be secured in the manner provided by law for the  
112-17 security of municipal money. (Acts 63rd Leg., R.S., Ch. 619, Sec.  
112-18 20 (part).)

112-19 Sec. 11005.202. INVESTMENT OF DISTRICT MONEY. The board  
112-20 may invest district money in obligations and make time deposits of  
112-21 district money in the manner determined by the board or in the  
112-22 manner permitted or required in a resolution or trust indenture  
112-23 authorizing or securing district bonds. (Acts 63rd Leg., R.S., Ch.  
112-24 619, Sec. 20 (part).)

112-25 Sec. 11005.203. DISTRICT FACILITIES EXEMPT FROM TAXATION  
112-26 AND ASSESSMENT. The district is not required to pay a tax or  
112-27 assessment on its facilities or any part of its facilities. (Acts  
112-28 63rd Leg., R.S., Ch. 619, Sec. 22 (part).)

112-29 SUBCHAPTER F. BONDS

112-30 Sec. 11005.251. AUTHORITY TO ISSUE BONDS. (a) The district  
112-31 may issue bonds payable from and secured by revenue or ad valorem  
112-32 taxes, or both revenue and ad valorem taxes, of the district to  
112-33 carry out any power conferred by this chapter. The bonds must be  
112-34 authorized by a board resolution.

112-35 (b) The bonds must be issued in the manner and under the  
112-36 terms of the resolution authorizing the issuance of the bonds.  
112-37 (Acts 63rd Leg., R.S., Ch. 619, Secs. 14(a), (b) (part), (e)  
112-38 (part).)

112-39 Sec. 11005.252. FORM OF BONDS. District bonds must be:

112-40 (1) issued in the district's name;

112-41 (2) signed by the president or vice president; and

112-42 (3) attested by the secretary. (Acts 63rd Leg., R.S.,  
112-43 Ch. 619, Sec. 14(b) (part).)

112-44 Sec. 11005.253. MATURITY. District bonds must mature not  
112-45 later than 40 years after the date of their issuance. (Acts 63rd  
112-46 Leg., R.S., Ch. 619, Sec. 14(b) (part).)

112-47 Sec. 11005.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM  
112-48 TAXES. (a) Bonds, other than refunding bonds, payable wholly or  
112-49 partly from ad valorem taxes may not be issued unless authorized by  
112-50 a majority of the district voters voting at an election held for  
112-51 that purpose.

112-52 (b) The board may call an election under this section  
112-53 without a petition. The resolution calling the election must  
112-54 specify:

112-55 (1) the time and place at which the election will be  
112-56 held;

112-57 (2) the purpose for which the bonds will be issued;

112-58 (3) the amount of the bonds;

112-59 (4) the form of the ballot; and

112-60 (5) other matters the board considers necessary or  
112-61 advisable.

112-62 (c) Notice of the election must be given by publishing a  
112-63 substantial copy of the resolution calling the election in a  
112-64 newspaper of general circulation in the district. The notice must  
112-65 be published once each week for two consecutive weeks. The first  
112-66 publication must be not later than the 14th day before the date of  
112-67 the election.

112-68 (d) The district may issue bonds not payable wholly or  
112-69 partly from ad valorem taxes without an election. (Acts 63rd Leg.,



113-1 R.S., Ch. 619, Secs. 17(a) (part), (b).)

113-2 Sec. 11005.255. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.  
 113-3 (a) District bonds issued may be secured by a pledge of all or part  
 113-4 of the district's revenue, or by all or part of the revenue of one or  
 113-5 more contracts previously or subsequently made or other revenue or  
 113-6 income specified by board resolution or a trust indenture securing  
 113-7 the bonds. The pledge may reserve the right, under conditions  
 113-8 specified by the pledge, to issue additional bonds that will be on a  
 113-9 parity with or subordinate to the bonds then being issued.

113-10 (b) The district may issue bonds secured by both taxes and  
 113-11 revenue of the district described by Subsection (a). (Acts 63rd  
 113-12 Leg., R.S., Ch. 619, Secs. 14(d), (e) (part).)

113-13 Sec. 11005.256. BONDS PAYABLE FROM AD VALOREM TAXES. (a)  
 113-14 If bonds are issued payable wholly or partly from ad valorem taxes,  
 113-15 the board shall annually impose a tax on the taxable property in the  
 113-16 district in an amount sufficient to pay the principal of and  
 113-17 interest on the bonds when due.

113-18 (b) The district may adopt the rate of a tax imposed under  
 113-19 Subsection (a) for any year after giving consideration to the money  
 113-20 received from the pledged revenue that may be available for payment  
 113-21 of principal and interest, to the extent and in the manner permitted  
 113-22 by the resolution authorizing the issuance of the bonds. (Acts 63rd  
 113-23 Leg., R.S., Ch. 619, Secs. 14(e) (part), 23(b) (part).)

113-24 Sec. 11005.257. ADDITIONAL SECURITY. (a) District bonds,  
 113-25 including refunding bonds, that are not payable wholly from ad  
 113-26 valorem taxes may be additionally secured, at the discretion of the  
 113-27 board, by a deed of trust or mortgage lien on physical property of  
 113-28 the district and all franchises, easements, water rights and  
 113-29 appropriation permits, leases, and contracts and all rights  
 113-30 appurtenant to the property, vesting in the trustee power to:

- 113-31 (1) sell the property for the payment of the debt;  
 113-32 (2) operate the property; and  
 113-33 (3) take other action to further secure the bonds.

113-34 (b) A purchaser under a sale under the deed of trust lien, if  
 113-35 one is given:

- 113-36 (1) is the absolute owner of property, facilities, and  
 113-37 rights purchased; and  
 113-38 (2) is entitled to maintain and operate the property,  
 113-39 facilities, and rights. (Acts 63rd Leg., R.S., Ch. 619, Sec. 16  
 113-40 (part).)

113-41 Sec. 11005.258. TRUST INDENTURE. (a) District bonds,  
 113-42 including refunding bonds, that are not payable wholly from ad  
 113-43 valorem taxes may be additionally secured by a trust indenture. The  
 113-44 trustee may be a bank with trust powers located inside or outside  
 113-45 the state.

113-46 (b) A trust indenture, regardless of the existence of a deed  
 113-47 of trust or mortgage lien on property, may:

- 113-48 (1) provide for the security of the bonds and the  
 113-49 preservation of the trust estate as prescribed by the board;  
 113-50 (2) provide for amendment or modification of the trust  
 113-51 indenture;  
 113-52 (3) provide for the issuance of bonds to replace lost  
 113-53 or mutilated bonds;  
 113-54 (4) condition the right to spend district money or  
 113-55 sell district property on the approval of a licensed engineer  
 113-56 selected as provided by the trust indenture; and  
 113-57 (5) provide for the investment of district money.  
 113-58 (Acts 63rd Leg., R.S., Ch. 619, Sec. 16 (part).)

113-59 Sec. 11005.259. RATES FOR SERVICES; PAYMENT OF REVENUE  
 113-60 BONDS. (a) If district bonds payable wholly from revenue are  
 113-61 issued, the board shall set the rates of compensation for water sold  
 113-62 and services provided by the district. The rates must be sufficient  
 113-63 to:

- 113-64 (1) pay the expense of operating and maintaining  
 113-65 district facilities;  
 113-66 (2) pay the principal of and interest on the bonds when  
 113-67 due; and  
 113-68 (3) maintain the reserve fund and other funds as  
 113-69 provided in the resolution authorizing the bonds.

114-1 (b) If bonds payable partly from revenue are issued, the  
 114-2 board shall set the rate of compensation for water sold and any  
 114-3 other services provided by the district. The rate must be  
 114-4 sufficient to ensure compliance with the resolution authorizing the  
 114-5 bonds or the trust indenture securing the bonds. (Acts 63rd Leg.,  
 114-6 R.S., Ch. 619, Sec. 14(f).)

114-7 Sec. 11005.260. USE OF BOND PROCEEDS. (a) The district may  
 114-8 set aside an amount of proceeds from the sale of district bonds for:

114-9 (1) the payment of interest expected to accrue during  
 114-10 construction not to exceed three years;

114-11 (2) a reserve interest and sinking fund; and

114-12 (3) other funds as may be provided in the resolution  
 114-13 authorizing the bonds or in the trust indenture.

114-14 (b) The district may use proceeds from the sale of the bonds  
 114-15 to pay any expense necessarily incurred in accomplishing the  
 114-16 purpose of the district, including any expense of issuing and  
 114-17 selling the bonds. (Acts 63rd Leg., R.S., Ch. 619, Sec. 14(g).)

114-18 Sec. 11005.261. APPOINTMENT OF RECEIVER. (a) On default or  
 114-19 threatened default in the payment of the principal of or interest on  
 114-20 district bonds that are payable wholly or partly from revenue, a  
 114-21 court may, on petition of the holders of outstanding bonds, appoint  
 114-22 a receiver for the district.

114-23 (b) The receiver may collect and receive all district  
 114-24 income, except taxes, employ and discharge district agents and  
 114-25 employees, take charge of money on hand, except money received from  
 114-26 taxes, unless commingled, and manage the proprietary affairs of the  
 114-27 district without consent or hindrance by the board.

114-28 (c) The receiver may be authorized to sell or contract for  
 114-29 the sale of water or to renew those contracts with the approval of  
 114-30 the court that appointed the receiver.

114-31 (d) The court may vest the receiver with any other power or  
 114-32 duty the court finds necessary to protect the bondholders. (Acts  
 114-33 63rd Leg., R.S., Ch. 619, Sec. 14(h) (part).)

114-34 Sec. 11005.262. REFUNDING BONDS. (a) The district may  
 114-35 issue refunding bonds to refund outstanding district bonds and  
 114-36 interest on those bonds.

114-37 (b) Refunding bonds may:

114-38 (1) be issued to refund bonds of more than one series;

114-39 (2) combine the pledges for the outstanding bonds for  
 114-40 the security of the refunding bonds; or

114-41 (3) be secured by a pledge of other or additional  
 114-42 revenue or mortgage liens.

114-43 (c) The provisions of this subchapter regarding the  
 114-44 issuance of other bonds, their security, and the remedies of the  
 114-45 holders apply to refunding bonds.

114-46 (d) The comptroller shall register the refunding bonds on  
 114-47 surrender and cancellation of the bonds to be refunded.

114-48 (e) Instead of issuing bonds to be registered on the  
 114-49 surrender and cancellation of the bonds to be refunded, the  
 114-50 district, in the resolution authorizing the issuance of the  
 114-51 refunding bonds, may provide for the sale of the refunding bonds and  
 114-52 the deposit of the proceeds in a bank at which the bonds to be  
 114-53 refunded are payable. In that case, the refunding bonds may be  
 114-54 issued in an amount sufficient to pay the principal of and interest  
 114-55 and any required redemption premium on the bonds to be refunded to  
 114-56 any redemption date or to their maturity date, and the comptroller  
 114-57 shall register the refunding bonds without the surrender and  
 114-58 cancellation of the bonds to be refunded.

114-59 (f) An election is not required to authorize the issuance of  
 114-60 refunding bonds.

114-61 (g) The district may also issue refunding bonds under any  
 114-62 other applicable law. (Acts 63rd Leg., R.S., Ch. 619, Sec. 15.)

114-63 Sec. 11005.263. LIMITATION ON RIGHTS OF BONDHOLDERS. The  
 114-64 resolution authorizing the bonds or the trust indenture securing  
 114-65 the bonds may limit or qualify the rights of the holders of less  
 114-66 than all of the outstanding bonds payable from the same source to  
 114-67 institute or prosecute litigation affecting the district's  
 114-68 property or income. (Acts 63rd Leg., R.S., Ch. 619, Sec. 14(h)  
 114-69 (part).)

115-1           Sec. 11005.264. BONDS EXEMPT FROM TAXATION. A district  
115-2 bond, the transfer of the bond, and the income from the bond,  
115-3 including profits made on the sale of the bond, are exempt from  
115-4 taxation in this state. (Acts 63rd Leg., R.S., Ch. 619, Sec. 22  
115-5 (part).)

115-6           CHAPTER 11006. SOUTH TEXAS WATER AUTHORITY  
115-7                       SUBCHAPTER A. GENERAL PROVISIONS  
115-8       Sec. 11006.001. DEFINITIONS  
115-9       Sec. 11006.002. NATURE OF AUTHORITY  
115-10      Sec. 11006.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
115-11           SUBCHAPTER B. AUTHORITY TERRITORY; ANNEXATION  
115-12      Sec. 11006.051. AUTHORITY TERRITORY  
115-13      Sec. 11006.052. ANNEXATION OF TERRITORY  
115-14           SUBCHAPTER C. BOARD OF DIRECTORS  
115-15      Sec. 11006.101. COMPOSITION OF BOARD; TERMS  
115-16      Sec. 11006.102. QUALIFICATIONS FOR OFFICE  
115-17      Sec. 11006.103. VACANCIES  
115-18      Sec. 11006.104. REMOVAL FROM OFFICE  
115-19      Sec. 11006.105. BOND  
115-20      Sec. 11006.106. BOARD RESOLUTIONS; VOTING  
115-21      Sec. 11006.107. OFFICERS AND ASSISTANTS  
115-22      Sec. 11006.108. DUTIES OF OFFICERS AND ASSISTANTS  
115-23      Sec. 11006.109. MEETINGS  
115-24      Sec. 11006.110. PERSONAL LIABILITY OF DIRECTORS  
115-25           SUBCHAPTER D. POWERS AND DUTIES  
115-26      Sec. 11006.151. GENERAL POWERS  
115-27      Sec. 11006.152. PERMITS  
115-28      Sec. 11006.153. GENERAL POWER OF PUBLIC AGENCIES AND  
115-29           POLITICAL SUBDIVISIONS TO CONTRACT  
115-30           WITH AUTHORITY  
115-31      Sec. 11006.154. CONTRACTS TO SUPPLY WATER  
115-32      Sec. 11006.155. SOURCES FOR WATER; ACQUISITION OF  
115-33           LAND; STORAGE CAPACITY  
115-34      Sec. 11006.156. CONVEYANCE OF LAND TO AUTHORITY  
115-35      Sec. 11006.157. SURPLUS PROPERTY  
115-36      Sec. 11006.158. EMINENT DOMAIN  
115-37      Sec. 11006.159. COST OF RELOCATING OR ALTERING  
115-38           PROPERTY; RIGHTS-OF-WAY AND  
115-39           EASEMENTS  
115-40      Sec. 11006.160. OTHER AUTHORITY POWERS  
115-41           SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS  
115-42      Sec. 11006.201. DEPOSITORY  
115-43      Sec. 11006.202. INVESTMENT OF AUTHORITY MONEY  
115-44      Sec. 11006.203. AUTHORITY ACCOUNTS  
115-45      Sec. 11006.204. AUTHORITY FACILITIES EXEMPT FROM  
115-46           TAXATION AND ASSESSMENT  
115-47           SUBCHAPTER F. BONDS  
115-48      Sec. 11006.251. AUTHORITY TO ISSUE BONDS  
115-49      Sec. 11006.252. FORM OF BONDS  
115-50      Sec. 11006.253. MATURITY  
115-51      Sec. 11006.254. ELECTION FOR BONDS PAYABLE FROM AD  
115-52           VALOREM TAXES  
115-53      Sec. 11006.255. BONDS SECURED BY REVENUE; ADDITIONAL  
115-54           BONDS  
115-55      Sec. 11006.256. BONDS PAYABLE FROM AD VALOREM TAXES  
115-56      Sec. 11006.257. ADDITIONAL SECURITY  
115-57      Sec. 11006.258. TRUST INDENTURE  
115-58      Sec. 11006.259. CHARGES FOR AUTHORITY SERVICES  
115-59      Sec. 11006.260. USE OF BOND PROCEEDS  
115-60      Sec. 11006.261. APPOINTMENT OF RECEIVER  
115-61      Sec. 11006.262. REFUNDING BONDS  
115-62      Sec. 11006.263. LIMITATION ON RIGHTS OF BONDHOLDERS  
115-63      Sec. 11006.264. BONDS EXEMPT FROM TAXATION  
115-64      Sec. 11006.265. DETACHMENT OF AUTHORITY TERRITORY  
115-65           AFTER ISSUANCE OF BONDS  
115-66           CHAPTER 11006. SOUTH TEXAS WATER AUTHORITY  
115-67                       SUBCHAPTER A. GENERAL PROVISIONS  
115-68           Sec. 11006.001. DEFINITIONS. In this chapter:  
115-69                       (1) "Authority" means the South Texas Water Authority.

116-1 (2) "Board" means the board of directors of the  
116-2 authority.

116-3 (3) "Cities" means the cities of Agua Dulce, Bishop,  
116-4 Driscoll, and Kingsville.

116-5 (4) "Director" means a member of the board. (Acts 66th  
116-6 Leg., R.S., Ch. 436, Secs. 1 (part), 4(a) (part); New.)

116-7 Sec. 11006.002. NATURE OF AUTHORITY. The authority is a  
116-8 conservation and reclamation district created under Section 59,  
116-9 Article XVI, Texas Constitution. (Acts 66th Leg., R.S., Ch. 436,  
116-10 Sec. 1 (part).)

116-11 Sec. 11006.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
116-12 (a) The authority is created to serve a public use and benefit.

116-13 (b) All land and other property in the authority will  
116-14 benefit from the works and projects to be accomplished by the  
116-15 authority under powers conferred by Section 59, Article XVI, Texas  
116-16 Constitution.

116-17 (c) The accomplishment of the purposes stated in this  
116-18 chapter will benefit the people of this state and improve their  
116-19 properties and industries.

116-20 (d) The authority, in carrying out the purposes of this  
116-21 chapter, will be performing an essential public function under the  
116-22 constitution of this state. (Acts 66th Leg., R.S., Ch. 436, Secs.  
116-23 3, 22 (part).)

#### 116-24 SUBCHAPTER B. AUTHORITY TERRITORY; ANNEXATION

116-25 Sec. 11006.051. AUTHORITY TERRITORY. (a) The authority is  
116-26 composed of the territory described by Section 2, Chapter 436, Acts  
116-27 of the 66th Legislature, Regular Session, 1979, as that territory  
116-28 may have been modified under:

116-29 (1) this subchapter or its predecessor statute,  
116-30 Section 7, Chapter 436, Acts of the 66th Legislature, Regular  
116-31 Session, 1979;

116-32 (2) Subchapter J, Chapter 49, Water Code; or

116-33 (3) other law.

116-34 (b) The boundaries of the authority form a closure. A  
116-35 mistake does not affect:

116-36 (1) the authority's organization, existence, or  
116-37 validity;

116-38 (2) the authority's right to issue any type of bond for  
116-39 a purpose for which the authority is created or to pay the principal  
116-40 of and interest on the bond;

116-41 (3) the authority's right to impose a tax; or

116-42 (4) the legality or operation of the authority, its  
116-43 bonds, or its governing body. (Acts 66th Leg., R.S., Ch. 436, Sec.  
116-44 2 (part).)

116-45 Sec. 11006.052. ANNEXATION OF TERRITORY. (a) Territory  
116-46 may be annexed to the authority as provided by this section.

116-47 (b) The board may annex territory or a municipality under  
116-48 this section only if a petition requesting annexation is signed by  
116-49 50 registered voters of the territory or municipality to be  
116-50 annexed, or a majority of the registered voters of that territory or  
116-51 municipality, whichever is fewer, and is filed with the board. The  
116-52 petition must describe the territory to be annexed by metes and  
116-53 bounds, or otherwise, except that if the territory is the same as  
116-54 that contained in the boundaries of a municipality, the petition is  
116-55 sufficient if it states that the territory to be annexed is the  
116-56 territory contained in the municipal boundaries.

116-57 (c) If the board determines that the petition complies with  
116-58 Subsection (b), that the annexation would be in the best interest of  
116-59 the territory or municipality and the authority, and that the  
116-60 authority will be able to supply water or have water supplied to the  
116-61 territory or municipality, the board shall:

116-62 (1) adopt a resolution stating the conditions, if any,  
116-63 under which the territory or municipality may be annexed to the  
116-64 authority; and

116-65 (2) set a time and place to hold a hearing on the  
116-66 question of whether the territory or municipality to be annexed  
116-67 will benefit from:

116-68 (A) the improvements, works, or facilities owned  
116-69 or operated or contemplated to be owned or operated by the



117-1 authority; or

117-2 (B) the other functions of the authority.

117-3 (d) At least 10 days before the date of the hearing, notice  
117-4 of the adoption of the resolution stating the time and place of the  
117-5 hearing must be published one time in a newspaper of general  
117-6 circulation in the territory or municipality proposed to be  
117-7 annexed. The notice must describe the territory in the same manner  
117-8 in which Subsection (b) requires the petition to describe the  
117-9 territory.

117-10 (e) Any interested person may appear at the hearing and  
117-11 offer evidence for or against the annexation.

117-12 (f) The hearing may proceed in the order and under the rules  
117-13 prescribed by the board and may be recessed from time to time.

117-14 (g) If, at the conclusion of the hearing, the board finds  
117-15 that the property in the territory or municipality will benefit  
117-16 from the present or contemplated improvements, works, or  
117-17 facilities, the board shall adopt a resolution making a finding of  
117-18 the benefit and calling an election in the territory or  
117-19 municipality to be annexed.

117-20 (h) The resolution must state:

117-21 (1) the date of the election;

117-22 (2) each place where the election will be held; and

117-23 (3) the proposition to be voted on.

117-24 (i) At least 10 days before the date set for the election,  
117-25 notice of the election must be given by publishing a substantial  
117-26 copy of the resolution calling the election one time in a newspaper  
117-27 of general circulation in the territory or municipality proposed to  
117-28 be annexed.

117-29 (j) If a majority of the votes cast at the election are in  
117-30 favor of annexation, the board by resolution shall annex the  
117-31 territory or municipality to the authority.

117-32 (k) An annexation under this section is incontestable  
117-33 except in the manner and within the time for contesting elections  
117-34 under the Election Code.

117-35 (l) The board is not required to call an election if:

117-36 (1) a petition requesting annexation is signed by all  
117-37 residents and landowners of the territory or municipality to be  
117-38 annexed, the same as provided by law for conveyance of real  
117-39 property; and

117-40 (2) the petition:

117-41 (A) states that the petitioners:

117-42 (i) approve their share of the outstanding  
117-43 bonds or other obligations and the unissued bonds, if any, of the  
117-44 authority; and

117-45 (ii) authorize the board to set rates  
117-46 sufficient to pay their share of the debt and impose taxes  
117-47 sufficient to pay those bonds, if authorized; and

117-48 (B) is filed in the office of the county clerk of  
117-49 each county in which the authority is located. (Acts 66th Leg.,  
117-50 R.S., Ch. 436, Secs. 7(a), (b), (c) (part), (d) (part), (e).)

#### 117-51 SUBCHAPTER C. BOARD OF DIRECTORS

117-52 Sec. 11006.101. COMPOSITION OF BOARD; TERMS. (a) The  
117-53 authority is governed by a board of nine directors. The directors  
117-54 occupy numbered places on the board. The Commissioners Court of  
117-55 Kleberg County shall appoint directors for Places 1, 3, 5, 7, and 9,  
117-56 and the Commissioners Court of Nueces County shall appoint  
117-57 directors for Places 2, 4, 6, and 8.

117-58 (b) Directors serve staggered two-year terms, with the  
117-59 terms of the directors occupying Places 1, 2, 3, and 4 commencing at  
117-60 12:01 a.m. on April 1 of each even-numbered year and the terms of  
117-61 the directors occupying Places 5, 6, 7, 8, and 9 commencing at 12:01  
117-62 a.m. on April 1 of each odd-numbered year.

117-63 (c) In March of each year, the appropriate commissioners  
117-64 court shall appoint directors to the appropriate places on the  
117-65 board. (Acts 66th Leg., R.S., Ch. 436, Sec. 4(a) (part).)

117-66 Sec. 11006.102. QUALIFICATIONS FOR OFFICE. (a) To be  
117-67 eligible to be appointed or to serve as a director, a person:

117-68 (1) must be a resident, qualified voter of:

117-69 (A) the authority; and

118-1 (B) the county from which the person is  
118-2 appointed; and  
118-3 (2) may not:  
118-4 (A) hold another public office; or  
118-5 (B) be an officer or employee of the authority.  
118-6 (b) Of the directors appointed by the Commissioners Court of  
118-7 Nueces County:  
118-8 (1) one must be a resident of the municipality of Agua  
118-9 Dulce;  
118-10 (2) one must be a resident of the municipality of  
118-11 Bishop;  
118-12 (3) one must be a resident of the municipality of  
118-13 Driscoll; and  
118-14 (4) one must be appointed at large and may be a  
118-15 resident of any of those municipalities.  
118-16 (c) A director is eligible for reappointment. (Acts 66th  
118-17 Leg., R.S., Ch. 436, Secs. 4(a) (part), (b).)  
118-18 Sec. 11006.103. VACANCIES. Any vacancy occurring on the  
118-19 board shall be filled for the unexpired term by appointment in the  
118-20 manner in which the vacating director was appointed. (Acts 66th  
118-21 Leg., R.S., Ch. 436, Sec. 4(a) (part).)  
118-22 Sec. 11006.104. REMOVAL FROM OFFICE. After reasonable  
118-23 notice and a public hearing, the board may remove a director from  
118-24 office for misfeasance, malfeasance, or wilful neglect of duty.  
118-25 Reasonable notice and a public hearing are not required if the  
118-26 notice and hearing are expressly waived in writing. (Acts 66th  
118-27 Leg., R.S., Ch. 436, Sec. 4(c).)  
118-28 Sec. 11006.105. BOND. Each director shall execute a good  
118-29 and sufficient bond for \$5,000 that is:  
118-30 (1) payable to the authority; and  
118-31 (2) conditioned on the faithful performance of the  
118-32 director's duties. (Acts 66th Leg., R.S., Ch. 436, Sec. 5(b)  
118-33 (part).)  
118-34 Sec. 11006.106. BOARD RESOLUTIONS; VOTING. (a) The  
118-35 authority shall act by resolutions adopted by the board.  
118-36 (b) All directors are entitled to vote. (Acts 66th Leg.,  
118-37 R.S., Ch. 436, Sec. 5(d) (part).)  
118-38 Sec. 11006.107. OFFICERS AND ASSISTANTS. (a) The board  
118-39 shall elect a president, vice president, secretary, and treasurer  
118-40 at the first meeting of the board in April of each year or at any  
118-41 time necessary to fill a vacancy.  
118-42 (b) The board shall elect the president and vice president  
118-43 from among the directors.  
118-44 (c) The president serves for a one-year term.  
118-45 (d) The offices of secretary and treasurer:  
118-46 (1) may be held by one person; and  
118-47 (2) are not required to be held by a director.  
118-48 (e) The board may appoint as assistant board secretary one  
118-49 or more persons who are not directors. (Acts 66th Leg., R.S., Ch.  
118-50 436, Secs. 5(c) (part), (e) (part).)  
118-51 Sec. 11006.108. DUTIES OF OFFICERS AND ASSISTANTS. (a) The  
118-52 board president shall preside at board meetings and perform other  
118-53 duties prescribed by the board.  
118-54 (b) The board vice president shall perform the duties of the  
118-55 president when the president is not present or is otherwise  
118-56 incapacitated.  
118-57 (c) The board secretary is the official custodian of the  
118-58 minutes, books, records, and seal of the board and shall perform  
118-59 other duties and functions prescribed by the board. An assistant  
118-60 board secretary may perform any duty or function of the board  
118-61 secretary.  
118-62 (d) The board treasurer shall perform duties and functions  
118-63 prescribed by the board. (Acts 66th Leg., R.S., Ch. 436, Sec. 5(c)  
118-64 (part).)  
118-65 Sec. 11006.109. MEETINGS. The board shall have regular  
118-66 meetings at times specified by board resolution and shall have  
118-67 special meetings when called by the board president or by any three  
118-68 directors. (Acts 66th Leg., R.S., Ch. 436, Sec. 5(f).)  
118-69 Sec. 11006.110. PERSONAL LIABILITY OF DIRECTORS. A

119-1 director is not personally liable for a bond issued or contract  
 119-2 executed by the authority. (Acts 66th Leg., R.S., Ch. 436, Sec.  
 119-3 5(g).)

119-4 SUBCHAPTER D. POWERS AND DUTIES

119-5 Sec. 11006.151. GENERAL POWERS. The authority may exercise  
 119-6 any power necessary or appropriate to achieve the purposes of this  
 119-7 chapter, including the power to:

119-8 (1) sue and be sued and plead and be impleaded in its  
 119-9 own name;

119-10 (2) adopt an official seal;

119-11 (3) adopt and enforce bylaws and rules for the conduct  
 119-12 of its affairs;

119-13 (4) acquire, hold, use, and dispose of its receipts  
 119-14 and money from any source;

119-15 (5) select a depository or depositories;

119-16 (6) acquire, own, rent, lease, accept, hold, or  
 119-17 dispose of property, or an interest in property, including a right  
 119-18 or easement, by purchase, exchange, gift, assignment,  
 119-19 condemnation, sale, lease, or otherwise, in performing authority  
 119-20 duties or exercising authority powers under this chapter;

119-21 (7) hold, manage, operate, or improve property;

119-22 (8) lease or rent any land, building, structure, or  
 119-23 facility from or to any person;

119-24 (9) sell, assign, lease, encumber, mortgage, or  
 119-25 otherwise dispose of property, or an interest in property, and  
 119-26 release or relinquish a right, title, claim, lien, interest,  
 119-27 easement, or demand, regardless of the manner in which acquired,  
 119-28 and conduct a transaction authorized by this subdivision by public  
 119-29 or private sale, with or without public bidding, notwithstanding  
 119-30 any other law;

119-31 (10) issue bonds, provide for and secure the payment  
 119-32 of the bonds, and provide for the rights of the holders of the bonds  
 119-33 in the manner and to the extent authorized by this chapter;

119-34 (11) request and accept any appropriation, grant,  
 119-35 allocation, subsidy, guaranty, aid, service, material, or gift from  
 119-36 any source, including the federal government, the state, a public  
 119-37 agency, or a political subdivision;

119-38 (12) operate and maintain an office;

119-39 (13) appoint and determine the duties, tenure,  
 119-40 qualifications, and compensation of officers, employees, agents,  
 119-41 professional advisors, and counselors, including financial  
 119-42 consultants, accountants, attorneys, architects, engineers,  
 119-43 appraisers, and financing experts considered necessary or  
 119-44 advisable by the board; and

119-45 (14) exercise any power granted by Chapter 383, Health  
 119-46 and Safety Code, or Chapter 30, Water Code. (Acts 66th Leg., R.S.,  
 119-47 Ch. 436, Secs. 6(a), (b), (c), (d), (e), (f), (g), (h), (i), (k).)

119-48 Sec. 11006.152. PERMITS. (a) The authority may obtain,  
 119-49 through appropriate proceedings, an appropriation permit or a  
 119-50 diversion permit from the Texas Commission on Environmental  
 119-51 Quality.

119-52 (b) The authority may acquire a water appropriation permit  
 119-53 from a permit owner by contract or otherwise. (Acts 66th Leg.,  
 119-54 R.S., Ch. 436, Sec. 8 (part).)

119-55 Sec. 11006.153. GENERAL POWER OF PUBLIC AGENCIES AND  
 119-56 POLITICAL SUBDIVISIONS TO CONTRACT WITH AUTHORITY. A public agency  
 119-57 or political subdivision of this state, including the cities, may  
 119-58 enter into a contract or agreement with the authority, on terms  
 119-59 agreed to by the parties, for any purpose relating to the  
 119-60 authority's powers or functions. Approval, notice, consent, or an  
 119-61 election is not required in connection with the contract or  
 119-62 agreement. (Acts 66th Leg., R.S., Ch. 436, Sec. 9(b) (part).)

119-63 Sec. 11006.154. CONTRACTS TO SUPPLY WATER. (a) The  
 119-64 authority may contract with public agencies or political  
 119-65 subdivisions, including the cities, to supply water to them. The  
 119-66 authority may sell water inside or outside the boundaries of the  
 119-67 authority.

119-68 (b) Contracts under Subsection (a) may provide that the  
 119-69 contractual payments by the political subdivisions:

120-1 (1) will be payable from revenue or the imposition of  
120-2 taxes or both; and

120-3 (2) will constitute the purchase of the authority's  
120-4 system at the time all indebtedness incurred by the authority for  
120-5 acquisition, construction, improvement, and extensions of the  
120-6 system is paid in full.

120-7 (c) The authority may contract with a public agency or  
120-8 political subdivision for the rental or leasing of or for the  
120-9 operation of the water supply, water, and filtration or  
120-10 purification facilities of the entity for the consideration agreed  
120-11 to by the authority and the entity.

120-12 (d) A contract under Subsection (a) or (c) may:

120-13 (1) be on the terms and for the time agreed to by the  
120-14 parties; and

120-15 (2) provide that it will continue in effect until  
120-16 bonds specified in it and refunding bonds issued in lieu of the  
120-17 bonds are paid.

120-18 (e) The authority may enter into contracts or agreements  
120-19 with the Nueces River Authority and the City of Corpus Christi for  
120-20 the purchase of water.

120-21 (f) The authority and the City of Corpus Christi may enter  
120-22 into contracts or agreements for the sale of water and the operation  
120-23 and maintenance of the authority's water lines if considered  
120-24 advisable.

120-25 (g) Public agencies or political subdivisions of this  
120-26 state, including the cities, may enter into contracts or agreements  
120-27 with the authority for a water supply.

120-28 (h) Approval, notice, consent, or an election is not  
120-29 required in connection with a contract or agreement described by  
120-30 Subsection (e), (f), or (g). (Acts 66th Leg., R.S., Ch. 436, Secs.  
120-31 9(a) (part), (b) (part), 19.)

120-32 Sec. 11006.155. SOURCES FOR WATER; ACQUISITION OF LAND;  
120-33 STORAGE CAPACITY. (a) The authority may acquire or construct,  
120-34 inside or outside the authority, any work, well, plant,  
120-35 transmission line, or other facility necessary or useful to divert,  
120-36 impound, drill for, store, treat, or transport water to the cities  
120-37 for municipal, domestic, agricultural, industrial, or any other  
120-38 useful purposes.

120-39 (b) The authority may develop or otherwise acquire  
120-40 underground sources of water.

120-41 (c) The authority may acquire land, or an interest in land,  
120-42 inside or outside the authority for any reservoir, work, well,  
120-43 plant, transmission line, or other facility necessary or useful to  
120-44 impound, store, treat, or transport water to the cities and others  
120-45 for municipal, domestic, agricultural, industrial, mining, oil  
120-46 flooding, or any other useful purposes.

120-47 (d) The authority may lease, purchase, or otherwise acquire  
120-48 rights in and to storage and storage capacity in any reservoir  
120-49 constructed or to be constructed by any person. (Acts 66th Leg.,  
120-50 R.S., Ch. 436, Secs. 8 (part), 9(a) (part), 10 (part).)

120-51 Sec. 11006.156. CONVEYANCE OF LAND TO AUTHORITY. A public  
120-52 agency or political subdivision of this state, including the  
120-53 cities, may lease, sell, or otherwise convey its land or an interest  
120-54 in its land to the authority for the consideration that the parties  
120-55 agree is adequate. Approval, notice, consent, or an election is not  
120-56 required in connection with the conveyance. (Acts 66th Leg., R.S.,  
120-57 Ch. 436, Sec. 9(b) (part).)

120-58 Sec. 11006.157. SURPLUS PROPERTY. Subject to the terms of a  
120-59 resolution or deed of trust authorizing or securing bonds issued by  
120-60 the authority, the authority may sell, lease, rent, trade, or  
120-61 otherwise dispose of property that the board considers not needed  
120-62 for an authority purpose. (Acts 66th Leg., R.S., Ch. 436, Sec. 10  
120-63 (part).)

120-64 Sec. 11006.158. EMINENT DOMAIN. (a) To carry out a power  
120-65 conferred by this chapter, the authority may exercise the power of  
120-66 eminent domain to acquire the fee simple title to land, or any other  
120-67 interest in land, and other property and easements, inside or  
120-68 outside the authority, including land or an interest in land needed  
120-69 for a reservoir, dam, or flood easement above the probable



121-1 high-water line around a reservoir.

121-2 (b) The authority must exercise the power of eminent domain  
121-3 in the manner provided by Chapter 21, Property Code.

121-4 (c) The authority is a municipal corporation for the  
121-5 purposes of Chapter 21, Property Code.

121-6 (d) The board shall determine the amount and the type of  
121-7 interest in land, other property, or easements to be acquired.  
121-8 (Acts 66th Leg., R.S., Ch. 436, Sec. 11(a) (part).)

121-9 Sec. 11006.159. COST OF RELOCATING OR ALTERING PROPERTY;  
121-10 RIGHTS-OF-WAY AND EASEMENTS. (a) If the authority's exercise of  
121-11 its eminent domain, police, or other power requires relocating,  
121-12 raising, lowering, rerouting, or changing the grade of or altering  
121-13 the construction of any railroad, electric transmission,  
121-14 telegraph, or telephone line, conduit, pole, property, or facility  
121-15 or pipeline, the action shall be accomplished at the sole expense of  
121-16 the authority. The term "sole expense" means the actual cost of the  
121-17 raising, lowering, rerouting, or change in grade or alteration of  
121-18 construction to provide a comparable replacement without enhancing  
121-19 the facility, after deducting from the cost the net salvage value  
121-20 derived from the old facility.

121-21 (b) The authority has all necessary or useful rights-of-way  
121-22 and easements along, over, under, and across all public, state,  
121-23 municipal, and county roads, highways, and places for any of its  
121-24 purposes. The authority shall restore a used facility to its  
121-25 previous condition as nearly as possible at the sole expense of the  
121-26 authority. (Acts 66th Leg., R.S., Ch. 436, Secs. 11(b), (c).)

121-27 Sec. 11006.160. OTHER AUTHORITY POWERS. The authority has  
121-28 the same power as is conferred by general law on municipal utility  
121-29 districts and on water control and improvement districts with  
121-30 reference to entering land, making surveys, and attending to other  
121-31 business of the authority. (Acts 66th Leg., R.S., Ch. 436, Sec.  
121-32 11(a) (part).)

#### 121-33 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

121-34 Sec. 11006.201. DEPOSITORY. (a) The board shall designate  
121-35 one or more banks inside or outside the authority to serve as the  
121-36 depository for the authority's money.

121-37 (b) Authority money shall be deposited in the depository  
121-38 designated by the board, except that:

121-39 (1) bond proceeds and money pledged to pay bonds, to  
121-40 the extent provided in a resolution or trust indenture authorizing  
121-41 or securing authority bonds, may be deposited with another bank or  
121-42 trustee named in the bond resolution or trust indenture; and

121-43 (2) money shall be remitted to each paying agent for  
121-44 the payment of principal of and interest on the bonds.

121-45 (c) To the extent that money in a depository bank or a  
121-46 trustee bank is not insured by the Federal Deposit Insurance  
121-47 Corporation, the money must be secured in the manner provided by law  
121-48 for the security of municipal money. (Acts 66th Leg., R.S., Ch.  
121-49 436, Sec. 20 (part).)

121-50 Sec. 11006.202. INVESTMENT OF AUTHORITY MONEY. The board  
121-51 may invest authority money in obligations and make time deposits of  
121-52 authority money in the manner determined by the board or in the  
121-53 manner permitted or required in a resolution or trust indenture  
121-54 authorizing or securing authority bonds. (Acts 66th Leg., R.S.,  
121-55 Ch. 436, Sec. 20 (part).)

121-56 Sec. 11006.203. AUTHORITY ACCOUNTS. The authority shall  
121-57 maintain a complete system of the authority's accounts. (Acts 66th  
121-58 Leg., R.S., Ch. 436, Sec. 25 (part).)

121-59 Sec. 11006.204. AUTHORITY FACILITIES EXEMPT FROM TAXATION  
121-60 AND ASSESSMENT. The authority is not required to pay a tax or  
121-61 assessment on its facilities or any part of its facilities. (Acts  
121-62 66th Leg., R.S., Ch. 436, Sec. 22 (part).)

#### 121-63 SUBCHAPTER F. BONDS

121-64 Sec. 11006.251. AUTHORITY TO ISSUE BONDS. (a) The  
121-65 authority may issue bonds payable from and secured by revenue or ad  
121-66 valorem taxes, or both revenue and ad valorem taxes, of the  
121-67 authority to carry out any power or authority conferred by this  
121-68 chapter. The bonds must be authorized by a board resolution.

121-69 (b) The bonds must be issued in the manner and under the

122-1 terms of the resolution authorizing the issuance of the bonds.  
122-2 (Acts 66th Leg., R.S., Ch. 436, Secs. 13(a), (b) (part), (d)  
122-3 (part).)

122-4 Sec. 11006.252. FORM OF BONDS. Authority bonds must be:  
122-5 (1) issued in the authority's name;  
122-6 (2) signed by the president or vice president; and  
122-7 (3) attested by the secretary. (Acts 66th Leg., R.S.,  
122-8 Ch. 436, Sec. 13(b) (part).)

122-9 Sec. 11006.253. MATURITY. Authority bonds must mature not  
122-10 later than 50 years after the date of their issuance. (Acts 66th  
122-11 Leg., R.S., Ch. 436, Sec. 13(b) (part).)

122-12 Sec. 11006.254. ELECTION FOR BONDS PAYABLE FROM AD VALOREM  
122-13 TAXES. (a) Bonds, other than refunding bonds, payable wholly or  
122-14 partly from ad valorem taxes may not be issued unless authorized by  
122-15 a majority of the authority voters voting at an election held for  
122-16 that purpose.  
122-17 (b) The board may call an election under this section  
122-18 without a petition. The resolution calling the election must  
122-19 specify:  
122-20 (1) the time and place at which the election will be  
122-21 held;  
122-22 (2) the purpose for which the bonds will be issued;  
122-23 (3) the amount of the bonds;  
122-24 (4) the form of the ballot; and  
122-25 (5) other matters the board considers necessary or  
122-26 advisable.  
122-27 (c) Notice of the election must be given by publishing a  
122-28 substantial copy of the resolution calling the election in a  
122-29 newspaper of general circulation in the authority. The notice must  
122-30 be published once each week for two consecutive weeks. The first  
122-31 publication must be not later than the 14th day before the date of  
122-32 the election.  
122-33 (d) The authority may issue bonds not payable wholly or  
122-34 partly from ad valorem taxes without an election. (Acts 66th Leg.,  
122-35 R.S., Ch. 436, Secs. 16 (part), 17(a) (part), (b).)

122-36 Sec. 11006.255. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.  
122-37 (a) Authority bonds issued may be secured by a pledge of all or part  
122-38 of the authority's revenue or by all or part of the revenue of one or  
122-39 more contracts made or other revenue or income specified by board  
122-40 resolution or a trust indenture securing the bonds. The pledge may  
122-41 reserve the right, under conditions specified by the pledge, to  
122-42 issue additional bonds that will be on a parity with or subordinate  
122-43 to the bonds then being issued.  
122-44 (b) The authority may issue bonds secured by both taxes and  
122-45 revenue of the authority described by Subsection (a). (Acts 66th  
122-46 Leg., R.S., Ch. 436, Secs. 13(c), (d) (part).)

122-47 Sec. 11006.256. BONDS PAYABLE FROM AD VALOREM TAXES. (a)  
122-48 If bonds are issued payable wholly or partly from ad valorem taxes,  
122-49 the board shall annually impose a tax on the taxable property in the  
122-50 authority in an amount sufficient to pay the principal of and  
122-51 interest on the bonds when due but not to exceed 20 cents on the \$100  
122-52 valuation of taxable property in the authority.  
122-53 (b) The board may adopt the rate of a tax imposed under  
122-54 Subsection (a) for any year after giving consideration to the money  
122-55 received from the pledged revenue that may be available for payment  
122-56 of principal and interest, to the extent and in the manner permitted  
122-57 by the resolution authorizing the issuance of the bonds. (Acts 66th  
122-58 Leg., R.S., Ch. 436, Secs. 13(d) (part), 24(b) (part).)

122-59 Sec. 11006.257. ADDITIONAL SECURITY. (a) Authority bonds,  
122-60 including refunding bonds, that are not payable wholly from ad  
122-61 valorem taxes may be additionally secured, at the discretion of the  
122-62 board, by a deed of trust or mortgage lien on physical property of  
122-63 the authority and all franchises, easements, water rights and  
122-64 appropriation permits, leases, and contracts and all rights  
122-65 appurtenant to the property, vesting in the trustee power to:  
122-66 (1) sell the property for the payment of the debt;  
122-67 (2) operate the property; and  
122-68 (3) take other action to further secure the bonds.  
122-69 (b) A purchaser under a sale under the deed of trust lien, if

123-1 one is given:

123-2 (1) is the absolute owner of property, facilities, and  
123-3 rights purchased; and

123-4 (2) is entitled to maintain and operate the property,  
123-5 facilities, and rights. (Acts 66th Leg., R.S., Ch. 436, Sec. 15  
123-6 (part).)

123-7 Sec. 11006.258. TRUST INDENTURE. (a) Authority bonds,  
123-8 including refunding bonds, that are not payable wholly from ad  
123-9 valorem taxes may be additionally secured by a trust indenture. The  
123-10 trustee may be a bank with trust powers located inside or outside  
123-11 this state.

123-12 (b) A trust indenture, regardless of the existence of a deed  
123-13 of trust or mortgage lien on property, may:

123-14 (1) provide for the security of the bonds and the  
123-15 preservation of the trust estate as prescribed by the board;

123-16 (2) provide for amendment or modification of the trust  
123-17 indenture;

123-18 (3) provide for the issuance of bonds to replace lost  
123-19 or mutilated bonds;

123-20 (4) condition the right to spend authority money or  
123-21 sell authority property on the approval of a licensed engineer  
123-22 selected as provided by the trust indenture; and

123-23 (5) provide for the investment of authority money.  
123-24 (Acts 66th Leg., R.S., Ch. 436, Sec. 15 (part).)

123-25 Sec. 11006.259. CHARGES FOR AUTHORITY SERVICES. (a) If  
123-26 authority bonds payable wholly from revenue are issued, the board  
123-27 shall set and from time to time revise the rates of compensation for  
123-28 water sold and services provided by the authority. The rates must  
123-29 be sufficient to:

123-30 (1) pay the expenses of operating and maintaining  
123-31 authority facilities;

123-32 (2) pay the principal of and interest on the bonds when  
123-33 due; and

123-34 (3) maintain the reserve fund and other funds as  
123-35 provided in the resolution authorizing the bonds.

123-36 (b) If bonds payable partly from revenue are issued, the  
123-37 board shall set and from time to time revise the rate of  
123-38 compensation for water sold and any other services provided by the  
123-39 authority. The rate must be sufficient to ensure compliance with  
123-40 the resolution authorizing the bonds or the trust indenture  
123-41 securing the bonds. (Acts 66th Leg., R.S., Ch. 436, Sec. 13(e).)

123-42 Sec. 11006.260. USE OF BOND PROCEEDS. (a) The authority  
123-43 may set aside an amount of proceeds of the sale of authority bonds  
123-44 for:

123-45 (1) the payment of interest expected to accrue during  
123-46 construction not to exceed three years;

123-47 (2) a reserve interest and sinking fund; and

123-48 (3) other funds as may be provided in the resolution  
123-49 authorizing the bonds or in the trust indenture.

123-50 (b) The authority may use proceeds from the sale of bonds to  
123-51 pay any expense necessarily incurred in accomplishing the purpose  
123-52 of the authority, including:

123-53 (1) any expense of issuing and selling the bonds; and

123-54 (2) the amount needed to operate the authority during  
123-55 construction of the improvements. (Acts 66th Leg., R.S., Ch. 436,  
123-56 Sec. 13(f).)

123-57 Sec. 11006.261. APPOINTMENT OF RECEIVER. (a) On default or  
123-58 threatened default in the payment of the principal of or interest on  
123-59 authority bonds that are payable wholly or partly from revenue, a  
123-60 court may, on petition of the holders of outstanding bonds, appoint  
123-61 a receiver for the authority.

123-62 (b) The receiver may collect and receive all authority  
123-63 income, employ and discharge authority agents and employees, take  
123-64 charge of money on hand, and manage the proprietary affairs of the  
123-65 authority without consent or hindrance by the board.

123-66 (c) The receiver may be authorized to sell or contract for  
123-67 the sale of water or to renew contracts with the approval of the  
123-68 court that appointed the receiver.

123-69 (d) The court may vest the receiver with any other power or

124-1 duty the court finds necessary to protect the bondholders. (Acts  
124-2 66th Leg., R.S., Ch. 436, Sec. 13(g) (part).)  
124-3 Sec. 11006.262. REFUNDING BONDS. (a) The authority may  
124-4 issue refunding bonds to refund outstanding authority bonds and  
124-5 interest on those bonds.  
124-6 (b) Refunding bonds may:  
124-7 (1) be issued to refund bonds of more than one series;  
124-8 (2) combine the pledges for the outstanding bonds for  
124-9 the security of the refunding bonds; or  
124-10 (3) be secured by a pledge of other or additional  
124-11 revenue or mortgage liens.  
124-12 (c) The provisions of this subchapter regarding the  
124-13 issuance of other bonds, their security, and the remedies of the  
124-14 holders apply to refunding bonds.  
124-15 (d) The comptroller shall register the refunding bonds on  
124-16 surrender and cancellation of the bonds to be refunded.  
124-17 (e) Instead of issuing bonds to be registered on the  
124-18 surrender and cancellation of the bonds to be refunded, the  
124-19 authority, in the resolution authorizing the issuance of the  
124-20 refunding bonds, may provide for the sale of the refunding bonds and  
124-21 the deposit of the proceeds in a bank at which the bonds to be  
124-22 refunded are payable. In that case, the refunding bonds may be  
124-23 issued in an amount sufficient to pay the principal of and interest  
124-24 and any required redemption premium on the bonds to be refunded to  
124-25 any redemption date or to their maturity date, and the comptroller  
124-26 shall register the refunding bonds without the surrender and  
124-27 cancellation of the bonds to be refunded.  
124-28 (f) An election is not required to authorize the issuance of  
124-29 refunding bonds.  
124-30 (g) The authority may also issue refunding bonds under any  
124-31 other applicable law. (Acts 66th Leg., R.S., Ch. 436, Sec. 14.)  
124-32 Sec. 11006.263. LIMITATION ON RIGHTS OF BONDHOLDERS. The  
124-33 resolution authorizing the bonds or the trust indenture securing  
124-34 the bonds may limit or qualify the rights of the holders of less  
124-35 than all of the outstanding bonds payable from the same source to  
124-36 institute or prosecute litigation affecting the authority's  
124-37 property or income. (Acts 66th Leg., R.S., Ch. 436, Sec. 13(g)  
124-38 (part).)  
124-39 Sec. 11006.264. BONDS EXEMPT FROM TAXATION. An authority  
124-40 bond, the transfer of the bond, and the income from the bond,  
124-41 including profits made on the sale of the bond, are exempt from  
124-42 taxation in this state. (Acts 66th Leg., R.S., Ch. 436, Sec. 22  
124-43 (part).)  
124-44 Sec. 11006.265. DETACHMENT OF AUTHORITY TERRITORY AFTER  
124-45 ISSUANCE OF BONDS. Territory may not be detached from the authority  
124-46 after the issuance of bonds payable from revenue or taxes, or both  
124-47 revenue and taxes. (Acts 66th Leg., R.S., Ch. 436, Secs. 16 (part),  
124-48 17(a) (part).)  
124-49 CHAPTER 11007. WEST JEFFERSON COUNTY MUNICIPAL WATER DISTRICT  
124-50 SUBCHAPTER A. GENERAL PROVISIONS  
124-51 Sec. 11007.001. DEFINITIONS  
124-52 Sec. 11007.002. NATURE OF DISTRICT  
124-53 Sec. 11007.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE  
124-54 Sec. 11007.004. LIBERAL CONSTRUCTION OF CHAPTER  
124-55 Sec. 11007.005. DISTRICT TERRITORY  
124-56 SUBCHAPTER B. BOARD OF DIRECTORS  
124-57 Sec. 11007.051. COMPOSITION OF BOARD; TERMS  
124-58 Sec. 11007.052. QUALIFICATIONS FOR OFFICE  
124-59 Sec. 11007.053. BOARD RESOLUTIONS; VOTING REQUIREMENTS  
124-60 Sec. 11007.054. OFFICERS AND ASSISTANTS  
124-61 Sec. 11007.055. OFFICER DUTIES  
124-62 Sec. 11007.056. MEETINGS  
124-63 SUBCHAPTER C. POWERS AND DUTIES  
124-64 Sec. 11007.101. DISTRICT POWERS  
124-65 Sec. 11007.102. GENERAL POWERS REGARDING WATER  
124-66 Sec. 11007.103. GENERAL POWERS REGARDING WASTE  
124-67 Sec. 11007.104. GENERAL POWERS REGARDING GARBAGE  
124-68 COLLECTION AND DISPOSAL  
124-69 Sec. 11007.105. GENERAL CONTRACT POWERS



- 125-1 Sec. 11007.106. AUTHORITY OF PUBLIC AGENCIES AND  
125-2 POLITICAL SUBDIVISIONS TO CONTRACT  
125-3 WITH DISTRICT  
125-4 Sec. 11007.107. CONVEYANCE OF PROPERTY TO DISTRICT  
125-5 Sec. 11007.108. ACQUISITION OF EXISTING FACILITIES  
125-6 Sec. 11007.109. EMINENT DOMAIN  
125-7 Sec. 11007.110. COST OF RELOCATING OR ALTERING  
125-8 PROPERTY; RIGHTS-OF-WAY AND  
125-9 EASEMENTS  
125-10 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS  
125-11 Sec. 11007.151. IMPOSITION OF MAINTENANCE TAX;  
125-12 PROHIBITION ON OTHER TAXES OR  
125-13 ASSESSMENTS  
125-14 Sec. 11007.152. ELECTION TO IMPOSE TAX  
125-15 Sec. 11007.153. DEPOSITORY  
125-16 Sec. 11007.154. INVESTMENT OF DISTRICT MONEY  
125-17 Sec. 11007.155. DISTRICT FACILITIES EXEMPT FROM  
125-18 TAXATION AND ASSESSMENT  
125-19 SUBCHAPTER E. BONDS  
125-20 Sec. 11007.201. AUTHORITY TO ISSUE BONDS  
125-21 Sec. 11007.202. FORM OF BONDS  
125-22 Sec. 11007.203. MATURITY  
125-23 Sec. 11007.204. BONDS SECURED BY REVENUE; ADDITIONAL  
125-24 BONDS  
125-25 Sec. 11007.205. ADDITIONAL SECURITY  
125-26 Sec. 11007.206. TRUST INDENTURE  
125-27 Sec. 11007.207. CHARGES FOR DISTRICT SERVICES  
125-28 Sec. 11007.208. STATE PLEDGE REGARDING RIGHTS AND  
125-29 REMEDIES OF BONDHOLDERS  
125-30 Sec. 11007.209. USE OF BOND PROCEEDS  
125-31 Sec. 11007.210. APPOINTMENT OF RECEIVER  
125-32 Sec. 11007.211. REFUNDING BONDS  
125-33 Sec. 11007.212. OTHER REMEDIES AND COVENANTS  
125-34 Sec. 11007.213. LIMITATION ON RIGHTS OF BONDHOLDERS  
125-35 Sec. 11007.214. BONDS EXEMPT FROM TAXATION  
125-36 CHAPTER 11007. WEST JEFFERSON COUNTY MUNICIPAL WATER DISTRICT  
125-37 SUBCHAPTER A. GENERAL PROVISIONS  
125-38 Sec. 11007.001. DEFINITIONS. In this chapter:  
125-39 (1) "Board" means the board of directors of the  
125-40 district.  
125-41 (2) "Bond" means a bond or note.  
125-42 (3) "Director" means a member of the board.  
125-43 (4) "District" means the West Jefferson County  
125-44 Municipal Water District. (Acts 65th Leg., R.S., Ch. 337, Secs. 1  
125-45 (part), 4(a) (part), 15(a) (part); New.)  
125-46 Sec. 11007.002. NATURE OF DISTRICT. The district is a  
125-47 conservation and reclamation district in Jefferson County created  
125-48 under Section 59, Article XVI, Texas Constitution. (Acts 65th  
125-49 Leg., R.S., Ch. 337, Sec. 1 (part).)  
125-50 Sec. 11007.003. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.  
125-51 (a) The district is created to serve a public use and benefit.  
125-52 (b) All land and other property in the district will benefit  
125-53 from the works and projects to be accomplished by the district under  
125-54 the powers conferred by Section 59, Article XVI, Texas  
125-55 Constitution.  
125-56 (c) The accomplishment of the purposes stated in this  
125-57 chapter will benefit the people of this state and improve their  
125-58 properties and industries. The district, in carrying out the  
125-59 purposes of this chapter, will be performing an essential public  
125-60 function under the constitution of this state. (Acts 65th Leg.,  
125-61 R.S., Ch. 337, Secs. 3, 22 (part).)  
125-62 Sec. 11007.004. LIBERAL CONSTRUCTION OF CHAPTER. This  
125-63 chapter shall be liberally construed to effect the purposes,  
125-64 powers, rights, and functions stated in this chapter. (Acts 65th  
125-65 Leg., R.S., Ch. 337, Sec. 23 (part).)  
125-66 Sec. 11007.005. DISTRICT TERRITORY. (a) The district is  
125-67 composed of the territory described by Section 1, Chapter 337, Acts  
125-68 of the 65th Legislature, Regular Session, 1977, as that territory  
125-69 may have been modified under:

126-1 (1) Subsection (c) or its predecessor statute, Section  
 126-2 2, Chapter 337, Acts of the 65th Legislature, Regular Session,  
 126-3 1977;

126-4 (2) Subchapter H, Chapter 54, Water Code;

126-5 (3) Subchapter J, Chapter 49, Water Code; or

126-6 (4) other law.

126-7 (b) The boundaries of the district form a closure. A  
 126-8 mistake in copying the field notes in the legislative process or  
 126-9 another mistake in the field notes does not affect:

126-10 (1) the district's organization, existence, or  
 126-11 validity;

126-12 (2) the district's right to issue bonds or to pay the  
 126-13 principal of and interest on the bonds;

126-14 (3) the district's right to impose a tax; or

126-15 (4) the legality or operation of the district or the  
 126-16 board.

126-17 (c) The board may redefine the boundaries of the district to  
 126-18 correct any mistake in the field notes appearing in Section 1,  
 126-19 Chapter 337, Acts of the 65th Legislature, Regular Session, 1977.  
 126-20 (Acts 65th Leg., R.S., Ch. 337, Sec. 2; New.)

#### 126-21 SUBCHAPTER B. BOARD OF DIRECTORS

126-22 Sec. 11007.051. COMPOSITION OF BOARD; TERMS. (a) The  
 126-23 district is governed by a board of seven elected directors, each of  
 126-24 whom occupies a numbered place on the board.

126-25 (b) Directors serve staggered terms.

126-26 (c) Director elections must be held in the manner provided  
 126-27 in the Water Code for municipal utility districts. (Acts 65th Leg.,  
 126-28 R.S., Ch. 337, Sec. 4(a) (part).)

126-29 Sec. 11007.052. QUALIFICATIONS FOR OFFICE. To be eligible  
 126-30 to be elected or to serve as a director, a person must be a resident,  
 126-31 qualified voter of the district. (Acts 65th Leg., R.S., Ch. 337,  
 126-32 Sec. 4(b).)

126-33 Sec. 11007.053. BOARD RESOLUTIONS; VOTING REQUIREMENTS.  
 126-34 (a) The district shall act through orders or resolutions adopted by  
 126-35 the board.

126-36 (b) All directors are entitled to vote.

126-37 (c) The affirmative vote of a majority of the directors in  
 126-38 attendance, but not fewer than four directors, is necessary to  
 126-39 adopt an order or resolution. (Acts 65th Leg., R.S., Ch. 337, Sec.  
 126-40 4(g).)

126-41 Sec. 11007.054. OFFICERS AND ASSISTANTS. (a) The board  
 126-42 shall elect a president, vice president, secretary, and treasurer.

126-43 (b) The board shall elect the president and vice president  
 126-44 from among the directors.

126-45 (c) The president serves for a one-year term.

126-46 (d) The offices of secretary and treasurer:

126-47 (1) may be held by one person; and

126-48 (2) are not required to be held by a director.

126-49 (e) The board may appoint one or more assistant officers who  
 126-50 are not required to be directors. (Acts 65th Leg., R.S., Ch. 337,  
 126-51 Sec. 4(f) (part).)

126-52 Sec. 11007.055. OFFICER DUTIES. (a) The board president  
 126-53 shall preside at board meetings and perform other duties prescribed  
 126-54 by the board.

126-55 (b) The board vice president shall perform the duties of the  
 126-56 president when the president is not present or is otherwise  
 126-57 incapacitated.

126-58 (c) The board secretary is the official custodian of the  
 126-59 minutes, books, records, and seal of the board and shall perform  
 126-60 other duties and functions prescribed by the board.

126-61 (d) The board treasurer shall perform duties and functions  
 126-62 prescribed by the board.

126-63 (e) An assistant officer shall perform duties and functions  
 126-64 prescribed by the board. (Acts 65th Leg., R.S., Ch. 337, Sec. 4(f)  
 126-65 (part).)

126-66 Sec. 11007.056. MEETINGS. The board shall have regular  
 126-67 meetings at times specified by board resolution or bylaws and shall  
 126-68 have special meetings when called by the board president or by any  
 126-69 three directors. (Acts 65th Leg., R.S., Ch. 337, Sec. 4(h).)

## SUBCHAPTER C. POWERS AND DUTIES

127-1                   Sec. 11007.101. DISTRICT POWERS. The district may exercise  
127-2 any power necessary or appropriate to achieve the purposes of this  
127-3 chapter, including the power to:

127-4                   (1) adopt an official seal;  
127-5                   (2) adopt and enforce:  
127-6                   (A) bylaws and rules for the conduct of its  
127-7 affairs; and

127-8                   (B) rules that a municipal utility district may  
127-9 adopt and enforce under Section 54.205 et seq., Water Code;

127-10                  (3) acquire, hold, use, invest, reinvest, and dispose  
127-11 of its receipts and money from any source;

127-12                  (4) select a depository or depositories;

127-13                  (5) acquire, own, rent, lease, accept, hold, or  
127-14 dispose of property or an interest in property, including a right or  
127-15 easement, by purchase, exchange, gift, assignment, condemnation,  
127-16 sale, lease, or other means, in performing a duty or exercising a  
127-17 power under this chapter;

127-18                  (6) hold, manage, operate, or improve property;

127-19                  (7) lease or rent any land, buildings, structures, or  
127-20 facilities from or to any person;

127-21                  (8) sell, assign, lease, encumber, mortgage, or  
127-22 otherwise dispose of property or an interest in property, and  
127-23 release or relinquish a right, title, claim, lien, interest,  
127-24 easement, or demand, regardless of the manner in which acquired,  
127-25 and conduct a transaction authorized by this subdivision by public  
127-26 or private sale, notwithstanding any other law;

127-27                  (9) in the manner and to the extent permitted by this  
127-28 chapter:

127-29                   (A) borrow money for a corporate purpose;

127-30                   (B) enter into an agreement in connection with  
127-31 the borrowing;

127-32                   (C) issue bonds for money borrowed;

127-33                   (D) provide for and secure the payment of the  
127-34 bonds; and

127-35                   (E) provide for the rights of the holders of the  
127-36 bonds;

127-37                  (10) request and accept any appropriation, grant,  
127-38 allocation, subsidy, guaranty, aid, service, material, or gift from  
127-39 any public or private source, including the federal government, the  
127-40 state, a public agency, or a political subdivision;

127-41                  (11) operate and maintain an office; and

127-42                  (12) appoint and determine the duties, tenure,  
127-43 qualifications, and compensation of officers, employees, agents,  
127-44 and professional advisors and counselors considered necessary or  
127-45 advisable by the board, including financial consultants,  
127-46 accountants, attorneys, architects, engineers, appraisers, and  
127-47 financing experts. (Acts 65th Leg., R.S., Ch. 337, Sec. 10 (part).)

127-48                   Sec. 11007.102. GENERAL POWERS REGARDING WATER. The  
127-49 district has all rights, powers, and privileges necessary or useful  
127-50 to enable it to acquire, provide, supply, deliver, and sell potable  
127-51 water inside or outside its boundaries for any beneficial purpose.  
127-52 (Acts 65th Leg., R.S., Ch. 337, Sec. 6.)

127-53                   Sec. 11007.103. GENERAL POWERS REGARDING WASTE. The  
127-54 district has all rights, powers, and privileges necessary or useful  
127-55 to enable it to collect, transport, dispose of, and control  
127-56 domestic, industrial, or communal wastes, whether in fluid, solid,  
127-57 or composite state. (Acts 65th Leg., R.S., Ch. 337, Sec. 7.)

127-58                   Sec. 11007.104. GENERAL POWERS REGARDING GARBAGE  
127-59 COLLECTION AND DISPOSAL. The district has all rights, powers, and  
127-60 privileges necessary or useful to enable it to provide for garbage  
127-61 collection and disposal in all or part of the district on terms and  
127-62 at rates and charges the board considers just and reasonable to:

127-63                   (1) preserve the water of rivers and streams in the  
127-64 district and this state; and

127-65                   (2) aid in the preservation and conservation of the  
127-66 natural resources of the district and this state. (Acts 65th Leg.,  
127-67 R.S., Ch. 337, Sec. 8.)

127-68                   Sec. 11007.105. GENERAL CONTRACT POWERS. (a) The district  
127-69

128-1 may enter into and enforce a contract or agreement necessary or  
 128-2 convenient to the exercise of the powers, rights, privileges, and  
 128-3 functions conferred on the district by this chapter or general law,  
 128-4 including a contract or agreement with any person as the board  
 128-5 considers necessary or proper for, or in connection with, any power  
 128-6 or function of the district for:

- 128-7 (1) the purchase or sale of water;
- 128-8 (2) the collection, transportation, processing, or  
 128-9 disposal of waste; or
- 128-10 (3) the construction, acquisition, ownership,  
 128-11 financing, operation, maintenance, sale, leasing to or from, or  
 128-12 other use or disposition of any facilities authorized to be  
 128-13 developed, acquired, or constructed under this chapter or general  
 128-14 law.

128-15 (b) The authority to enter into or enforce the contract or  
 128-16 agreement includes the authority to enter into or enforce a  
 128-17 contract or agreement regarding:

- 128-18 (1) any improvements, structures, facilities,  
 128-19 equipment, and other property of any kind in connection with the  
 128-20 subject of the contract or agreement;
- 128-21 (2) any land, leaseholds, and easements; and
- 128-22 (3) any interests in the property.

128-23 (c) The contract or agreement:  
 128-24 (1) may not have a term of more than 40 years; and  
 128-25 (2) may contain provisions the board determines to be  
 128-26 in the best interest of the district.

128-27 (d) The district may pledge all or part of its revenue to the  
 128-28 payment of its obligations under the contract or agreement to the  
 128-29 same extent and on the same conditions as it may pledge revenue to  
 128-30 secure district bonds. (Acts 65th Leg., R.S., Ch. 337, Sec. 9(a).)

128-31 Sec. 11007.106. AUTHORITY OF PUBLIC AGENCIES AND POLITICAL  
 128-32 SUBDIVISIONS TO CONTRACT WITH DISTRICT. A public agency or  
 128-33 political subdivision of this state, including a city, town, or  
 128-34 village in the district, may enter into a contract or agreement with  
 128-35 the district, on terms agreed to by the parties, for:

- 128-36 (1) the purchase or sale of water;
- 128-37 (2) waste collection, transportation, processing, or  
 128-38 disposal; or
- 128-39 (3) any purpose relating to the district's powers or  
 128-40 functions. (Acts 65th Leg., R.S., Ch. 337, Sec. 9(b) (part).)

128-41 Sec. 11007.107. CONVEYANCE OF PROPERTY TO DISTRICT. A  
 128-42 public agency or political subdivision of this state, including a  
 128-43 city, town, or village in the district, may lease, sell, or  
 128-44 otherwise convey to the district, for any consideration that the  
 128-45 parties agree is adequate, any of its land, improvements, property,  
 128-46 plants, lines, or other facilities related to:

- 128-47 (1) the supply of water; or
- 128-48 (2) waste collection, transportation, processing, or  
 128-49 disposal. (Acts 65th Leg., R.S., Ch. 337, Sec. 9(b) (part).)

128-50 Sec. 11007.108. ACQUISITION OF EXISTING FACILITIES. If the  
 128-51 district acquires existing works, improvements, facilities,  
 128-52 plants, equipment, or appliances that are completed, partially  
 128-53 created, or under construction, the district may:

- 128-54 (1) assume the contracts and obligations of the  
 128-55 previous owner; and
- 128-56 (2) perform the obligations of the previous owner in  
 128-57 the same manner and to the same extent that any other purchaser or  
 128-58 assignee would be bound. (Acts 65th Leg., R.S., Ch. 337, Sec.  
 128-59 9(c).)

128-60 Sec. 11007.109. EMINENT DOMAIN. (a) To carry out a power  
 128-61 conferred by this chapter, the district may exercise the power of  
 128-62 eminent domain inside or outside the district to acquire the fee  
 128-63 simple title to land, or any other interest in land as determined by  
 128-64 the board, and other property and easements, necessary for water  
 128-65 wells, water or sewer treatment plants, water or sewer lines,  
 128-66 pumping stations and force mains, storage tanks, or other similar  
 128-67 facilities.

128-68 (b) The district must exercise the power of eminent domain  
 128-69 in the manner provided by Chapter 21, Property Code. (Acts 65th



129-1 Leg., R.S., Ch. 337, Sec. 11(a) (part).)

129-2 Sec. 11007.110. COST OF RELOCATING OR ALTERING PROPERTY;  
129-3 RIGHTS-OF-WAY AND EASEMENTS. (a) If the district's exercise of its  
129-4 eminent domain, police, or other power requires relocating,  
129-5 raising, lowering, rerouting, or changing the grade of or altering  
129-6 the construction of any highway, railroad, electric, transmission,  
129-7 telegraph, or telephone line, conduit, pole, property, or facility  
129-8 or pipeline, the action shall be accomplished at the sole expense of  
129-9 the district. The term "sole expense" means the actual cost of the  
129-10 lowering, rerouting, or change in grade or alteration of  
129-11 construction to provide a comparable replacement without enhancing  
129-12 the facility, after deducting from the cost the net salvage value  
129-13 derived from the old facility.

129-14 (b) The district has all necessary or useful rights-of-way  
129-15 and easements along, over, under, and across all public, state,  
129-16 municipal, and county roads, highways, and places for any of its  
129-17 purposes. The district shall restore a used facility to its  
129-18 previous condition as nearly as possible at the sole expense of the  
129-19 district. (Acts 65th Leg., R.S., Ch. 337, Secs. 11(c), (d).)

129-20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

129-21 Sec. 11007.151. IMPOSITION OF MAINTENANCE TAX; PROHIBITION  
129-22 ON OTHER TAXES OR ASSESSMENTS. (a) The district may impose a tax,  
129-23 not to exceed 10 cents on each \$100 valuation of taxable property in  
129-24 the district, for:

129-25 (1) maintenance purposes, including money for  
129-26 studying, planning, maintaining, repairing, and operating all  
129-27 necessary plants, works, facilities, improvements, appliances, and  
129-28 equipment of the district;

129-29 (2) paying costs of proper services, engineering, and  
129-30 legal fees; and

129-31 (3) organization and administrative expenses.

129-32 (b) The district may not impose a maintenance tax unless the  
129-33 tax is approved by a majority of the voters voting at an election  
129-34 held for that purpose.

129-35 (c) Except for the maintenance tax authorized by this  
129-36 section, the district may not under this chapter or any other law  
129-37 levy or collect a tax or assessment or create a debt payable from a  
129-38 tax or assessment. (Acts 65th Leg., R.S., Ch. 337, Secs. 12(a), (b)  
129-39 (part), (c).)

129-40 Sec. 11007.152. ELECTION TO IMPOSE TAX. (a) The board may  
129-41 order an election to impose a maintenance tax. The election order  
129-42 must specify:

129-43 (1) the time and place of the election;

129-44 (2) the maximum amount of tax to be authorized;

129-45 (3) the form of the ballot; and

129-46 (4) other matters the board considers necessary or  
129-47 advisable.

129-48 (b) Notice of the election must be given by publishing once  
129-49 a week for two consecutive weeks a substantial copy of the election  
129-50 order in a newspaper of general circulation in the district. The  
129-51 first publication must occur at least 14 days before the date of the  
129-52 election. (Acts 65th Leg., R.S., Ch. 337, Sec. 12(b) (part).)

129-53 Sec. 11007.153. DEPOSITORY. (a) The board shall designate  
129-54 one or more banks inside or outside the district to serve as the  
129-55 depository for the district's money.

129-56 (b) All district money shall be deposited in the depository  
129-57 designated by the board, except that:

129-58 (1) bond proceeds and money pledged to pay bonds, to  
129-59 the extent provided in a resolution or trust indenture authorizing  
129-60 or securing district bonds, may be deposited with another bank or  
129-61 trustee named in the bond resolution or trust indenture; and

129-62 (2) money shall be remitted to each paying agent for  
129-63 the payment of principal of and interest on the bonds.

129-64 (c) To the extent that money in a depository bank or the  
129-65 trustee bank is not insured by the Federal Deposit Insurance  
129-66 Corporation, the money must be secured in the manner provided by law  
129-67 for the security of the county funds in this state. (Acts 65th  
129-68 Leg., R.S., Ch. 337, Sec. 19 (part).)

129-69 Sec. 11007.154. INVESTMENT OF DISTRICT MONEY. The board

130-1 may invest district money in obligations and make time deposits of  
 130-2 district money in a manner determined by the board or in the manner  
 130-3 permitted or required in a resolution or trust indenture  
 130-4 authorizing or securing district bonds. (Acts 65th Leg., R.S., Ch.  
 130-5 337, Sec. 19 (part).)

130-6 Sec. 11007.155. DISTRICT FACILITIES EXEMPT FROM TAXATION  
 130-7 AND ASSESSMENT. The district is not required to pay a tax or  
 130-8 assessment on its facilities or any part of its facilities. (Acts  
 130-9 65th Leg., R.S., Ch. 337, Sec. 22 (part).)

#### 130-10 SUBCHAPTER E. BONDS

130-11 Sec. 11007.201. AUTHORITY TO ISSUE BONDS. (a) The district  
 130-12 may issue bonds payable from and secured by district revenue to  
 130-13 carry out any power conferred by this chapter. The bonds must be  
 130-14 authorized by a board resolution.

130-15 (b) The bonds must be issued in the manner and under the  
 130-16 terms of the resolution authorizing the issuance of the bonds.  
 130-17 (Acts 65th Leg., R.S., Ch. 337, Secs. 15(a) (part), (b) (part).)

130-18 Sec. 11007.202. FORM OF BONDS. District bonds must be:

- 130-19 (1) issued in the district's name;
- 130-20 (2) signed by the president or vice president; and
- 130-21 (3) attested by the secretary. (Acts 65th Leg., R.S.,  
 130-22 Ch. 337, Sec. 15(b) (part).)

130-23 Sec. 11007.203. MATURITY. District bonds must mature not  
 130-24 later than 40 years after the date of their issuance. (Acts 65th  
 130-25 Leg., R.S., Ch. 337, Sec. 15(b) (part).)

130-26 Sec. 11007.204. BONDS SECURED BY REVENUE; ADDITIONAL BONDS.

130-27 (a) District bonds may be secured by a pledge of all or part of the  
 130-28 district's revenue, or by all or part of the payments or rentals  
 130-29 under one or more contracts or leases specified by board resolution  
 130-30 or a trust indenture securing the bonds.

130-31 (b) A resolution authorizing the issuance of bonds secured  
 130-32 by a pledge of revenue of all or part of the district's facilities  
 130-33 may provide that the district shall first pay the expenses of  
 130-34 operating and maintaining all or part of the facilities as the board  
 130-35 considers appropriate before paying the principal of and interest  
 130-36 on the bonds.

130-37 (c) In a resolution authorizing the issuance of bonds  
 130-38 secured by revenue, contract payments, or lease rentals, the  
 130-39 district may reserve the right, under conditions specified by the  
 130-40 resolution, to issue additional bonds that will be on a parity with,  
 130-41 superior to, or subordinate to the bonds then being issued. (Acts  
 130-42 65th Leg., R.S., Ch. 337, Sec. 15(d).)

130-43 Sec. 11007.205. ADDITIONAL SECURITY. (a) District bonds  
 130-44 may be additionally secured, at the discretion of the board, by a  
 130-45 deed of trust or mortgage lien on all or part of the district's  
 130-46 physical property, facilities, easements, water rights and  
 130-47 appropriation permits, leases, contracts, and all rights  
 130-48 appurtenant to the property, vesting in the trustee power to:

- 130-49 (1) sell the property for the payment of the debt;
- 130-50 (2) operate the property; and
- 130-51 (3) take other action to further secure the bonds.

130-52 (b) A purchaser under a sale under the deed of trust lien, if  
 130-53 one is given:

- 130-54 (1) is the absolute owner of the property, facilities,  
 130-55 and rights purchased; and
- 130-56 (2) is entitled to maintain and operate the property,  
 130-57 facilities, and rights. (Acts 65th Leg., R.S., Ch. 337, Sec. 16  
 130-58 (part).)

130-59 Sec. 11007.206. TRUST INDENTURE. District bonds authorized  
 130-60 by this chapter, including refunding bonds, may be additionally  
 130-61 secured by a trust indenture. The trustee may be a bank with trust  
 130-62 powers that is located inside or outside the state. (Acts 65th  
 130-63 Leg., R.S., Ch. 337, Sec. 16 (part).)

130-64 Sec. 11007.207. CHARGES FOR DISTRICT SERVICES. If district  
 130-65 bonds payable wholly from revenue are issued, the board shall set  
 130-66 and from time to time revise the rates, fees, and charges assessed  
 130-67 for water sold and waste collection and treatment services provided  
 130-68 by the district. The rates, fees, and charges must be sufficient  
 130-69 to:

131-1 (1) pay the expense of operating and maintaining the  
 131-2 district facilities that generate the revenue from which the bonds  
 131-3 will be paid;

131-4 (2) pay the principal of and interest on the bonds when  
 131-5 due; and

131-6 (3) maintain the reserve fund and other funds as  
 131-7 provided in the resolution authorizing the bonds. (Acts 65th Leg.,  
 131-8 R.S., Ch. 337, Sec. 15(e) (part).)

131-9 Sec. 11007.208. STATE PLEDGE REGARDING RIGHTS AND REMEDIES  
 131-10 OF BONDHOLDERS. Without depriving this state of its power to  
 131-11 regulate and control the rates, fees, and charges assessed for  
 131-12 water sold and waste collection and treatment services provided by  
 131-13 the district, the state pledges to and agrees with the holders of  
 131-14 district bonds that the state will not exercise its power to  
 131-15 regulate and control the rates, fees, and charges in any way that  
 131-16 would impair the rights or remedies of the holders of the bonds.  
 131-17 (Acts 65th Leg., R.S., Ch. 337, Sec. 15(e) (part).)

131-18 Sec. 11007.209. USE OF BOND PROCEEDS. (a) The district may  
 131-19 set aside an amount of proceeds from the sale of district bonds for:

131-20 (1) the payment of interest expected to accrue during  
 131-21 construction not to exceed three years;

131-22 (2) a debt service reserve fund; and

131-23 (3) other funds as may be provided in the resolution  
 131-24 authorizing the bonds or in the trust indenture.

131-25 (b) The district may use proceeds from the sale of the bonds  
 131-26 to pay any expense necessarily incurred in accomplishing the  
 131-27 purpose of the district, including any expense of issuing and  
 131-28 selling the bonds. (Acts 65th Leg., R.S., Ch. 337, Sec. 15(f).)

131-29 Sec. 11007.210. APPOINTMENT OF RECEIVER. (a) On default or  
 131-30 threatened default in the payment of the principal of or interest on  
 131-31 district bonds that are payable wholly or partly from revenue, a  
 131-32 court may, on petition of the holders of at least 25 percent of the  
 131-33 district's outstanding revenue bonds, appoint a receiver for the  
 131-34 district.

131-35 (b) The receiver may collect and receive all district  
 131-36 revenue, other than taxes, employ and discharge district agents and  
 131-37 employees, and take charge of money on hand, other than money  
 131-38 received from taxes, unless commingled, and/or hindrance by the  
 131-39 board.

131-40 (c) The receiver may be authorized to sell or contract for  
 131-41 the sale of water or the collection or treatment of waste or to  
 131-42 renew contracts, with the approval of the court that appointed the  
 131-43 receiver.

131-44 (d) The court may vest the receiver with any other power or  
 131-45 duty the court finds necessary to protect the bondholders. (Acts  
 131-46 65th Leg., R.S., Ch. 337, Sec. 15(g) (part).)

131-47 Sec. 11007.211. REFUNDING BONDS. (a) The district may  
 131-48 issue refunding bonds to refund outstanding district bonds and  
 131-49 interest on those bonds.

131-50 (b) Refunding bonds may:

131-51 (1) be issued to refund bonds of more than one series;

131-52 (2) combine the pledges for the outstanding bonds for  
 131-53 the security of the refunding bonds; or

131-54 (3) be secured by a pledge of other or additional  
 131-55 revenue or mortgage liens.

131-56 (c) The provisions of this subchapter regarding the  
 131-57 issuance of other bonds, their security, and the remedies of the  
 131-58 holders apply to refunding bonds.

131-59 (d) The comptroller shall register the refunding bonds on  
 131-60 the surrender and cancellation of the bonds to be refunded.

131-61 (e) Instead of issuing bonds to be registered on the  
 131-62 surrender and cancellation of the bonds to be refunded, the  
 131-63 district, in the resolution authorizing the issuance of the  
 131-64 refunding bonds, may provide for the sale of the refunding bonds and  
 131-65 the deposit of the proceeds in a bank at which the bonds to be  
 131-66 refunded are payable. In that case, the refunding bonds may be  
 131-67 issued in an amount sufficient to pay the principal of and interest  
 131-68 and any required redemption premium on the bonds to be refunded to  
 131-69 or through any redemption date or through or on their maturity date,

132-1 and the comptroller shall register the refunding bonds without the  
132-2 surrender and cancellation of the bonds to be refunded.

132-3 (f) An election is not required to authorize the issuance of  
132-4 refunding bonds.

132-5 (g) The district may also issue refunding bonds under any  
132-6 other applicable law. (Acts 65th Leg., R.S., Ch. 337, Sec. 17.)

132-7 Sec. 11007.212. OTHER REMEDIES AND COVENANTS. The  
132-8 resolution authorizing the issuance of district bonds, including  
132-9 refunding bonds, or the trust indenture securing the bonds, may  
132-10 provide other remedies and covenants the board considers necessary  
132-11 to issue the bonds on the most favorable terms. (Acts 65th Leg.,  
132-12 R.S., Ch. 337, Sec. 15(h).)

132-13 Sec. 11007.213. LIMITATION ON RIGHTS OF BONDHOLDERS. The  
132-14 resolution authorizing the bonds or the trust indenture securing  
132-15 the bonds may limit or qualify the rights of the holders of less  
132-16 than all of the outstanding bonds payable from the same source to  
132-17 institute or prosecute litigation affecting the district's  
132-18 property or income. (Acts 65th Leg., R.S., Ch. 337, Sec. 15(g)  
132-19 (part).)

132-20 Sec. 11007.214. BONDS EXEMPT FROM TAXATION. A district  
132-21 bond, the transfer of the bond, and the income from the bond,  
132-22 including profits made on the sale of the bond, are exempt from  
132-23 taxation in this state. (Acts 65th Leg., R.S., Ch. 337, Sec. 22  
132-24 (part).)

#### 132-25 ARTICLE 2. CONFORMING AMENDMENTS

132-26 SECTION 2.01. Section 1, Chapter 145, Acts of the 41st  
132-27 Legislature, Regular Session, 1929, is amended to read as follows:

132-28 Sec. 1. Cameron County Drainage District Number One of  
132-29 Cameron County, Texas, including within its limits the territory  
132-30 described and defined in that certain order of the Commissioners'  
132-31 Court of Cameron County, Texas, passed and adopted by said Court on  
132-32 the 22nd day of January, A. D. 1920, recorded in Book "J," pages 536  
132-33 to 540, Minutes of the Commissioners' Court of said County, same  
132-34 including within its limits the territory described and defined in  
132-35 said order, the metes and bounds of which said territory is as  
132-36 follows, to-wit:

132-37 Being all of the Territory situated and lying in Cameron  
132-38 County Texas and bounded on the North by the Cautes Resaca, on the  
132-39 West by the East line of Share No. 1, a subdivision of the Espiritu  
132-40 Santo Grant.

132-41 On the South by the Resaca de la Guerra, and the Resaca Rancho  
132-42 Viejo. On the East between Resaca Rancho Viejo and Resaca de la  
132-43 Guerra, by the East line of Partition Share 29 and between Resaca  
132-44 Rancho Viejo and Cuates Resaca by the East line of Partition Share  
132-45 No. 32 and being more fully described by metes and Bounds as  
132-46 follows:

132-47 Beginning at a point on the East line of Partition Share No. 1  
132-48 a subdivision of the Espiritu Santo Grant, and at the N. W. corner  
132-49 of a 440 acre survey being Partition Share No. 4, a subdivision of  
132-50 said Espiritu Santo Grant, and running Thence N. 8°00' E. with the  
132-51 East line of Partition Share No. 1, a distance of 50231 feet to a  
132-52 stake on the North Bank of the Resaca de los Cuates for N. W. Corner;  
132-53 Thence down said Cuates Resaca and the North Bank thereof to a point  
132-54 at the intersection of said North Bank with the West line of  
132-55 Partition Share 32, a subdivision of the Espiritu Santo Grant.  
132-56 Thence East to the East line of said Share No. 32, and on West line  
132-57 of Laguna Vista tract; thence in a southerly direction with the West  
132-58 line of Laguna Vista tract, Santa Isabel Tract, and San Martin  
132-59 tract, a distance of 66800 feet to a point which is 9484 feet from a  
132-60 stone and concrete monument on the estero near the river and being,  
132-61 a corner of the San Martin Grant as called for in its patent; Thence  
132-62 West to Resaca Rancho Viejo; Thence up Resaca Rancho Viejo with its  
132-63 meanders to the East line of Partition Share No. 29, a subdivision  
132-64 of Espiritu Santo Grant; Thence in a southerly direction with the  
132-65 East line of Share No. 29, a distance of 13212 feet to the North bank  
132-66 of Resaca de la Guerra; Thence up the North bank of Resaca de la  
132-67 Guerra with its various meanders, to the West line of Partition  
132-68 Share No. 17, a subdivision of the Espiritu Santo Grant; Thence in a  
132-69 northerly direction with said West line of Share No. 17 to the place



133-1 of beginning, containing 81136 acres [~~is hereby created and~~  
 133-2 ~~established as a Conservation District in said county under~~  
 133-3 ~~authority of Section 59 of Article 16 of the Constitution of the~~  
 133-4 ~~State of Texas, for the purpose of the reclamation and drainage of~~  
 133-5 ~~its seeped, salty, waterlogged and over flowed lands, and other~~  
 133-6 ~~lands needing drainage, and all other purposes as contemplated by~~  
 133-7 ~~section 59 of Article 16 of the Constitution of this State, and said~~  
 133-8 ~~district shall be a governmental agency and body politic with all~~  
 133-9 ~~powers as are granted to such conservation districts in the~~  
 133-10 ~~Constitution and in the General Laws of the State of Texas].~~

133-11 SECTION 2.02. Section 1, Chapter 533, Acts of the 57th  
 133-12 Legislature, Regular Session, 1961, is amended to read as follows:

133-13 Sec. 1. The [~~Under and pursuant to the provisions of Section~~  
 133-14 ~~59 of Article XVI, Constitution of Texas, a conservation and~~  
 133-15 ~~reclamation district is hereby created and incorporated in Liberty~~  
 133-16 ~~County, Texas, to be known as "Hull Fresh Water Supply District,"~~  
 133-17 ~~hereafter referred to as the "District," and the] boundaries of the Hull  
 133-18 Fresh Water Supply District [~~said District~~] shall be as  
 133-19 follows:~~

133-20 BEGINNING at the NE corner of the Chas. Underton Survey,  
 133-21 A-391, Liberty County, Texas, which point of beginning is also the  
 133-22 SE corner of the C. F. Stevens Survey, A-920, and is in the West line  
 133-23 of the A. Melonson Survey No. 194, A-701;

133-24 THENCE following the East line of said Stevens Survey in a  
 133-25 Northerly direction to the NE corner of said Stevens Survey, A-920,  
 133-26 the same being the NW corner of the aforesaid A. Melonson Survey No.  
 133-27 194, A-701;

133-28 THENCE in an Easterly direction following the North line of  
 133-29 said A. Melonson Survey No. 194 to the SE corner of the Humble  
 133-30 Pipeline Co. 40.25 acre tract of land;

133-31 THENCE in a Northerly direction following the East line of  
 133-32 said Humble Pipeline Co. 40.25 acre tract, and the Northerly  
 133-33 prolongation of said East line to a point in the North right-of-way  
 133-34 line of the Missouri Pacific RR;

133-35 THENCE in a Westerly direction following said North  
 133-36 right-of-way line of said RR to the SE corner of the Magnolia  
 133-37 Pipeline Co. 39.08 acre tract;

133-38 THENCE in a Northerly direction following the East line of  
 133-39 said 39.08 acre tract to the NE corner of same;

133-40 THENCE in a Westerly direction following the North line of  
 133-41 said 39.08 acre tract and the Westerly prolongation of same to the  
 133-42 SE corner of the Leo Fregia 4 acre tract of land;

133-43 THENCE following the East line of said Fregia 4 acre tract in  
 133-44 a Northerly direction to the NE corner of said tract;

133-45 THENCE following the North line of said Leo Fregia 4 acre  
 133-46 tract in a Westerly direction to the NW corner of same, said corner  
 133-47 being the most Easterly SE corner of the J. L. Deckert tract of land  
 133-48 situated in the H. T. C. Survey No. 193, A-239;

133-49 THENCE following the East line of said J. L. Deckert tract in  
 133-50 a Northerly direction to the NE corner of same, said corner being in  
 133-51 the North line of said H. T. C. Survey No. 193;

133-52 THENCE following the North line of said H. T. C. Survey No.  
 133-53 193 in an Easterly direction to a point in line with the Southerly  
 133-54 prolongation of the East line of the H. Taylor 4.5 acre tract of  
 133-55 land in the Francis Smith Survey, A-346;

133-56 THENCE in a Northerly direction along said Southerly  
 133-57 prolongation of said East line of said H. Taylor 4.5 acre tract and  
 133-58 continuing along said East line of said 4.5 acre tract and the  
 133-59 Northerly prolongation of said East line to the center line of  
 133-60 Batiste Creek;

133-61 THENCE in a generally Northwesterly direction following the  
 133-62 meanders of the center of Batiste Creek upstream to a point in the  
 133-63 West line of the J. W. Mecom 48 acre tract in the Francis Smith  
 133-64 Survey, A-346;

133-65 THENCE following the West line of said J. W. Mecom 48 acre  
 133-66 tract in a Southerly direction to the SW corner of same, and the SE  
 133-67 corner of another tract of land belonging to said J. W. Mecom and  
 133-68 containing 73.33 acres;

133-69 THENCE in a Westerly direction following the South line of

134-1 said J. W. Mecom 73.33 acre tract and the Westerly prolongation of  
 134-2 same to the NW corner of Garden Subdivision out of said Francis  
 134-3 Smith Survey, A-346, according to a map or plat of said Subdivision,  
 134-4 of record in Vol. 113, page 177, of the Deed Records of Liberty  
 134-5 County, Texas;

134-6 THENCE in a Southerly direction following the West line of  
 134-7 said Garden Subdivision and the Southerly prolongation of said West  
 134-8 line to a point 280 ft. South of the intersection of said Southerly  
 134-9 prolongation of said West line with the South right-of-way line of  
 134-10 F.M. Hwy. 834 based upon a right-of-way width of 80 ft.;

134-11 THENCE in an Easterly direction at right angles to said  
 134-12 Southerly prolongation of the West line of said Garden Subdivision  
 134-13 to a point in the West line of the J. S. Wheless and Thos. J. Baten  
 134-14 15 acre tract;

134-15 THENCE in a Southerly direction following the West line of  
 134-16 said Wheless and Baten 15 acre tract to the SW corner of said tract,  
 134-17 the same being a point in the North line of the Jewell Vaughn 14.33  
 134-18 acre tract;

134-19 THENCE in a Westerly direction following the North line of  
 134-20 said Vaughn 14.33 acre tract to the NW corner of said tract;

134-21 THENCE in a Southerly direction following the West line of  
 134-22 said Jewell Vaughn 14.33 acre tract and the Southerly prolongation  
 134-23 of said West line to the SW corner of the T. D. Richardson, et al., 8  
 134-24 acre tract, which SW corner of said tract is in the North line of the  
 134-25 C. F. Stevens Survey 194, A-767;

134-26 THENCE in a Westerly direction following the North line of  
 134-27 said Stevens Survey to the NW corner of said Survey, the same being  
 134-28 a point in the East line of the William Smith Survey, A-342;

134-29 THENCE following the East line of said William Smith Survey,  
 134-30 A-342, in a Southerly direction a distance of 2,000 ft.;

134-31 THENCE in an Easterly direction at right angles to the East  
 134-32 line of said William Smith Survey, A-342, following a straight line  
 134-33 to the West line of the J. P. Richardson 75.88 acre tract;

134-34 THENCE following the West line of said J. P. Richardson 75.88  
 134-35 acre tract in a Southerly direction to the North line of the Chas.  
 134-36 Underton Survey, A-391;

134-37 THENCE following the North line of said Chas. Underton  
 134-38 Survey, A-391, in an Easterly direction to the NE corner of said  
 134-39 Underton Survey the POINT OF BEGINNING, containing 1,076 acres of  
 134-40 land, more or less.

134-41 SECTION 2.03. Section 1, Chapter 20, Acts of the 57th  
 134-42 Legislature, 3rd Called Session, 1962, is amended to read as  
 134-43 follows:

134-44 Sec. 1. [~~Authority Created. Pursuant to, and as expressly~~  
 134-45 ~~authorized by Section 59, Article XVI of the Constitution of the~~  
 134-46 ~~State of Texas, and in addition to all other districts into which~~  
 134-47 ~~the State has been divided heretofore, there is hereby created a~~  
 134-48 ~~conservation and reclamation district to be known as "Memorial~~  
 134-49 ~~Villages Water Authority" (hereinafter referred to as the~~  
 134-50 ~~Authority), which shall be recognized to be a governmental agency,~~  
 134-51 ~~a body politic and corporate, and a political subdivision of this~~  
 134-52 ~~State.] The area of the Memorial Villages Water Authority  
 134-53 [~~Authority~~] shall consist of the following:~~

134-54 All land which on the effective date of this Act is located  
 134-55 within the corporate limits of the City of Hedwig Village,  
 134-56 Texas, located in the Isaac Bunker A-121 and A. H. Osbourne  
 134-57 A-610 surveys, in Harris County, Texas; and all land which on  
 134-58 the effective date of this Act is located within the  
 134-59 corporate limits of the City of Piney Point Village, Texas  
 134-60 located in the Bunker and Osbourne surveys and in the John D.  
 134-61 Taylor survey A-72, except that certain area of 0.19 square  
 134-62 miles annexed by Ordinance No. 19 passed and approved by the  
 134-63 City Council of the City of Piney Point Village, Texas, on  
 134-64 October 13, 1955, and delineated in METES AND BOUNDS OF PINEY  
 134-65 POINT VILLAGE AND ANNEXED AREA recorded in Volume 3604, Page  
 134-66 708 of the Deed Records of Harris County, Texas, and in Volume  
 134-67 58, Page 41 of the Map Records of Harris County, Texas; and  
 134-68 all land which on the effective date of the Act is located  
 134-69 within the corporate limits of the City of Hunter's Creek

135-1 Village, Texas, north of Buffalo Bayou except that portion  
 135-2 thereof known as Creekside Manor subdivision in the said  
 135-3 Taylor, Osbourne and R. Vince A-77 surveys, all of such land  
 135-4 being situated in Harris County, Texas.

135-5 SECTION 2.04. Section 1, Chapter 38, Acts of the 57th  
 135-6 Legislature, 3rd Called Session, 1962, is amended to read as  
 135-7 follows:

135-8 Sec. 1. ~~The [Under and pursuant to the provisions of Section~~  
 135-9 ~~59 of Article XVI, Constitution of Texas, a conservation and~~  
 135-10 ~~reclamation district is hereby created and incorporated in Bee~~  
 135-11 ~~County, Texas, to be known as "Pettus Municipal Utility District,"~~  
 135-12 ~~hereinafter referred to as the "District," and the] boundaries of~~  
 135-13 ~~the Pettus Municipal Utility District [said District]~~ shall be as  
 135-14 follows:

135-15 Beginning at the Southeast corner of the Town of Pettus, Bee  
 135-16 County, Texas, according to plat filed in Vol. K, Page 517, Deed  
 135-17 Records, Bee County, Texas, in the George A. Kerr Survey, Abstract  
 135-18 209;

135-19 Thence N. 18° 10' W. with the eastern boundary line of said  
 135-20 Town of Pettus a distance of 2,560 feet to the Northeast corner of  
 135-21 said Town of Pettus;

135-22 Thence S. 71° 50' W. along the northern boundary line of said  
 135-23 Town of Pettus a distance of 103.9 feet;

135-24 Thence N. 60° 26' W. a distance of 40.3 feet;

135-25 Thence N. 71° 50' E. a distance of 214 feet;

135-26 Thence Northeasterly along the northern right-of-way line of  
 135-27 F. M. Highway No. 623, rotating 24° 53' 53" about a radial center  
 135-28 with radius of 449.26 feet, an arc distance of 195.23 feet, to a  
 135-29 point on said northern right-of-way line of said Highway No. 623;

135-30 Thence N. 48° 14' E. along said Northern right-of-way line of  
 135-31 said Highway No. 623 a distance of 50.66 feet to a corner of that  
 135-32 certain tract of land conveyed by George A. Ray, Jr. to the Pettus  
 135-33 Independent School District by Deed recorded in Volume 218, Page  
 135-34 292, Bee County records;

135-35 Thence N. 05° 20' W. with the eastern boundary of said tract of  
 135-36 land conveyed by George A. Ray, Jr. to said School District a  
 135-37 distance of 298.08 feet for a corner;

135-38 Thence S. 84° 17' W. a distance of 1,114.1 feet to a point for  
 135-39 corner;

135-40 Thence N. 60° 26' W. a distance of 480.8 feet;

135-41 Thence S. 52° 40' W. a distance of 477.5 feet to the most  
 135-42 easterly eastern boundary line of the Danaho Refinery tract,  
 135-43 described in Deed of Trust Records, Volume 64, Page 424, Bee County  
 135-44 records;

135-45 Thence N. 18° 10' W. with said most easterly eastern boundary  
 135-46 line of the said Danaho Refinery tract a distance of 1,819.5 feet to  
 135-47 the Northeast corner of said Danaho Refinery tract;

135-48 Thence S. 71° 50' W. with the northern boundary line of said  
 135-49 Danaho Refinery tract, at 734 feet pass a 3/4 inch iron pipe set in  
 135-50 the eastern right-of-way line of the T & NO (S. P.) railroad  
 135-51 property, and continuing on the same course along the westerly  
 135-52 projection of said Northern boundary line of the said Danaho  
 135-53 Refinery tract a distance of approximately 2250 feet to a point in  
 135-54 the centerline of Medio Creek;

135-55 Thence down the centerline of said Medio Creek with its  
 135-56 meanders in a generally southerly direction to a point in said  
 135-57 centerline from whence the Northeast corner of the Denver C.  
 135-58 Roberts 32.08 acre tract (description recorded in Deed Volume 184,  
 135-59 Page 302) bears S. 58° 14' W. at approximately 580 feet;

135-60 Thence S. 58° 14' W., at approximately 580 feet pass a one inch  
 135-61 iron pipe set at said Northeast corner of said Roberts 32.08 acre  
 135-62 tract, a total distance of 2,369 feet, more or less, to the  
 135-63 Northwest corner of said Roberts 32.08 acre tract;

135-64 Thence S. 70° 14' W. with the northern boundary line of the  
 135-65 Fred Hoffer 11.25 acre tract, the northern boundary line of the  
 135-66 Mineral Heights Subdivision, and continuing on the same course a  
 135-67 total distance of approximately 4,480 feet to the western boundary  
 135-68 line of said George A. Kerr Survey, Abstract 209;

135-69 Thence S. 20° E. with said western boundary line of said Kerr

136-1 Survey a distance of approximately 943.5 feet to a point, said point  
 136-2 being S. 20° E. 150 feet from the intersection of said western  
 136-3 boundary line of said Kerr Survey and the southern right-of way line  
 136-4 of F. M. Highway No. 623;

136-5 Thence N. 70° 14' E. along a line parallel to and 150 feet at  
 136-6 right angles southerly from said southern right-of-way line of  
 136-7 F. M. Highway No. 623 a distance of approximately 6,880 feet, and  
 136-8 continuing in a generally easterly direction along the tangents and  
 136-9 curves of said line parallel to and 150 feet at right angles  
 136-10 southerly from such southern right-of-way line of said F. M.  
 136-11 Highway 623 to a point in the centerline of said Medio Creek;

136-12 Thence in a generally southerly and westerly direction down  
 136-13 the centerline of said Medio Creek with its meanders a distance of  
 136-14 approximately 1,310 feet to its intersection with a line projected  
 136-15 800 feet westerly at right angles from the northerly projection of  
 136-16 the western right-of-way line of U. S. Highway No. 181, and from  
 136-17 such intersection a point in the centerline of said T. & NO Railroad  
 136-18 bears N. 71° 50' E. at 970 feet;

136-19 Thence in a generally southerly direction along the tangents  
 136-20 and curves of a line parallel to and 800 feet westerly at right  
 136-21 angles from said northerly projection and said western right-of-way  
 136-22 line of said highway a distance of approximately 2,650 feet to a  
 136-23 point from whence the southeast corner of the George A. Ray, Jr.  
 136-24 75.64 acre tract bears S. 79° 20' E. at 843.8 feet and from whence a  
 136-25 point in said western right-of-way line of U. S. Highway No. 181  
 136-26 bears S. 86° 53' E. at 800 feet;

136-27 Thence S. 86° 53' E. a distance of 689 feet to the point of  
 136-28 intersection of the centerlines of two small creeks from whence a 1  
 136-29 1/4 inch iron pipe set at the southeast corner of said George A.  
 136-30 Ray, Jr. 75.64 acre tract bears S. 49° 55' E. at 184.5 feet;

136-31 Thence in a generally easterly direction up the centerline of  
 136-32 that one of the said two small creeks which runs approximately S.  
 136-33 86° 53' E., with its meanders, under U. S. Highway No. 181 and the T &  
 136-34 NO Railroad and continuing up said creek to a point in its  
 136-35 centerline from whence a point in the eastern right-of-way line of  
 136-36 said T & NO Railroad bears N. 86° 53' W. at 800 feet and from whence  
 136-37 said Southeast corner of said Ray 75.64 acre tract bears S. 86° 54'  
 136-38 W. at 1,028 feet;

136-39 Thence in a generally northeasterly direction along the  
 136-40 tangents and curves of a line parallel to and 800 feet easterly at  
 136-41 right angles from the eastern right-of-way line of said T & NO  
 136-42 Railroad a distance of approximately 3,000 feet to a point in the  
 136-43 centerline of a small creek;

136-44 Thence up the centerline of said small creek with its  
 136-45 meanders in a generally northeasterly direction a distance of  
 136-46 approximately 940 feet to a point in the southern boundary line of  
 136-47 the Town of Pettus from whence the Southeast corner of said Town of  
 136-48 Pettus bears N. 71° 50' E. at approximately 700 feet;

136-49 Thence N. 71° 50' E along said southern boundary line of the  
 136-50 Town of Pettus a distance of approximately 700 feet to the Southeast  
 136-51 corner of the Town of Pettus, the place of beginning, containing 600  
 136-52 acres more or less, in Bee County, Texas.

136-53 Beginning at the Southeast corner of the Town of Pettus, Bee  
 136-54 County, Texas, according to plat filed in Vol. K, Page 517, Deed  
 136-55 Records, Bee County, Texas, in the George A. Kerr Survey, Abstract  
 136-56 209;

136-57 Thence N. 18° 10' W. with the eastern boundary line of said  
 136-58 Town of Pettus a distance of 2,560 feet to the Northeast corner of  
 136-59 said Town of Pettus;

136-60 Thence S. 71° 50' W. along the northern boundary line of said  
 136-61 Town of Pettus a distance of 103.9 feet;

136-62 Thence N. 60° 26' W. a distance of 40.3 feet;

136-63 Thence N. 71° 50' E. a distance of 214 feet;

136-64 Thence Northeasterly along the northern right-of-way line of  
 136-65 F. M Highway No. 623, rotating 24° 53' 53" about a radial center with  
 136-66 radius of 449.26 feet, an arc distance of 195.23 feet, to a point on  
 136-67 said northern right-of-way line of said Highway No. 623;

136-68 Thence N. 48° 14' E. along said Northern right-of-way line of  
 136-69 said Highway No. 623 a distance of 50.66 feet to a corner of that



137-1 certain tract of land conveyed by George A. Ray, Jr. to the Pettus  
 137-2 Independent School District by Deed recorded in Volume 218, Page  
 137-3 292, Bee County records;

137-4 Thence N. 05° 20' W. with the eastern boundary of said tract of  
 137-5 land conveyed by George A. Ray, Jr. to said School District a  
 137-6 distance of 298.08 feet for a corner;

137-7 Thence S. 84° 17' W. a distance of 1,114.1 feet to a point for  
 137-8 corner;

137-9 Thence N. 60° 26' W. a distance of 480.8 feet;

137-10 Thence S. 52° 40' W. a distance of 477.5 feet to the most  
 137-11 easterly eastern boundary line of the Danaho Refinery tract,  
 137-12 described in Deed of Trust Records, Volume 64, Page 424, Bee County  
 137-13 records;

137-14 Thence N. 18° 10' W. with said most easterly eastern boundary  
 137-15 line of the said Danaho Refinery tract a distance of 1,819.5 feet to  
 137-16 the Northeast corner of said Danaho Refinery tract;

137-17 Thence S. 71° 50' W. with the northern boundary line of said  
 137-18 Danaho Refinery tract, at 734 feet pass a 3/4 inch iron pipe set in  
 137-19 the eastern right-of-way line of the T & NO (S. P.) railroad  
 137-20 property, and continuing on the same course along the westerly  
 137-21 projection of said Northern boundary line of the said Danaho  
 137-22 Refinery tract a distance of approximately 2250 feet to a point in  
 137-23 the centerline of Medio Creek;

137-24 Thence down the centerline of said Medio Creek with its  
 137-25 meanders in a generally southerly direction to a point in said  
 137-26 centerline from whence the Northeast corner of the Denver C.  
 137-27 Roberts 32.08 acre tract (description recorded in Deed Volume 184,  
 137-28 Page 302) bears S. 58° 14' W. at approximately 580 feet;

137-29 Thence S. 58° 14' W., at approximately 580 feet pass a one inch  
 137-30 iron pipe set at said Northeast corner of said Roberts 32.08 acre  
 137-31 tract, a total distance of 2,369 feet, more or less, to the  
 137-32 Northwest corner of said Roberts 32.08 acre tract;

137-33 Thence S. 70° 14' W. with the northern boundary line of the  
 137-34 Fred Hoffer 11.25 acre tract, the northern boundary line of the  
 137-35 Mineral Heights Subdivision, and continuing on the same course a  
 137-36 total distance of approximately 4,480 feet to the western boundary  
 137-37 line of said George A. Kerr Survey, Abstract 209;

137-38 Thence S. 20° E. with said western boundary line of said Kerr  
 137-39 Survey a distance of approximately 943.5 feet to a point, said point  
 137-40 being S. 20° E. 150 feet from the intersection of said western  
 137-41 boundary line of said Kerr Survey and the southern right-of-way  
 137-42 line of F. M. Highway No. 623;

137-43 Thence N. 70° 14' E. along a line parallel to and 150 feet at  
 137-44 right angles southerly from said southern right-of-way line of  
 137-45 F. M. Highway No. 623 a distance of approximately 6,880 feet, and  
 137-46 continuing in a generally easterly direction along the tangents and  
 137-47 curves of said line parallel to and 150 feet at right angles  
 137-48 southerly from such southern right-of-way line of said F. M.  
 137-49 Highway 623 to a point in the centerline of said Medio Creek;

137-50 Thence in a generally southerly and westerly direction down  
 137-51 the centerline of said Medio Creek with its meanders a distance of  
 137-52 approximately 1,310 feet to its intersection with a line projected  
 137-53 800 feet westerly at right angles from the northerly projection of  
 137-54 the western right-of-way line of U. S. Highway No. 181, and from  
 137-55 such intersection a point in the centerline of said T. & NO Railroad  
 137-56 bears N. 71° 50' E. at 970 feet;

137-57 Thence in a generally southerly direction along the tangents  
 137-58 and curves of a line parallel to and 800 feet westerly at right  
 137-59 angles from said northerly projection and said western right-of-way  
 137-60 line of said highway a distance of approximately 2,650 feet to a  
 137-61 point from whence the southeast corner of the George A. Ray, Jr.  
 137-62 75.64 acre tract bears S. 79° 20' E. at 843.8 feet and from whence a  
 137-63 point in said western right-of-way line of U. S. Highway No. 181  
 137-64 bears S. 86° 53' E. at 800 feet;

137-65 Thence S. 86° 53' E. a distance of 689 feet to the point of  
 137-66 intersection of the centerlines of two small creeks from whence a 1  
 137-67 1/4 inch iron pipe set at the southeast corner of said George A.  
 137-68 Ray, Jr. 75.64 acre tract bears S. 49° 55' E. at 184.5 feet;

137-69 Thence in a generally easterly direction up the centerline of

138-1 that one of the said two small creeks which runs approximately S.  
 138-2 86° 53' E., with its meanders, under U. S. Highway No. 181 and the T &  
 138-3 NO Railroad and continuing up said creek to a point in its  
 138-4 centerline from whence a point in the eastern right-of-way line of  
 138-5 said T & NO Railroad bears N. 86° 53' W. at 800 feet and from whence  
 138-6 said Southeast corner of said Ray 75.64 acre tract bears S. 86° 54'  
 138-7 W. at 1,028 feet;

138-8 Thence in a generally northeasterly direction along the  
 138-9 tangents and curves of a line parallel to and 800 feet easterly at  
 138-10 right angles from the eastern right-of-way line of said T & NO  
 138-11 Railroad a distance of approximately 3,000 feet to a point in the  
 138-12 centerline of a small creek;

138-13 Thence up the centerline of said small creek with its  
 138-14 meanders in a generally northeasterly direction a distance of  
 138-15 approximately 940 feet to a point in the southern boundary line of  
 138-16 the Town of Pettus from whence the Southeast corner of said Town of  
 138-17 Pettus bears N. 71° 50' E. at approximately 700 feet;

138-18 Thence N. 71° 50' E along said southern boundary line of the  
 138-19 Town of Pettus a distance of approximately 700 feet to the Southeast  
 138-20 corner of the Town of Pettus, the place of beginning, containing 600  
 138-21 acres more or less, in Bee County, Texas.

138-22 SECTION 2.05. Section 1, Chapter 4, Acts of the 58th  
 138-23 Legislature, Regular Session, 1963, is amended to read as follows:

138-24 Sec. 1. ~~The [Under and pursuant to the provisions of Section~~  
 138-25 ~~59 of Article XVI, Constitution of Texas, a Conservation and~~  
 138-26 ~~Reclamation District is hereby created and incorporated in Willacy~~  
 138-27 ~~County, Texas, to be known as "Port Mansfield Public Utility~~  
 138-28 ~~District," hereinafter referred to as the "District," and the]~~  
 138-29 ~~boundaries of the Port Mansfield Public Utility District [said~~  
 138-30 ~~District] shall be as follows:~~

138-31 STARTING with the U. S. Coastal and Geodetic Survey,  
 138-32 permanent bench Sauz, which is located as latitude 26 degrees, 32  
 138-33 minutes, 16.012 seconds, and longitude 97 degrees, 25 minutes,  
 138-34 13.527 seconds;

138-35 THENCE, at an azimuth 202 degrees, 32 minutes, for a distance  
 138-36 of 351.4 feet to the point of beginning, said point being at the  
 138-37 ordinary high tide line on the shoreline of Red Fish Bay and being  
 138-38 the southeast corner of said District;

138-39 THENCE, west (azimuth 270 degrees, 0 minutes) for a distance  
 138-40 of 7,940 feet to a point, said point being the southwest corner of  
 138-41 said District;

138-42 THENCE, north (azimuth 0 degrees, 0 minutes) for a distance  
 138-43 of 11,880 feet to a point, said point being the northwest corner of  
 138-44 said District;

138-45 THENCE, east (azimuth 90 degrees, 0 minutes) for a distance  
 138-46 of 5,280 feet to the ordinary high tide line on the shore line of Red  
 138-47 Fish Bay, said point being the northeast corner of said District;

138-48 THENCE, generally southward, following said ordinary high  
 138-49 tide line of Red Fish Bay to the southeast corner of said District  
 138-50 and POINT OF BEGINNING, containing 1,760 acres of land, more or  
 138-51 less, and being out of and a part of the San Juan de Carricitos Grant  
 138-52 in Willacy County, Texas.

138-53 SECTION 2.06. Section 2, Chapter 29, Acts of the 55th  
 138-54 Legislature, 1st Called Session, 1957, is amended to read as  
 138-55 follows:

138-56 Sec. 2. ~~[It is expressly determined and found that all of~~  
 138-57 ~~the territory included with the area of the district will be~~  
 138-58 ~~benefited by the works and projects which are to be accomplished by~~  
 138-59 ~~the Authority pursuant to the powers conferred by the provisions of~~  
 138-60 ~~Article XVI, Section 59, of the Constitution of Texas.]~~ The area of  
 138-61 the Donahoe Creek Watershed Authority shall be all of that  
 138-62 territory enclosed within the following metes and bounds  
 138-63 description, to-wit:

138-64 BEGINNING at a point in the center of Little River on the  
 138-65 North line of the Juan J. Acosta Grant, in Milam County, Texas,  
 138-66 where the west ROW line of Farm-Market Road No. 486 crosses said  
 138-67 River;

138-68 Thence about S 20 W with the West ROW line to its'  
 138-69 intersection with the South ROW line of Farm-Market Road #487,

- 139-1 which is also the North line of the San Gabriel River Water Control  
 139-2 and Improvement District No. 1.
- 139-3 Thence with the North line of said District as follows:  
 139-4 Thence with the South ROW line of F-M Road No. 487 in a  
 139-5 westerly direction, through the Communities of Sharp and Davilla to  
 139-6 the point where said ROW line crosses the Milam, Bell Counties line.
- 139-7 Thence S 20 W with the Milam and Bell County lines to their  
 139-8 common corner on the North line of Williamson County.
- 139-9 Thence N 65 W with the Bell and Williamson County lines to the  
 139-10 point where said line crosses the North line of the M F  
 139-11 DeGraffenreid Survey No. 107.
- 139-12 Thence N 70 W with the North line of the M F DeGraffenreid  
 139-13 Survey No. 107 to the N W corner of same.
- 139-14 Thence S 20 W with the West line of said survey No. 107, and  
 139-15 the East lines of the M F DeGraffenreid Surveys Nos. 109 and 110, to  
 139-16 the S E corner of Survey No. 110.
- 139-17 Thence N 70 W with the south line of Survey No. 110, to the N E  
 139-18 corner of the M F DeGraffenreid Survey No. 111.
- 139-19 Thence S 20 W with the East line of Survey No. 111, to the S E  
 139-20 corner of Survey No. 111.
- 139-21 Thence N 70 W with the South line of Survey No. 111, to the  
 139-22 lower S W corner of Survey No. 111, on the East line of the J B  
 139-23 Rogers Survey No. 9.
- 139-24 Thence N 20 E with the east line of the J B Rogers Survey No. 9  
 139-25 to the N E corner of same.
- 139-26 Thence N 70 W with the North line of the J B Rogers Survey to N  
 139-27 W corner of same.
- 139-28 Thence S 20 W with the West line of the J B Rogers Survey to  
 139-29 the S W corner of same, the S E corner of the I & G N Railroad Co.  
 139-30 Survey No. 196.
- 139-31 Thence N 70 W with the south line of the I & G N RR Co Surveys  
 139-32 Nos. 196 and 195 to the S W corner of Survey No. 195.
- 139-33 Thence N 19 W with the West line of Survey No. 195 to the N W  
 139-34 corner, in the south line of the Willis Donahoe Survey.
- 139-35 Thence N 70 W with the south lines of the Willis Donahoe and  
 139-36 Edward Ryan surveys, to the lower S W corner of the Edward Ryan  
 139-37 Survey, in the East line of the W A Jenkins Survey.
- 139-38 Thence N 19 W with the Jenkins and Ryan Surveys, to the lower  
 139-39 N W corner of the Ryan Survey, the S W corner of the J. J.  
 139-40 Stubblefield Survey.
- 139-41 Thence N 71 E with the south line of the J J Stubblefield  
 139-42 Survey to the S E corner of same.
- 139-43 Thence N 19 W with the East line of the J J Stubblefield  
 139-44 Survey to the N E corner of same.
- 139-45 Thence southwesterly with the North line of the J J  
 139-46 Stubblefield Survey, to the N W corner of same, the N E corner of the  
 139-47 Herman Aiken Survey, an angle corner in the South line of the Wm  
 139-48 Adams Survey.
- 139-49 Thence S 71 W with the south line of the Wm Adams Survey to the  
 139-50 S W corner of same, in the East line of the A A Lewis Survey.
- 139-51 Thence N 19 W with the West line of the Wm Adams Survey and the  
 139-52 East line of the A A Lewis Survey, to the point in the East line of  
 139-53 the Lewis Survey where the South ROW line of F-M Road #487 crosses  
 139-54 same.
- 139-55 Thence Southwesterly across the A A Lewis and the Robert Lile  
 139-56 Surveys, to the point where the F-M Road crosses the Lile West line.
- 139-57 Thence here leaving the line of the San Gabriel District and  
 139-58 following the West line of the Robert Lile Survey, N 19 W to the  
 139-59 point where it intersects the East ROW line of US Highway #81.
- 139-60 Thence Northeasterly with the ROW line of US Highway #81, to  
 139-61 the point where said ROW line crosses the North line of the Lile  
 139-62 Survey.
- 139-63 Thence N 71 E with the Robert Lile Survey North line to the N E  
 139-64 corner of said Lile Survey, at or near the N W corner of the Wm B  
 139-65 McClellan Survey.
- 139-66 Thence N 71 E with the North line of the McClellan Survey,  
 139-67 crossing the Williamson-Bell County line, to the N E corner of the  
 139-68 McClellan Survey.
- 139-69 Thence S 19 E with the East line of the McClellan Survey to

140-1 the N W corner of the Samuel Wolfenbarger Survey.

140-2 Thence with the North lines of the Wolfenbarger and the Jesse

140-3 B Holman Survey, N 71 E to the N E corner of the Holman Survey to the

140-4 N W corner of the Josiah Chalk Survey.

140-5 Thence N 71 E with the North line of the Josiah Chalk Survey

140-6 and the North line of the H. Barney Survey, Abstract No. 1064, and

140-7 the South line of the Rueben Plummer Survey, to the S E corner of the

140-8 Plummer Survey and the N E corner of the H. Barney Survey.

140-9 Thence S 19 E with the upper East line of the H. Barney

140-10 Survey, to an Ell corner of the Barney Survey.

140-11 Thence N 71 E with the lower North line of the Barney Survey,

140-12 to the Eastmost N E corner, at the N W corner of the Amos Pollard

140-13 Survey, Abstract #667, and at the S W corner of the Henry Barney

140-14 Survey, Abst. #950.

140-15 Thence S 70 E with the South line of the Henry Barney Survey

140-16 to the S E corner of the Survey.

140-17 Thence N 20 E with the East line of the Henry Barney Survey to

140-18 the N W corner of the John L. Christoph Survey.

140-19 Thence S 70 E with the North line of the Christoph Survey to

140-20 the point where (about 0.6 miles distant) a County road crosses the

140-21 survey line.

140-22 Thence in a Northerly direction about 0.5 miles, with the

140-23 road and crossing a part of the M F DeGraffenreid Survey, Abstract

140-24 No. 275, to the S W corner of the John Laise Survey, Abst. #515, also

140-25 an Ell corner of the DeGraffenreid Survey.

140-26 Thence N 71 E with the South line of the Laise Survey and the

140-27 line of the DeGraffenreid Survey, to the point where another County

140-28 road intersects said lines, about the upper N W corner of the

140-29 DeGraffenreid Survey.

140-30 Thence in an E SE direction with the County road, along or

140-31 near the North line of this DeGraffenreid Survey and the North line

140-32 of another M F DeGraffenreid Survey, Abstract No. 274, to a bend in

140-33 the road.

140-34 Thence S 20 W with the road, about 0.4 miles to a fork in the

140-35 road.

140-36 Thence S 70 E with the road, about 0.6 miles to another bend

140-37 in the road, on or near the East line of the DeGraffenreid Survey,

140-38 in the West line of the Joseph Branham Survey, Abstract No. 123.

140-39 Thence N 20 E with the road and survey lines, about 0.1 miles

140-40 to another bend in the road.

140-41 Thence S 70 E about 0.6 miles and with the road to a bend.

140-42 Thence N 20 E about 0.1 miles with the road, to another bend.

140-43 Thence S 70 E about 1.0 miles to a crossroad.

140-44 Thence S 20 W about 0.1 miles to a crossroad.

140-45 Thence S 70 E at about 0.6 miles cross the East line of the J.

140-46 Branham Survey and the West line of the William Newland Survey, in

140-47 all about 0.9 miles to a bend.

140-48 Thence N 20 E with the road about 0.6 miles to a bend.

140-49 Thence S 70 E with the road about 0.1 miles to the East ROW

140-50 line of the M K & T Railroad running between Bartlett and Holland,

140-51 Texas.

140-52 Thence Northerly with the ROW line cross the Newland Survey,

140-53 and across the Lucian Barney Survey, to the point where said ROW

140-54 line crosses the North line of the Barney Survey and the South line

140-55 of the James B. Wills Survey.

140-56 Thence S 70 E with the South line of the J. B. Wills and the

140-57 George Allen Surveys, to the S E corner of the George Allen Survey.

140-58 Thence N 20 E with the East lines of the George Allen and the

140-59 J D Sholl Surveys, to the point where the center of F-M Road running

140-60 from just South of Holland through Vilas, crosses the East line of

140-61 the Sholl Survey.

140-62 Thence with the center of said road, in an easterly

140-63 direction, passing through Vilas, to the East line of Bell County,

140-64 the West line of Milam County, Texas.

140-65 Thence N 20 E with the County lines, to the point where said

140-66 line is crossed by Little River.

140-67 Thence in an Easterly and Southeasterly direction with the

140-68 River after about 6 miles a fork in the River bed, follow the new

140-69 channel, after about 6 miles more the new channel rejoins the old



141-1 channel, continue with old channel about 1 mile more to the POINT OF  
141-2 BEGINNING.

141-3 SECTION 2.07. Section 1, Chapter 398, Acts of the 51st  
141-4 Legislature, Regular Session, 1949, is amended to read as follows:

141-5 Sec. 1. The Duval County Conservation and Reclamation  
141-6 District consists [~~Under and pursuant to the provisions of Article~~  
141-7 ~~16, Section 59, of the Constitution of Texas, there is hereby~~  
141-8 ~~created within the State of Texas, in addition to the districts into~~  
141-9 ~~which the state has heretofore been divided, a conservation and~~  
141-10 ~~reclamation district to be known as the Duval County Conservation~~  
141-11 ~~and Reclamation District, hereinafter sometimes referred to as the~~  
141-12 ~~"District," and consisting]~~ of that part of the State of Texas which  
141-13 is included within the boundaries of Duval County, exclusive of  
141-14 that part of Duval County comprising the Freer Water Control and  
141-15 Improvement District, of Duval County, and including that part of  
141-16 Jim Wells County within the corporate limits of the City of San  
141-17 Diego, Texas.

141-18 SECTION 2.08. Section 1, Chapter 613, Acts of the 59th  
141-19 Legislature, Regular Session, 1965, is amended to read as follows:

141-20 Sec. 1. The [~~Under and pursuant to the provisions of Section~~  
141-21 ~~59 of Article XVI, Constitution of Texas, a conservation and~~  
141-22 ~~reclamation district is hereby created and incorporated in~~  
141-23 ~~Galveston County, Texas, to be known as "Flamingo Isles Municipal~~  
141-24 ~~Utility District of Galveston County, Texas," hereinafter referred~~  
141-25 ~~to as the "District," and the]~~ boundaries of the Flamingo Isles  
141-26 Municipal Utility District of Galveston County, Texas, [~~said~~  
141-27 ~~District]~~ shall be as follows:

141-28 All that certain tract of land situated wholly within  
141-29 Galveston County, Texas, and being a part of the James Spillman  
141-30 League, Abstract #175, part of the Arthur Burke Survey, Abstract  
141-31 #25, part of the J. Butler Survey #16, Abstract #194, part of the J.  
141-32 Butler Survey #18, Abstract #196, all of the J. Butler Survey #17,  
141-33 Abstract #195 and all of the R. M. Brackenridge Survey, Abstract No.  
141-34 38, the boundaries of the herein described tract being more fully  
141-35 described as follows, to wit:

141-36 BEGINNING at a point where the Westerly line of said James  
141-37 Spillman League intersects the Southerly line of that certain tract  
141-38 of land conveyed to the G. C. & S. F. Railroad by deed of record in  
141-39 Vol. 387, Page 117, in said County Clerk's office;

141-40 THENCE, in an Easterly direction along the Southerly line of  
141-41 said G. C. & S. F. property to its most Southerly corner;

141-42 THENCE, in a Northerly direction along its most Easterly line  
141-43 to the Southerly line of the G. C. & S. F. Railroad right of way;

141-44 THENCE, in an Easterly direction along the Southerly line of  
141-45 said right of way to the most Northerly corner of a subdivision  
141-46 known as West Galveston, out of said James Spillman League, map of  
141-47 said Subdivision being of record in Vol. 92, Page 470, in said  
141-48 County Clerk's office;

141-49 THENCE, in a general Southerly direction along the Westerly  
141-50 line of said Subdivision to its West corner;

141-51 THENCE, in a Southeasterly direction along the Southerly line  
141-52 of said Subdivision passing the shore line of Galveston Bay and  
141-53 continuing on same course to the intersection with the  
141-54 Southeasterly line of said James Spillman League;

141-55 THENCE, in a general Southwesterly direction along the  
141-56 Southeast line of said League to the most Easterly corner of said R.  
141-57 M. Brackenridge Survey;

141-58 THENCE, in a general Southwesterly direction along the  
141-59 Southeasterly line of said Brackenridge Survey to its most  
141-60 Southerly corner;

141-61 THENCE, in a Westerly direction along the most Southerly line  
141-62 of said Brackenridge Survey to its most Westerly corner;

141-63 THENCE, in a general Northerly direction along the Westerly  
141-64 line of said Brackenridge Survey, same being the Easterly line of  
141-65 the L. T. Yowell Survey, Abstract 216, to the most Northerly corner  
141-66 of said Brackenridge Survey, same being the most Easterly corner of  
141-67 said Yowell Survey and on the Southerly line of said Spillman  
141-68 League;

141-69 THENCE, in a general Westerly direction along the Southerly

142-1 line of said Spillman League, same being the Northerly line of said  
 142-2 Yowell Survey to the Southwesterly corner of said Spillman League,  
 142-3 same being the Northwest corner of said Yowell Survey and on the  
 142-4 Easterly line of the J. Butler Survey #17, same being on the  
 142-5 Easterly line of a tract of land conveyed to John W. Mecom by deed of  
 142-6 record in Vol. 1537, Page 521, in said County Clerk's office;

142-7 THENCE, in a general Southerly direction along the Easterly  
 142-8 line of said J. Butler Survey #17 to its Southeast corner, same  
 142-9 being the Northeast corner of the Maco Stewart Survey Abstract  
 142-10 #666;

142-11 THENCE, in a general Westerly direction along the Southerly  
 142-12 line of the J. Butler Survey #17 and the J. Butler Survey #18 and  
 142-13 along the Northerly line of said Maco Stewart Survey to the  
 142-14 Southwesterly corner of the J. Butler Survey #18 same being the  
 142-15 Southeasterly corner of the Wm. Rhodes Survey, Abstract 171, same  
 142-16 being the Southwesterly corner of the aforesaid John W. Mecom  
 142-17 Tract;

142-18 THENCE, in a general Northerly direction along the West line  
 142-19 of said J. Butler Survey #18 same being the Easterly line of said  
 142-20 Wm. Rhodes Survey to a re-entrant corner of said John W. Mecom  
 142-21 Tract;

142-22 THENCE, in an Easterly direction along said Mecom Tract to  
 142-23 another re-entrant corner in the J. Butler Survey #18;

142-24 THENCE, in a general Northerly direction along the Westerly  
 142-25 line of said Mecom Tract passing the Northerly line of the J. Butler  
 142-26 Survey #18 same being the Southerly line of the J. Butler Survey #16  
 142-27 and continuing along the Westerly line of said Mecom Tract to the  
 142-28 Southerly line of the Thomas Toby Survey, Abstract #193 same being  
 142-29 another re-entrant corner in said John W. Mecom Tract;

142-30 THENCE, in a general Easterly direction along the Southerly  
 142-31 line of said Toby Survey to its Southeast corner same being another  
 142-32 re-entrant corner of said Mecom Tract;

142-33 THENCE, in a Northerly direction along the Easterly line of  
 142-34 said Thomas Toby Survey and along a Westerly line of the J. Butler  
 142-35 Survey #16 to the Southwesterly corner of the Arthur Burke Survey,  
 142-36 Abstract #26 same being the most Northerly corner of said Mecom  
 142-37 Tract;

142-38 THENCE, in a general Easterly direction along the Southerly  
 142-39 line of said Arthur Burke Survey, Abstract #26 and along the  
 142-40 Northerly line of said Butler Survey #16 same being a Northerly line  
 142-41 of said Mecom Tract to the Southeast corner of said Arthur Burke  
 142-42 Survey, Abstract #25 being another re-entrant corner of said Mecom  
 142-43 Tract and a re-entrant of said J. Butler Survey #16;

142-44 THENCE, in a Southerly direction along the Westerly line of  
 142-45 said Arthur Burke Survey, Abstract #25 and along a line in the J.  
 142-46 Butler Survey #16 to the Southwest corner of said Arthur Burke  
 142-47 Survey, Abstract #25 same being a re-entrant corner in said Mecom  
 142-48 Tract and also a reentrant corner of the J. Butler Survey #16;

142-49 THENCE, in a general Easterly direction along the Southerly  
 142-50 line of said Arthur Burke Survey, Abstract #25 and along the  
 142-51 Northerly line of said J. Butler Survey #16 same being along the  
 142-52 most Southerly Northerly line of said Mecom Tract to the Northeast  
 142-53 corner of said J. Butler Survey #16 same being the Southeasterly  
 142-54 corner of said Arthur Burke Survey, Abstract #25, and being the  
 142-55 Northeast corner of aforementioned Mecom Tract and on the Westerly  
 142-56 line of the James Spillman League;

142-57 THENCE, in a general Northerly direction along the West line  
 142-58 of said James Spillman League and the Easterly line of the Arthur  
 142-59 Burke Survey, Abstract #25 to the place of beginning.

142-60 SECTION 2.09. Section 2, Chapter 268, Acts of the 53rd  
 142-61 Legislature, Regular Session, 1953, is amended to read as follows:

142-62 Sec. 2. ~~The [District shall be situated in Wise County,~~  
 142-63 ~~Texas, and the]~~ boundaries of the Wise County Water Supply District  
 142-64 ~~[thereof]~~ shall be as follows:

142-65 BEGINNING At a point in the original South Boundary Line of  
 142-66 said City of Decatur, Texas, which point is 1 mile South of the  
 142-67 center of the Public Square in Decatur, Texas, an iron pipe about 2  
 142-68 feet long, about 6 inches above the ground, a mesquite tree bears  
 142-69 North 50 1/2° West 82';

143-1           THENCE East with the original South line of the City Limits of  
143-2 Decatur, Texas to the East Boundary Line of the Samuel Perrin  
143-3 Survey, Abstract No. 684, and the West Boundary Line of the A. J.  
143-4 Walker Survey, Abst. No. 860;  
143-5           THENCE South 1° 31' West of the West Boundary Line of said  
143-6 Walker Survey and East Boundary Line of said Perrin Survey to the  
143-7 Northeast Right of Way Line of U.S. Highway 81-287 as now located;  
143-8           THENCE Southeasterly with said Right of Way to the South  
143-9 Boundary Line of said A. J. Walker Survey;  
143-10          THENCE West with the South Boundary Line of said A. J. Walker  
143-11 Survey to its intersection with the East Right of Way Line of State  
143-12 Highway F.M. 730 as now located;  
143-13          THENCE Southerly with the East Right of Way Line of said  
143-14 Highway F.M. 730 to its intersection with the East Boundary Line of  
143-15 the A. G. Harris Survey, Abstract No. 375;  
143-16          THENCE South with the East Boundary Line of said A. G. Harris  
143-17 Survey to the South Boundary Line of same, being the South Boundary  
143-18 Line of the Valley View Acres Subdivision according to the recorded  
143-19 plat thereof;  
143-20          THENCE West with the South Boundary Line of said Valley View  
143-21 Acres Subdivision and said A. G. Harris Survey, to the Southwest  
143-22 corner of said Subdivision, in the center of a creek;  
143-23          THENCE with the meanderings of said creek as follows:  
143-24          North 6° 7' West 87.3 feet;  
143-25          North 46° 55' East 189 feet;  
143-26          North 53° 55' East 230.4 feet;  
143-27          South 88° 44' East 176.3 feet;  
143-28          North 63° 42' East 187.1 feet;  
143-29          North 62° East 182 feet;  
143-30          THENCE South 38° 58' East 69.5 feet to a corner;  
143-31          THENCE South 81° 04' East 30' to a 2" iron stake in old fence  
143-32 line;  
143-33          THENCE North 34° 04' West 151.2 feet to a stake on the bank of  
143-34 a creek;  
143-35          THENCE North 13° 19' East 53 feet to a stake on the bank of a  
143-36 creek;  
143-37          THENCE North 50° 55' East 275 feet to the North corner of a  
143-38 1.88 acre tract in said Harris Survey in the West Right of Way Line  
143-39 of State Highway F M 730;  
143-40          THENCE North with said Right of Way Line 64' to the Southeast  
143-41 corner of a 1 acre tract conveyed to E. H. McDaniel by deed recorded  
143-42 in Volume 208, Page 256, Deed Records of Wise County, Texas;  
143-43          THENCE West with the South Line of said 1 acre tract 100' to  
143-44 its Southwest corner, a stake in the East Bank of a creek;  
143-45          THENCE Northeasterly with the meanderings of said creek to  
143-46 the North Boundary Line of said 1 acre tract;  
143-47          THENCE East 49' to the Northeast corner of said 1 acre tract,  
143-48 in the West Right of Way Line of State Highway F M 730;  
143-49          THENCE Northerly with the West Right of Way Line of said State  
143-50 Highway F M 730 to its intersection with the South Boundary Line of  
143-51 the A. J. Walker Survey, Abstract No. 860;  
143-52          THENCE West with the South Boundary Line of said Walker  
143-53 Survey to its Southwest corner, being the Southeast corner of the  
143-54 Samuel Perrin Survey, Abstract No. 684;  
143-55          THENCE North 1° 31' East with the East Boundary Line of said  
143-56 Perrin Survey and West Boundary Line of said Walker Survey to the  
143-57 Southwest Right of Way Line of said U. S. Highway 81-287;  
143-58          THENCE Northwesterly with said Right of Way to its  
143-59 intersection with the original South City Limits Line of said City  
143-60 of Decatur;  
143-61          THENCE West with the original South City Limits Line of said  
143-62 City of Decatur to the East Right of Way Line of State Highway FM 51,  
143-63 as now located;  
143-64          THENCE Southwesterly with said Right of Way Line to its  
143-65 intersection with the North Boundary Line of a 310 acre tract out of  
143-66 the Samuel Isaacs Survey Abst. No. 454, conveyed to Wise County,  
143-67 Texas by deed of record in Volume 6, Page 4, of the Deed Records of  
143-68 Wise County, Texas;  
143-69          THENCE East with the North Boundary Line of said 310 acre

144-1 tract to its Northeast corner, being the Northeast corner of said  
144-2 Isaacs Survey;  
144-3 THENCE South 1645 varas with the East Line of said 310 acre  
144-4 tract to its Southeast corner;  
144-5 THENCE West with the South Line of said 310 acre tract 1066  
144-6 varas to its Southwest corner, a stake from which a B. J. bears  
144-7 North 10° West 7 1/2 varas;  
144-8 THENCE North with the East Boundary Line of said 310 acre  
144-9 tract to the Southwest corner of a 76 acre tract in said Isaacs  
144-10 Survey conveyed to G. R. Lipsey, Sr., by deed of record in Volume  
144-11 214, Page 566, Deed Records of Wise County, Texas;  
144-12 THENCE North 85° East, 42 varas to a corner in the West Right  
144-13 of Way Line of said State Highway FM 51;  
144-14 THENCE Northeasterly with the West Right of Way Line of said  
144-15 State Highway F M 51 to its intersection with the original South  
144-16 City Limits Line of said City of Decatur;  
144-17 THENCE West with said original South City Limits Line to the  
144-18 original Southwest corner of said City of Decatur;  
144-19 THENCE North with the original West City Limits Line of the  
144-20 City of Decatur to its intersection with the South Line of a 100  
144-21 acre tract in the D. Moses Survey, Abstract No. 537 described in  
144-22 deed to Coke L. Gage recorded in Volume 204, Page 244, of the Deed  
144-23 Records of Wise County, Texas;  
144-24 THENCE West with the South Line of said Coke L. Gage 100 acre  
144-25 tract 747 varas to its Southwest corner;  
144-26 THENCE North 950 varas to the Northwest corner of said 100  
144-27 acre tract in the South Right of Way Line of said State Highway No.  
144-28 24;  
144-29 THENCE West with the South Right of Way Line of said State  
144-30 Highway No. 24 to a point due South of the most Easterly Southwest  
144-31 corner of an 84 acre tract in the J. H. Moore Survey, Abstract No.  
144-32 538, described as FIRST TRACT in deed to C. L. Gage recorded in  
144-33 Volume 208, Page 354, Deed Records of Wise County, Texas;  
144-34 THENCE North crossing said State Highway No. 24, continuing  
144-35 with the most Easterly West Line of said 84 acre tract to an inward  
144-36 corner of same, said point being 225 varas North of the North Right  
144-37 of Way Line of said Highway;  
144-38 THENCE West 150 varas to the most Westerly Southwest corner  
144-39 of said 84 acre tract;  
144-40 THENCE North 682 varas to the Northwest corner of the said 84  
144-41 acre tract;  
144-42 THENCE East with the North Line of said 84 acre tract and  
144-43 continuing East along the North Line of a 72 acre tract described as  
144-44 SECOND TRACT in Deed to C. L. Gage recorded in Volume 208, Page 354,  
144-45 Deed Records of Wise County, Texas, to the Northeast corner of said  
144-46 72 acre tract on the West boundary line of the G. M. Vigil Survey,  
144-47 Abst. No. 857;  
144-48 THENCE South with the West Boundary Line of said G. M. Vigil  
144-49 Survey to the Northwest corner of a 29.5 acre tract in said survey,  
144-50 described as THIRD TRACT in deed to C. L. Gage recorded in Volume  
144-51 208, Page 354, Deed Records of Wise County, Texas, a corner in  
144-52 center of a branch;  
144-53 THENCE Easterly with the meanderings of said branch to the  
144-54 Northeast corner of said 29.5 acre tract, in the West Boundary Line  
144-55 of the J. B. Williams Survey, Abst. No. 880;  
144-56 THENCE Easterly continuing with the meanderings of said  
144-57 branch to the Northeast corner of a 15.5 acre tract described as the  
144-58 FOURTH TRACT in deed to C. L. Gage, recorded in Volume 208, Page  
144-59 354, Deed Records of Wise County, Texas, being a point in the West  
144-60 Boundary Line of a 40 acre tract in said J. B. Williams Survey  
144-61 conveyed to J. H. Valcik by deed of record in Volume 170, Page 142,  
144-62 Deed Records of Wise County, Texas;  
144-63 THENCE North 40.0 varas to the Northwest corner of said J. H.  
144-64 Valcik 40 acre tract;  
144-65 THENCE East 171.47 varas to the Most Westerly Northeast  
144-66 corner of said 40 acre tract;  
144-67 THENCE South at 100 varas a branch at 133.2 varas an inward  
144-68 corner in said 40 acre tract;  
144-69 THENCE South 76° 39' East 254.52 varas to the Most Easterly



145-1 Northeast corner of said 40 acre tract;  
 145-2 THENCE South 217.6 varas to the Northwest corner of a 7 acre  
 145-3 tract in said J. B. Williams Survey conveyed to T. F. Cook by deed of  
 145-4 record in Volume 224, Page 419, Deed Records of Wise County, Texas;  
 145-5 THENCE East with the North Line of said 7 acre tract and the  
 145-6 North Line of a 2.5 acre tract in said Williams Survey conveyed to  
 145-7 J. Sherman by deed of record in Vo. 242, Page 431, Deed Records of  
 145-8 Wise County, Texas, a total distance of 239 varas to the Northeast  
 145-9 corner of said 2.5 acre;  
 145-10 THENCE North to the Northwest corner of a 9 acre tract in said  
 145-11 J. B. Williams Survey conveyed to L. P. Cole by deed of record in  
 145-12 Volume 208, Page 596, Deed Records of Wise County, Texas;  
 145-13 THENCE East with the North Line of said 9 acre tract a  
 145-14 distance of about 3 feet to the Original West City Limits Line of  
 145-15 the City of Decatur;  
 145-16 THENCE North with said Original West City Limits Line to the  
 145-17 original Northwest corner of said City of Decatur, an iron pipe for  
 145-18 corner, an elm tree bears South 75° West 30 1/2 feet;  
 145-19 THENCE East with the original North City Limits Line of said  
 145-20 City of Decatur, to its intersection with the center of the  
 145-21 Decatur-Forestburg road, being now designated as State Highway FM  
 145-22 730;  
 145-23 THENCE Northerly with the center of said Highway to the  
 145-24 Southwest corner of a 19.6 acre tract conveyed to J. N. Hinkle by  
 145-25 deed of record in Volume 158, Page 317, Deed Records of Wise County,  
 145-26 Texas;  
 145-27 THENCE North 76° 39' East with South Line of said 19.6 acre  
 145-28 tract 613.2 feet to a fence corner;  
 145-29 THENCE North 2° 2' West 329.3 feet to a fence corner;  
 145-30 THENCE South 79° 53' East 654.4 feet to a fence corner;  
 145-31 THENCE North 12° 28' West 543.7 feet to the North line of a  
 145-32 121.16 acre tract conveyed to the City of Decatur by deed of record  
 145-33 in Volume 156, Page 24, Deed Records of Wise County, Texas;  
 145-34 THENCE North 300' to a fence corner;  
 145-35 THENCE East 280' to a fence corner;  
 145-36 THENCE North 14° 20' East 751.3 feet to a corner in the South  
 145-37 Boundary Line of the J. M. Birdwell Survey, Abst. No. 68, being in  
 145-38 the South Boundary Line of the 80 acre Decatur Golf Club tract;  
 145-39 THENCE West with the South Boundary Line of said J. M.  
 145-40 Birdwell Survey to its Southwest corner;  
 145-41 THENCE North 475 varas to the Northwest corner of said  
 145-42 Decatur Golf Club 80 acre tract;  
 145-43 THENCE East 950 varas to the Northeast corner of said Decatur  
 145-44 Golf Club tract, in the East Boundary Line of said J. M. Birdwell  
 145-45 Survey;  
 145-46 THENCE South with the East Boundary Line of said J. M.  
 145-47 Birdwell Survey 475 varas to its Southeast corner;  
 145-48 THENCE West with the South Boundary Line of said J. M.  
 145-49 Birdwell Survey, to the most Northerly Northeast corner of the  
 145-50 Decatur Municipal Airport;  
 145-51 THENCE South 1028' with the East Boundary Line of said  
 145-52 Decatur Airport tract to an inward corner of same;  
 145-53 THENCE East 364.2 feet to the Northeast corner of a 121.16  
 145-54 acre tract conveyed to the City of Decatur by deed of record in  
 145-55 Volume 156, Page 24, Deed Records of Wise County, Texas;  
 145-56 THENCE South 1597.2 feet to the North Boundary Line of the R.  
 145-57 J. Lindley Survey, Abst. No. 1201, and the South Boundary Line of  
 145-58 the J. M. Birdwell Survey, Abst. No. 67;  
 145-59 THENCE East 18' to the center of the Decatur Cemetery Road;  
 145-60 THENCE With the center of said road South 33° West 450' to a  
 145-61 corner;  
 145-62 THENCE West 333.3 feet to a fence corner;  
 145-63 THENCE South 133.3 feet with fence line to the Northeast  
 145-64 corner of the N. H. Munger Survey, Abst. No. 581;  
 145-65 THENCE West with the North Boundary Line of said N. H. Munger  
 145-66 Survey to its intersection of the East Right of Way Line of State  
 145-67 Highway FM 730;  
 145-68 THENCE South with said Right of Way Line to the original North  
 145-69 City Limits Line of said City of Decatur;

146-1 THENCE East with said original North City Limits Line to the  
 146-2 original Northeast corner of said City of Decatur;

146-3 THENCE South with the original East City Limits Line of said  
 146-4 City of Decatur 10560 feet to an iron pipe for the original  
 146-5 Southeast corner of said City of Decatur, a railroad crossing sign  
 146-6 bears South 7° West 247 feet;

146-7 THENCE West with the original South City Limits Line of the  
 146-8 City of Decatur to the place of beginning.

146-9 ~~[It is hereby found that all land thus included in said~~  
 146-10 ~~District will be benefited by the improvements to be acquired and~~  
 146-11 ~~constructed by said District.]~~

146-12 SECTION 2.10. Section 1, Chapter 198, Acts of the 53rd  
 146-13 Legislature, Regular Session, 1953, is amended to read as follows:

146-14 Sec. 1. ~~[Under and pursuant to the provisions of Article 16,~~  
 146-15 ~~Section 59 of the Constitution, a conservation and reclamation~~  
 146-16 ~~district is hereby created and incorporated in Medina County,~~  
 146-17 ~~Texas, to be known as Medina County Water Control and Improvement~~  
 146-18 ~~District No. 2, hereinafter sometimes referred to as the~~  
 146-19 ~~"District."]~~ The boundaries of the Medina County Water Control and  
 146-20 Improvement District No. 2 [thereof] shall be as follows:

146-21 BEGINNING at a point in the east line of Survey No. 438,  
 146-22 Joseph McGinnis, which point is south 6276 feet from the northeast  
 146-23 corner of said Survey No. 438;

146-24 THENCE, West 1559 feet to a reentrant corner;  
 146-25 THENCE, North 2670 feet to a corner;  
 146-26 THENCE, West 1735 feet to a corner;  
 146-27 THENCE, South 1476 feet to a reentrant corner;  
 146-28 THENCE, West 1386 feet to a corner;  
 146-29 THENCE, South 1122 feet to a reentrant corner;  
 146-30 THENCE, West 812 feet to a corner;  
 146-31 THENCE, South 45° west 1016 feet to a point in the south  
 146-32 right-of-way line of the old Eagle Pass Road;

146-33 THENCE, South 300 feet to a corner;  
 146-34 THENCE, North 80° 30' east 770 feet to a reentrant corner;  
 146-35 THENCE, South 2320.6 feet to a corner, the southwest corner  
 146-36 of the District;

146-37 THENCE, East 5620 feet to a corner, the extreme southeast  
 146-38 corner of the District;

146-39 THENCE, North 1690 feet to a reentrant corner;  
 146-40 THENCE, East 370 feet to a corner;  
 146-41 THENCE, North 450 feet to a reentrant corner;  
 146-42 THENCE, East 1914 feet to a corner;

146-43 THENCE, North 610 feet to a point in the north line of Survey  
 146-44 No. 441, D. C. Burnett;

146-45 THENCE, West 1120 feet with the north line of said Survey No.  
 146-46 441, D. C. Burnett;

146-47 THENCE, North 390 feet to a corner;  
 146-48 THENCE, West 1333 feet to the point of beginning; containing  
 146-49 approximately 608 acres.

146-50 SECTION 2.11. Section 1, Chapter 324, Acts of the 57th  
 146-51 Legislature, Regular Session, 1961, is amended to read as follows:

146-52 Sec. 1. The Rio Grande Palms Water District ~~[Under and~~  
 146-53 ~~pursuant to the provisions of Article XVI, Section 59, of the~~  
 146-54 ~~Constitution, a conservation and reclamation district within~~  
 146-55 ~~Cameron County, Texas, is hereby created and incorporated, to be~~  
 146-56 ~~known as "Rio Grande Palms Water District," hereinafter sometimes~~  
 146-57 ~~referred to as the "District." Said District]~~ is situated within  
 146-58 the Espiritu Santo and San Pedro de Carricitos Grants of land in  
 146-59 Cameron [said] County. The boundaries thereof are as follows:

146-60 BEGINNING at the Northeast corner of what is commonly known  
 146-61 as Noriega Tract out of Share No. One, Espiritu Santo Grant, Cameron  
 146-62 County, Texas, said corner being the intersection of the East line  
 146-63 of the said Share No. One with the centerline of 80.0 feet Iowa  
 146-64 Gardens County Road, for the Northeast corner of the tract herein  
 146-65 described;

146-66 THENCE, with the North line of said Noriega Tract and the said  
 146-67 centerline of Iowa Gardens Road, N 80 deg 41 min 30 sec W 4037.9 feet  
 146-68 to the Northwest corner of said Noriega Tract and the Northeast  
 146-69 corner of Lot 1, Block 1, Barreda Gardens Subdivision;

147-1           THENCE, along the centerline of said Iowa Gardens Road, along  
147-2 the North line of said Block 1, N 80 deg 44 min W 2811.1 feet to the  
147-3 Northwest corner of said Block 1 and the Northeast corner of Block  
147-4 2, Barreda Gardens Subdivision;  
147-5           THENCE, along the centerline of said Iowa Gardens Road, along  
147-6 the North line of said Block 2, N 80 deg 44 min W 3731.3 feet  
147-7 (recorded map shows 3735.3 feet) to the Northwest corner of said  
147-8 Block 2 and the Northeast corner of Block 3, Barreda Gardens  
147-9 Subdivision;  
147-10          THENCE, along the centerline of said Iowa Gardens Road, along  
147-11 the North line of said Block 3, N 80 deg 33 min W 5110.1 feet  
147-12 (recorded map call for 5113.2 feet) to the Northwest corner of Block  
147-13 3 and the Northeast corner of a 196.8 acre tract out of the Northern  
147-14 part of what is commonly called the Sams-Porter Tract in San Pedro  
147-15 de Carricitos Grant, Cameron County, Texas;  
147-16          THENCE, along the centerline of said Iowa Gardens Road, along  
147-17 the North line of the Sams-Porter Tract, N 80 deg 52 min W 2343.8  
147-18 feet to the Northwest corner of the said 196.8 acre tract, for the  
147-19 Northwest corner of this tract;  
147-20          THENCE, along the West line of said Sams-Porter Tract, along  
147-21 the West line of said 196.8 acre Tract, S 9 deg 41 min W 2711.5 feet  
147-22 to an intersection with the centerline of 100 ft. State Highway No.  
147-23 4 for a corner;  
147-24          THENCE, running 100 feet perpendicularly distance from and  
147-25 parallel to the centerline of the St. Louis, Brownsville and Mexico  
147-26 railroad with the centerline of 100 ft State Highway No. 4, S 45 deg  
147-27 30 min E 2045.8 feet to the beginning of a curve to the right having  
147-28 a radius of 5830.0 feet and a central angle of 10°-03 1/2' and whose  
147-29 chord is S 40° 28' 15" East 1022.1 ft.;  
147-30          THENCE, with said curve 1023.5 feet to the intersection with  
147-31 west line of Barreda Gardens Subdivision, same being the division  
147-32 line between the San Pedro de Carricitos and the Espiritu Santos  
147-33 Grants;  
147-34          THENCE, along the west line of the Barreda Gardens  
147-35 Subdivision, N 8 deg 10 min 30 sec E 73.3 feet to a point on the  
147-36 Northeast right of way of the 100 ft State Highway No. 4 for a  
147-37 corner;  
147-38          THENCE, along the Northeast right of way line of 100 ft. State  
147-39 Highway No. 4, S 35 deg 00 min E 3692.2 feet to the northwest corner  
147-40 of the Barreda Townsite;  
147-41          THENCE, along the northeast right of way line of 100 ft. State  
147-42 Highway No. 4, S 35 deg 00 min E 3833.2 feet to the beginning of a  
147-43 curve to the right with a central angle of 3 deg 05 min and a radius  
147-44 of 5879.5 feet and whose chord is S 33° 27' 30" East 316.3 feet;  
147-45          THENCE, with said curve a distance of 316.4 feet to end of  
147-46 said curve;  
147-47          THENCE, along the northeast right of way line of 100 ft State  
147-48 Highway No. 4, S 31 deg 55 min E 2123.8 feet to the Westernmost  
147-49 corner of Lot 35, Block 9, Barreda Gardens Subdivision;  
147-50          THENCE, along the Northeast right of way line of 100 ft State  
147-51 Highway No. 4, along the Southwest line of Lots 35, 37, 38, 39, 40,  
147-52 and 41, Block 9, Barreda Gardens Subdivision, S 31 deg 55 min E  
147-53 669.0 feet to a point for a corner, said point being N 31 deg 55 min  
147-54 W 45.0 feet from the Southernmost corner of Lot 41;  
147-55          THENCE, crossing State Highway No. 4 and said railroad, S 58  
147-56 deg 05 min W 200.0 ft. to a point on the southwest right of way line  
147-57 of said railroad, 50.0 feet perpendicularly from its centerline,  
147-58 said point being N 31 deg 55 min W 45.0 feet from the easternmost  
147-59 corner of Lot 52, Block 10, Barreda Gardens Subdivision;  
147-60          THENCE, along the northeast line of Lots 52 and 51, Block 10,  
147-61 N 31 deg 55 min W 155.0 feet to the northernmost corner of Lot 51;  
147-62          THENCE, along the line between Lots 51 and 50, S 58 deg 05 min  
147-63 W 217.8 feet;  
147-64          THENCE, S 31 deg 55 min E 800.0 feet to a point on the line  
147-65 between Lots 58 and 59, Block 10;  
147-66          THENCE, along the line between Lots 58 and 59, S 58 deg 05 min  
147-67 W 217.8 feet to the southernmost corner of Lot 58 and the  
147-68 westernmost corner of Lot 59;  
147-69          THENCE, along the northeast line of Lot 1, Block 10, N 31 deg

148-1 55 min W 66.3 feet to a point for a corner;  
148-2       THENCE, 150 feet perpendicularly from the southeast and south  
148-3 lines of Lot 1, Block 10, S 58 deg 05 min W 673.2 feet and N 82 deg 30  
148-4 min W 342.7 feet to a point on the line between Lot 1 and Lot 38,  
148-5 Block 10;  
148-6       THENCE, along the line between Lot 1 and Lot 38, S 31 deg 55  
148-7 min E 135.9 feet to a point for a corner;  
148-8       THENCE, 45.0 feet perpendicularly north of and parallel to  
148-9 the south line of Lot 38, N 82 deg 30 min W 965.0 feet to a point for  
148-10 a corner;  
148-11       THENCE, 45.0 feet perpendicularly east of and parallel to the  
148-12 west line of Lot 38, N 7 deg 30 min E 45.0 feet to a point for a  
148-13 corner;  
148-14       THENCE, 90.0 feet perpendicularly north of and parallel to  
148-15 the south line of Lot 38, Block 10, Lots 16 and 15, Block 11, N 82  
148-16 deg 30 min W, at 45.0 feet the east line of Lot 16, a total distance  
148-17 of 1980.0 feet to a point for a corner;  
148-18       THENCE, 45.0 feet perpendicularly east of and parallel to the  
148-19 west line of Lot 15, N 7 deg 30 min E 615.0 feet to a point for a  
148-20 corner;  
148-21       THENCE, N 82 deg 30 min W 9.9 feet to a point on the line  
148-22 between Lots 15 and 7 to a point for a corner;  
148-23       THENCE, along the line between Lots 15 and 7, N 45 deg 27 min E  
148-24 101.4 feet to a point for a corner;  
148-25       THENCE, 125.0 feet perpendicularly north of and parallel to  
148-26 the south line of Lots 7, 8 and 9, Block 11, Barreda Gardens  
148-27 Subdivision, N 82 deg 30 min W, at 757.5 feet the west line of Lot 7,  
148-28 a total distance of 2077.5 feet to a point on the west line of Lot 9  
148-29 and the east line of Lot 10;  
148-30       THENCE, along the line between Lots 9 and 10, S 7 deg 30 min W  
148-31 80.0 feet to a point for a corner;  
148-32       THENCE, 45.0 feet perpendicularly north of and parallel to  
148-33 the south line of Lots 10 and 71, N 82 deg 30 min W 1066.5 feet to a  
148-34 point on the west line of Lot 71, Block 11, for a corner;  
148-35       THENCE, along the west line of Lot 71, S 24 deg 13 min W 47.0  
148-36 feet to the southwest corner of Lot 71 and the northwest corner of  
148-37 Lot 70;  
148-38       THENCE, along the west lines of Lot 70, S 37 deg 16 min W 460.8  
148-39 feet and S 8 deg 10 min 30 sec W 260.0 feet to the southwest corner  
148-40 of Lot 70 and the northwest corner of Lot 69;  
148-41       THENCE, along the West line of Barreda Gardens Subdivision, S  
148-42 8 deg 10 min 30 sec W, at 6600.4 the southwest corner of Block 11 and  
148-43 the northwest corner of Block 12 of said subdivision, at 14,520.8  
148-44 the southwest corner of Lot 42, Block 12 and the northwest corner of  
148-45 Lot 66, Block 12, a total distance of 16,368.5 feet to the southwest  
148-46 corner of Lot 66, Block 12;  
148-47       THENCE, along the south lines of Lot 66, and Lot 65C Block 12,  
148-48 S 21 deg 02 min E 196.7 feet, S 51 deg 00 min 30 sec E 152.0 feet and  
148-49 S 63 deg 25 min 30 sec E 349.0 feet to a point that is 100.0 feet from  
148-50 the centerline of the Main Canal on the north bank of the Resaca del  
148-51 Rancho Viejo;  
148-52       THENCE, crossing said resaca, 100.0 feet perpendicularly  
148-53 west of the centerline of the Main Canal flume, S 8 deg 03 min W  
148-54 132.9 feet to the northwest corner of Lot 8, Block 15, Barreda  
148-55 Gardens Subdivision;  
148-56       THENCE, along the west line of Lot 8, Block 15, 100.0 feet  
148-57 perpendicularly west of the centerline of the Main Canal, S 7 deg 57  
148-58 min 30 sec W 1496.4 feet to the Southwest corner of Lot 8 and the  
148-59 northwest corner of Lot 9, Block 15;  
148-60       THENCE, along the west line of Lots 9, 10, 23 and 24, Block  
148-61 15, S 8 deg 10 min 06 sec W, 2435.2 feet to the westernmost corner of  
148-62 said Lot 24;  
148-63       THENCE, along the northeast right of way line of an abandoned  
148-64 railroad, along the southwest lines of Lot 24, Block 15, Lots 25, 3,  
148-65 4, 9, 8, 19, 20, 29, 28, and 35, Block 16 S 10 deg 44 min 31 sec E a  
148-66 distance of 6670.2 to a point for a corner;  
148-67       THENCE, S 79 deg 15 min 29 sec W, at 100.0 feet the east line  
148-68 of Lot 36, Block 16, and continuing 200.0 feet perpendicularly  
148-69 south of and parallel to the north line of Lot 36, a total distance

149-1 of 866.0 feet to a point on the west line of Lot 36;  
149-2 THENCE, along the west line of Lot 36, S 10 deg 31 min 07 sec E  
149-3 209.2 feet to the southwest corner of Lot 36;  
149-4 THENCE, along the south line of Lot 36, and the south line of  
149-5 Lot 35, S 82 deg 30 min E at 814.0 feet the southeast corner of Lot  
149-6 36, at 920.5 feet the southwest corner of Lot 35, a total distance  
149-7 of 1154.7 feet to a point for a corner;  
149-8 THENCE, in Santander Townsite, 100.0 ft. perpendicularly  
149-9 West of the centerline of Main Canal S 15 deg 27 min E 71.2 feet to  
149-10 the beginning of a curve to the left with a central angle of 15 deg  
149-11 12 min and a radius of 1532.5 feet and whose chord is S 23° 03' East  
149-12 405.4 feet;  
149-13 THENCE, along the arc of said curve, a distance of 406.5 feet  
149-14 to the end of said curve;  
149-15 THENCE, S 30 deg 39 min E, 100.0 feet perpendicularly from the  
149-16 centerline of Main Canal, a distance of 1216.8 feet to a point for a  
149-17 corner;  
149-18 THENCE, 100.0 feet perpendicularly west of the Main Canal  
149-19 siphon, S 9 deg 01 min E, at 17.8 feet the south line of Santander  
149-20 Townsite and the North line of the Cameron County Floodway, a total  
149-21 distance of 622.4 feet to a point for a corner;  
149-22 THENCE, S 30 deg 10 min E, at 17.6 feet the Northwest corner  
149-23 of Lot 5, Block 18, Barreda Gardens Subdivision, along the east line  
149-24 of Lots 5, 6, 9, 10, 13, 14, 15, 16 and 17, Block 18, a total  
149-25 distance of 5784.0 feet to the beginning of a curve to the right  
149-26 with a central angle of 90 deg and a radius of 711.3 feet and whose  
149-27 chord is S 14° 50' west 1005.9 feet;  
149-28 THENCE, along the arc of said curve, along the east line of  
149-29 Lot 17 and the south line of Lot 18, a distance of 1117.3 feet to the  
149-30 end of said curve;  
149-31 THENCE, along the south line of Lot 18, S 59 deg 50 min W at  
149-32 996.6 feet the southwest corner of Lot 18, and the east line of the  
149-33 Military Highway, a total distance of 1079.1 feet to the west line  
149-34 of the Military Highway;  
149-35 THENCE, along the West line of the Military Highway, in a  
149-36 northerly direction along the arc of a curve to the right with a  
149-37 radius of 995.4 feet and whose chord is North 15° 18' 05" West 47.6  
149-38 feet, a distance of 47.6 feet to the northernmost corner of the  
149-39 Settling Basin tract as shown on the Barreda Gardens Subdivision;  
149-40 THENCE, S 52 deg 37 min W 816.6 feet, S 54 deg 17 min W 1046.8  
149-41 feet, S 31 deg 09 min E 1513.6 feet, S 39 deg 20 min 30 sec E 727.5  
149-42 feet and S 7 deg 36 min W 1228.5 feet to a point on the bank of the  
149-43 Rio Grande River;  
149-44 THENCE, along the bank of the Rio Grande, N 70 deg 43 min E, at  
149-45 224.2 feet the southwest corner of a 1.36 acre tract, at 504.5 feet  
149-46 the south corner of Lot 28, Block 18, a total distance of 692.6 feet  
149-47 and N 65 deg 23 min E 605.4 feet to a point for a corner;  
149-48 THENCE, N 7 deg 28 min E 741.5 feet, N 87 deg 54 min E 548.0  
149-49 feet and N 8 deg 10 min E 124.8 feet to a point in the south line of  
149-50 Lot 23, Block 18, for a corner;  
149-51 THENCE, along the south line of Lots 23 and 24, Block 18, S 86  
149-52 deg 50 min 30 sec W 1495.8 feet to the southwest corner of Lot 24;  
149-53 THENCE, along the southwest lines of Lots 25, 26, and 27, N 39  
149-54 deg 20 min 30 sec W 800.0 feet, N 31 deg 09 min W 760.9 feet to the  
149-55 beginning of a curve to the right with a central angle of 87 deg 09  
149-56 min and a radius of 600.1 feet and whose chord is North 12 deg 25 min  
149-57 30 sec East 827.2 feet;  
149-58 THENCE, along the arc of said curve, along the west line of  
149-59 Lot 27, a distance of 912.8 feet to the end of said curve;  
149-60 THENCE, along the north line of Lot 27, N 56 deg 00 min E  
149-61 1042.0 feet to the northernmost corner of Lot 27 on the west line of  
149-62 the Military Highway;  
149-63 THENCE, along the west line of the Military Highway, in a  
149-64 northerly direction along an arc of a curve to the right with a  
149-65 radius of 995.4 feet and whose chord is north 28 deg 42 min 56 sec  
149-66 west 13.4 feet, a distance of 13.4 feet to a point for a corner;  
149-67 THENCE, crossing the Military Highway, N 59 deg 50 min E, at  
149-68 80.1 feet the east line of the Military Highway and the westernmost  
149-69 corner of Lot 19, Block 18, a total distance of 1106.3 feet to the



150-1 northernmost corner of Lot 19;

150-2 THENCE, S 30 deg 10 min E 200.0 feet to a point that is the

150-3 beginning of a curve to the left with a central angle of 90 deg and a

150-4 radius of 1111.3 feet, and whose tangents are North 59 deg, 50 min

150-5 East 1111.3 feet and North 30 deg 10 min W 1111.3 ft.;

150-6 THENCE, along the arc of said curve in a northeasterly and

150-7 northerly direction, a distance of 1745.6 feet to the end of said

150-8 curve;

150-9 THENCE, 400.0 feet perpendicularly east of the east lines of

150-10 Lots 17 and 16, N 30 deg 10 min W 514.5 feet to a point for a corner;

150-11 THENCE, N 82 deg 25 min 30 sec W 126.5 feet to a point for a

150-12 corner;

150-13 THENCE, 300.0 feet perpendicularly east of the east line of

150-14 Lots 16, 15, 14, 13, 10, 9, 6 and 5, N 30 deg 10 min W, at approx 1200

150-15 ft the south line of Lot 12, and then 100.0 feet perpendicularly

150-16 east of the west line of Lots 12, 11, 8, 7, 4, Block 18, a total

150-17 distance of 5171.0 feet to a point on the north line of Lot 4 and the

150-18 south line of the Cameron County Floodway;

150-19 THENCE, along the north line of Lot 4 and the south line of

150-20 the floodway, S 60 deg 29 min W 93.2 feet to a point for a corner;

150-21 THENCE, crossing said floodway, 100 feet perpendicularly

150-22 east of the siphon on the Main Canal, N 9 deg 01 min W, at 544.7 feet

150-23 the south line of the Santander Townsite and the north line of said

150-24 floodway, a total distance of 604.5 feet;

150-25 THENCE, 100.0 feet perpendicularly east of the centerline of

150-26 the Main Canal, in Santander, N 30 deg 39 min W a distance of 1255.0

150-27 feet to the beginning of a curve to the right with a radius of 1332.5

150-28 feet and a central angle of 14 deg 37 min and whose chord is North 23

150-29 deg 20 min 30 sec west 339.0 feet;

150-30 THENCE, along the arc of said curve, a distance of 339.9 feet

150-31 to a point on the south line of Lot 35, Block 16, for a corner;

150-32 THENCE along the south line of Lot 35, S 82 deg 30 min E 108.6

150-33 feet to a point for a corner;

150-34 THENCE, 200.0 feet perpendicularly from the centerline of the

150-35 main canal, N 15 deg 27 min W 403.3 feet to the beginning of a curve

150-36 to the left with a central angle of 20 deg 03 min and a radius of

150-37 518.4 feet and whose chord is north 25 deg 28 min 30 sec west 180.4

150-38 feet;

150-39 THENCE, along the arc of said curve 200 feet from the

150-40 centerline of the canal, a distance of 181.2 feet to the end of said

150-41 curve;

150-42 THENCE, N 35 deg 30 min W 219.4 feet to the beginning of a

150-43 curve to the right with a central angle of 24 deg 45 min and a radius

150-44 of 755.4 feet and whose chord is North 23 deg 07 min 30 sec west

150-45 323.8 feet;

150-46 THENCE, along the arc of said curve 200 feet from the

150-47 centerline of the main canal, a distance of 326.4 feet to the end of

150-48 said curve;

150-49 THENCE, 300.0 feet perpendicularly east of the west line of

150-50 Lots 28, 29, 20, 19, 8, 9, 4, 3, and 25, Block 16 and Lot 24, Block

150-51 15, N 10 deg 44 min 31 sec W, at 2462.6 feet the north line of Lot 19

150-52 and the south line of Lot 8, at 5937.2 feet the north line of Lot 25,

150-53 Block 16 and the south line of Lot 24, Block 15, a total distance of

150-54 6044.7 feet to the beginning of a curve to the right with a central

150-55 angle of 18 deg 54 min 37 sec and a radius of 946 feet and whose

150-56 chord is north 01 deg 17 min 13 sec west 310.8 feet;

150-57 THENCE, along the arc of said curve a distance of 312.2 feet

150-58 to the end of said curve;

150-59 THENCE, 300.0 feet perpendicularly east of the west line of

150-60 Lots 24, 23, 10 and 9, Block 15, N 08 deg 10 min 06 sec E a distance

150-61 of 2231.0 feet to a point on the north line of Lot 9 and the south

150-62 line of Lot 8;

150-63 THENCE, 300.0 feet perpendicularly east of the west line of

150-64 Lot 8, Block 15, N 7 deg 57 min 30 sec E 1394.6 feet to a point on the

150-65 north line of Lot 8;

150-66 THENCE, along the north line of Lot 8, N 79 deg 39 min W 89.7

150-67 feet, and N 57 deg 02 min W 11.4 feet to a point that is 100.0 feet

150-68 perpendicularly east of the centerline of the canal siphon;

150-69 THENCE, 100.0 feet perpendicularly east of the centerline of

151-1 the canal siphon, crossing the Resaca del Rancho Viejo, N 8 deg 03  
151-2 min E 170.8 feet to a point in the south line of Lot 65, Block 12, on  
151-3 the north bank of said resaca;  
151-4 THENCE, S 69 deg 11 min E 43.0 feet and S 77 deg 54 min 30 sec E  
151-5 8.0 feet to a point that is 150 feet from the centerline of the Main  
151-6 Canal;  
151-7 THENCE, N 8 deg 03 min E 85.0 feet to the beginning of a curve  
151-8 to the left with a central angle of 69 deg 24 min and a radius of  
151-9 250.0 feet and whose chord is north 26 deg 39 min west 284.6 feet;  
151-10 THENCE, with the arc of said curve, a distance of 302.8 feet  
151-11 to the end of said curve;  
151-12 THENCE, continuing 150 feet from the centerline of the canal,  
151-13 N 61 deg 21 min W 365.5 feet to an angle point;  
151-14 THENCE, continuing 150 feet from the centerline of the canal,  
151-15 N 8 deg 09 min E, at 1818.5 feet the North line of Lot 66 and the  
151-16 south line of Lot 42, Block 12, a total distance of 11,592.2 feet to  
151-17 an angle point in Lot 63, Block 11;  
151-18 THENCE, continuing 150 feet from the centerline of said  
151-19 canal, N 7 deg 24 min 30 sec E 2108.9 feet to the north line of Lot 64  
151-20 and the south line of Lot 66, Block 11;  
151-21 THENCE, along the north line of Lot 64 and the south line of  
151-22 Lot 66, N 82 deg 30 min W 50.0 feet to a point that is 100 feet from  
151-23 the centerline of said canal;  
151-24 THENCE, 100 feet from the centerline of said canal, N 7 deg 24  
151-25 min 30 sec E 2640.0 feet to a point in the north line of Lot 69 and  
151-26 the south line of Lot 70, Block 11, said point being S 82 deg 30 min  
151-27 E 184.3 feet from the northwest corner of Lot 69 and the southwest  
151-28 corner of Lot 70;  
151-29 THENCE, along the north line of Lot 69 and the south line of  
151-30 Lot 70, S 82 deg 30 min E 115.7 feet, said point being 300.0 feet  
151-31 from the northwest corner of Lot 69 and the southwest corner of Lot  
151-32 70;  
151-33 THENCE, 300.0 feet perpendicularly east of the west line of  
151-34 Lot 70, N 8 deg 10 min 30 sec E 178.6 feet and N 37 deg 16 min E 399.1  
151-35 feet to a point that is 135.0 feet perpendicularly south of the  
151-36 north line of Lot 70;  
151-37 THENCE, 135.0 feet perpendicularly south of and parallel to  
151-38 the north line of Lots 70 and 11, S 82 deg 30 min E 811.7 feet to a  
151-39 point on the east line of Lot 11 and the west line of Lot 12;  
151-40 THENCE, on the line between Lot 11 and Lot 12, N 7 deg 30 min E  
151-41 90.0 feet to a point for a corner;  
151-42 THENCE, 45.0 feet perpendicularly south of and parallel to  
151-43 the north line of Lots 12, 13 and 14, S 82 deg 30 min E 1935.0 feet to  
151-44 a point;  
151-45 THENCE, 45.0 feet perpendicularly west of the east line of  
151-46 Lot 14, S 7 deg 30 min W 615.0 feet to a point on the south line of  
151-47 Lot 14 and the north line of Lot 19;  
151-48 THENCE, along the south line of Lots 14, 15, and 16, S 82 deg  
151-49 30 min E 1980.0 feet to a point;  
151-50 THENCE, 45.0 feet perpendicularly west of the east line of  
151-51 Lot 17, S 7 deg 30 min W 45.0 feet;  
151-52 THENCE, S 82 deg 30 min E 45.0 feet to a point on the east line  
151-53 of Lot 17, Block 11 and the west line of Lot 2, Block 10;  
151-54 THENCE, along the line between said Lot 17 and Lot 2, S 7 deg  
151-55 30 min W 105.0 feet;  
151-56 THENCE, 150.0 feet perpendicularly south of and parallel to  
151-57 the north line of Lot 2 and the northwest line of Lot 3, S 82 deg 30  
151-58 min E 1373.7 feet and N 58 deg 05 min E 780.6 feet to a point in the  
151-59 northeast line of Lot 3;  
151-60 THENCE, along the northeast line of Lot 3, S 31 deg 55 min E  
151-61 16.3 feet to a point;  
151-62 THENCE, 50.0 feet perpendicularly southeast of and parallel  
151-63 to the northwest line of Lot 61, Block 10, N 58 deg 05 min E 435.6  
151-64 feet to a point on the northeast line of Lot 61, said point being on  
151-65 the southwest right of way line of the St. Louis, Brownsville and  
151-66 Mexico Railroad (50.0 feet from its centerline);  
151-67 THENCE, along the said southwest right of way line, along the  
151-68 northeast line of Lots 61 to 53, incl. N 31 deg 55 min W 805.0 feet  
151-69 to a point, said point being S 31 deg 55 min E 45.0 feet from the

152-1 northernmost corner of Lot 53, Block 10;  
 152-2 THENCE, crossing the railroad right of way and State Highway  
 152-3 No. 4 right of way, N 58 deg 05 min E 200.0 feet to a point on the  
 152-4 southwest line of Lot 42, Block 9, said point being S 31 deg 55 min E  
 152-5 45.0 feet from the westernmost corner of Lot 42;  
 152-6 THENCE, along the southwest line of Lots 42 to 80, incl. Block  
 152-7 9 along the northeast right of way line of 100 ft State Highway No.  
 152-8 4, S 31 deg 55 min E 4268.5 feet to the east line of the Barreda  
 152-9 Gardens Subdivision, said point being on the west line of the Brooks  
 152-10 Tract;  
 152-11 THENCE, along the northeast right of way line of 100 ft State  
 152-12 Highway No. 4, S 31 deg 54 min E 1805.6 feet to the beginning of a  
 152-13 curve to the left with a central angle of 10 deg 57 min and a radius  
 152-14 of 5544.8 feet and whose tangents are S 31 deg 54 min east 531.5  
 152-15 feet, and south 42 deg 51 min east 531.5 feet;  
 152-16 THENCE, along the arc of said curve a distance of 1059.5 feet;  
 152-17 THENCE, N 47 deg 57 min E 6170.4 feet to a point on the east  
 152-18 line of Share one, Espiritu Santo Grant, and the east line of the  
 152-19 previously mentioned Noriega Tract;  
 152-20 THENCE, along the East line of Share No. One and the east line  
 152-21 of the Noriega Tract, N 7 deg 32 min E 12,739.8 feet to the place of  
 152-22 beginning, containing 4880 acres, more or less.  
 152-23 ~~[If there is any error or omission in the description of the~~  
 152-24 ~~boundaries of said District, as set forth in Section 1 of this Act,~~  
 152-25 ~~the Commissioners Court of Cameron County, Texas, is hereby~~  
 152-26 ~~authorized and directed to redefine said boundaries and correct the~~  
 152-27 ~~error or supply the omission.]~~  
 152-28 SECTION 2.12. Section 1, Chapter 520, Acts of the 59th  
 152-29 Legislature, Regular Session, 1965, is amended to read as follows:  
 152-30 Sec. 1. ~~The [Under and pursuant to the provisions of Section~~  
 152-31 ~~59, Article XVI, Constitution of the State of Texas, a conservation~~  
 152-32 ~~and reclamation district is hereby created and incorporated in~~  
 152-33 ~~Galveston County, Texas, to be known as "San Leon Municipal Utility~~  
 152-34 ~~District of Galveston County, Texas," hereinafter referred to as~~  
 152-35 ~~the "District," and the] boundaries of the San Leon Municipal~~  
 152-36 ~~Utility District of Galveston County, Texas, [said District] shall~~  
 152-37 ~~be as follows:~~  
 152-38 Said District shall be composed of two separate tracts of  
 152-39 land situated entirely within Galveston County, Texas, and  
 152-40 described by metes and bounds as follows:  
 152-41 Tract No. 1  
 152-42 BEGINNING at the point of intersection of the southerly shore  
 152-43 line of Galveston Bay with the northeasterly projection of the  
 152-44 southeasterly line of the J. Rogers Survey, Abstract No. 168,  
 152-45 Galveston County, Texas;  
 152-46 THENCE in a southwesterly direction following said  
 152-47 southeasterly line of said Rogers Survey, being also the  
 152-48 northwestern line of the Amos Edwards League, Abstract No. 10, and  
 152-49 being also the northwestern line of San Leon Farm Home Tracts as  
 152-50 shown by the map thereof recorded in Volume 238, page 25, Deed  
 152-51 Records of Galveston County, to a point for corner, being the  
 152-52 intersection of said survey line with the easterly line of Lot 2,  
 152-53 Block No. 25-A of San Leon Farm Home Tracts;  
 152-54 THENCE in a southerly direction following the easterly line  
 152-55 of Lot No. 2 and Lot No. 7 in said Block No. 25-A, and continuing in  
 152-56 the same direction across Ave. H and along the easterly line of Lot  
 152-57 No. 2 and Lot No. 7 in Block No. 26 and continuing in the same  
 152-58 direction across San Leon Road and along the easterly line of Lot  
 152-59 No. 2 in Block No. 41 to a point for corner, said point being the  
 152-60 northwesterly corner of Lot No. 4 in said Block No. 41;  
 152-61 THENCE in an easterly direction with the northerly line of  
 152-62 said Lot. No. 4 to a point for corner, being the northeasterly  
 152-63 corner of said Lot No. 4;  
 152-64 THENCE in a southerly direction with the easterly line of  
 152-65 Block No. 41 and continuing in the same direction across Ave. L and  
 152-66 along the easterly line of Block No. 44 to a point for corner, being  
 152-67 the southeasterly corner of Lot No. 3 in said Block No. 44;  
 152-68 THENCE in an easterly direction across 29th St. (F. M. No.  
 152-69 517) and continuing in the same direction along the northerly line

153-1 of Lot No. 1 in Block No. 45 to a point for corner, being the  
153-2 northeasterly corner of said Lot No. 1;  
153-3 THENCE in a northerly direction with the westerly line of Lot  
153-4 No. 3 in Block No. 45 to a point for corner, being the northwesterly  
153-5 corner of said Lot No. 3;  
153-6 THENCE in an easterly direction with the northerly line of  
153-7 said Lot No. 3 to the northeasterly corner of said Lot No. 3;  
153-8 THENCE in a southerly direction with the easterly line of  
153-9 said Lot No. 3 to a point for corner, being the southeasterly corner  
153-10 of said Lot No. 3;  
153-11 THENCE in an easterly direction with the northerly line of  
153-12 Lot No. 5 in said Block No. 45 and continuing in the same direction  
153-13 across 28th St. and along the northerly line of Lots Nos. 8, 7, 6 and  
153-14 5 in Block No. 46 to a point for corner on the easterly line of said  
153-15 Block No. 46;  
153-16 THENCE in a southerly direction with the easterly line of  
153-17 said Block No. 46 and continuing in the same direction across Ave. N  
153-18 to a point for corner, being the northeasterly corner of Block No.  
153-19 56;  
153-20 THENCE in an easterly direction across 27th St. and along the  
153-21 northerly line of Block No. 55 and continuing in the same direction  
153-22 across 26th St. along the northerly line of Block No. 54 to a point  
153-23 for corner, being the northeasterly corner of Lot No. 1 in said  
153-24 Block No. 54;  
153-25 THENCE in a southerly direction with the easterly line of Lot  
153-26 No. 1 in Block No. 54 to a point for corner, being the southeasterly  
153-27 corner of said Lot No. 1;  
153-28 THENCE in an easterly direction with the northerly line of  
153-29 Lot No. 7 and Lot No. 6 in said Block No. 54 to a point for corner,  
153-30 being the southwesterly corner of Lot No. 4 in said Block No. 54;  
153-31 THENCE in a northerly direction with the westerly line of  
153-32 said Lot No. 4, in Block No. 54 to a point for corner in the  
153-33 northerly line of said Block No. 54;  
153-34 THENCE in an easterly direction with the northerly line of  
153-35 said Block No. 54 to a point for corner, being the northeasterly  
153-36 corner of said Block No. 54;  
153-37 THENCE in a southerly direction with the easterly line of  
153-38 Block No. 54 and continuing in the same direction across Ave. P and  
153-39 along the easterly line of Block No. 68 and continuing in the same  
153-40 direction across Ave. Q to a point for corner, being the  
153-41 northeasterly corner of Block No. 71;  
153-42 THENCE in an easterly direction across 25th St. and following  
153-43 the northerly line of Block No. 70 and the easterly projection  
153-44 thereof to a point on the shore line of Dickinson Bay;  
153-45 THENCE in a generally easterly direction along the shore line  
153-46 of Dickinson Bay to its intersection with the western shore line of  
153-47 Galveston Bay at April Fool Point;  
153-48 THENCE in a generally northerly direction along the western  
153-49 shore line of Galveston Bay to Eagle Point;  
153-50 THENCE in a generally westerly direction along the southern  
153-51 shore line of Galveston Bay to its intersection with the  
153-52 northeasterly projection of the southeasterly line of the J. Rogers  
153-53 Survey, Abstract No. 168, the place of beginning, and containing  
153-54 3,200 acres of land, more or less.  
153-55 BEGINNING at a point on the westerly shore line of Dickinson  
153-56 Bay in Galveston County, Texas, said point being designated as  
153-57 Point "A" in the description of the present boundary line of the  
153-58 City of Texas City, Texas, said point also being in the easterly  
153-59 line of a parkway opposite Block No. 70 of San Leon Farm Home Tracts  
153-60 as shown by the map thereof recorded in Volume 238, page 25, Deed  
153-61 Records of Galveston County, and being also the most southerly  
153-62 corner of a 1.054 acre tract of land described in deed dated October  
153-63 10, 1960, from E. W. Barnett, Trustee, to Houston Lighting & Power  
153-64 Company;  
153-65 THENCE from said Point "A" in a northwesterly direction to a  
153-66 point located in Lot No. 3 in Block No. 67 of said San Leon Farm Home  
153-67 Tracts, said point being located 75 feet east and 65.5 feet south  
153-68 from the northwesterly corner of said Lot No. 3;  
153-69 THENCE in a northerly direction parallel with the westerly

154-1 line of said Lot No. 3 and across Ave. P to a point in the southerly  
 154-2 line of Lot No. 6 in Block No. 55 of said San Leon Farm Home Tracts;

154-3 THENCE westerly with the southerly line of said Block No. 55  
 154-4 and continuing in the same direction across 27th St. and along the  
 154-5 southerly line of Block No. 56 to a point for corner, said point  
 154-6 being the southwesterly corner of Lot No. 5 in said Block No. 56;

154-7 THENCE in a northerly direction with the westerly line of  
 154-8 said Lot No. 5 in Block No. 56 to the northwesterly corner of said  
 154-9 Lot No. 5;

154-10 THENCE in a westerly direction with the southerly line of  
 154-11 Lots Nos. 3, 2 and 1 in said Block No. 56 and continuing in the same  
 154-12 direction across 28th St. and along the southerly line of Lots Nos.  
 154-13 4 and 3 of Block No. 57 to a point for corner, being the  
 154-14 southwesterly corner of said Lot No. 3 in Block No. 57;

154-15 THENCE in a northerly direction with the westerly line of  
 154-16 said Lot No. 3 in Block No. 57 and a northerly projection thereof to  
 154-17 a point for corner, being the southwesterly corner of Lot No. 6 in  
 154-18 Block No. 45;

154-19 THENCE in a westerly direction with the southerly line of  
 154-20 Block No. 45 and continuing in the same direction across 29th St.  
 154-21 (F.M. 517) and along the southerly line of Block No. 44 and the  
 154-22 westerly projection thereof to a point for corner, being the  
 154-23 southeasterly corner of Block No. 43;

154-24 THENCE in a southerly direction with the easterly line of  
 154-25 Block No. 59 to a point for corner, being the southeasterly corner  
 154-26 of said Block No. 59;

154-27 THENCE in a westerly direction with the south line of said  
 154-28 Block No. 59 and the westerly projection thereof to a point for  
 154-29 corner, being the southeasterly corner of Block No. 60;

154-30 THENCE in a southerly direction with the easterly line of  
 154-31 Block No. 62 and its southerly projection, and continuing in the  
 154-32 same direction along the easterly line of Block No. 77 and its  
 154-33 southerly projection, and continuing in the same direction along  
 154-34 the easterly line of Block No. 79 to a point for corner, said point  
 154-35 being at the intersection of the easterly line of said Block No. 79  
 154-36 and the northeasterly line of State Highway No. 146;

154-37 THENCE in a northwesterly direction with the northeasterly  
 154-38 line of said State Highway No. 146 to its intersection with the  
 154-39 western line of Block No. 60A on the western line of said San Leon  
 154-40 Farm Home Tracts, being also the western line of the Amos Edwards  
 154-41 League, Abstract No. 10, Galveston County, Texas;

154-42 THENCE in a southerly direction along said western line of  
 154-43 said Amos Edwards League, being also the western line of said San  
 154-44 Leon Farm Home Tracts, to the southwest corner of said Amos Edwards  
 154-45 League on the northerly water's edge of Dickinson Bayou;

154-46 THENCE downstream following along said northerly water's  
 154-47 edge of Dickinson Bayou in a generally southerly, northeasterly and  
 154-48 easterly direction to the western shore line of Dickinson Bay;

154-49 THENCE in a generally northerly direction along said western  
 154-50 shore line of Dickinson Bay to Point "A" in the description of the  
 154-51 present boundary line of the City of Texas City, Texas, said point  
 154-52 also being in the easterly line of a parkway opposite Block No. 70  
 154-53 of San Leon Farm Home Tracts as shown by the map thereof recorded in  
 154-54 Volume 238, page 25, Deed Records of Galveston County, Texas, and  
 154-55 being also the most southerly corner of a 1.054 acre tract of land  
 154-56 described in deed dated October 10, 1960, from E. W. Barnett,  
 154-57 Trustee, to Houston Lighting and Power Company, the place of  
 154-58 beginning, and containing 1,850 acres of land, more or less, the  
 154-59 total area of said District being 5,050 acres, more or less.

154-60 SECTION 2.13. Section 1, Chapter 532, Acts of the 59th  
 154-61 Legislature, Regular Session, 1965, is amended to read as follows:

154-62 Sec. 1. The Treasure Island Municipal Utility District of  
 154-63 Brazoria County, Texas, [Under and pursuant to the provisions of  
 154-64 Section 59 of Article XVI, Constitution of Texas, a conservation  
 154-65 and reclamation district is hereby created and incorporated in  
 154-66 Brazoria County, Texas, to be known as "Treasure Island Municipal  
 154-67 Utility District of Brazoria County, Texas," hereinafter referred  
 154-68 to as the "District," and said District] shall consist of:

154-69 A tract containing 294.18 acres of land, more or less, being



155-1 that tract of land commonly known as San Luis Island out of the S. F.  
 155-2 Austin Peninsular League, Abstract 29, Brazoria County, Texas,  
 155-3 being all of the land in such league lying north of the following  
 155-4 described line:

155-5 BEGINNING at a concrete monument on the waters edge of what  
 155-6 was formerly called "Little Pass" when it separated the island from  
 155-7 the mainland, but whose easterly end is now filled by sand. Said  
 155-8 beginning point occupies a position of X = 3,235,945.21 feet and Y =  
 155-9 470,168.66 feet, Texas Plane Coordinate System, South Central Zone;

155-10 THENCE, S. 88° 36' 07" E. (grid bearing), at 353.71 feet pass  
 155-11 an iron rod in the northwest right of way line of a 120 foot road, at  
 155-12 482.25 feet pass an iron rod in the southeast right of way line of  
 155-13 said 120 foot road, at 2112.25 feet pass a concrete monument a total  
 155-14 distance of 2381.91 feet in all to the waters edge of the Gulf of  
 155-15 Mexico at mean high tide.

155-16 SECTION 2.14. Section 2, Chapter 436, Acts of the 66th  
 155-17 Legislature, Regular Session, 1979, is amended to read as follows:

155-18 Sec. 2. BOUNDARIES. The [~~authority's~~] boundaries of the  
 155-19 South Texas Water Authority will encompass all of that portion of  
 155-20 Kleberg County that is located within Kingsville Independent School  
 155-21 District, as of January 1, 1979, and all of that portion of Nueces  
 155-22 County that is located south and west of a line that is described as  
 155-23 beginning at a point on the Kleberg-Nueces County line that is  
 155-24 located approximately one mile south of the intersection of FM Road  
 155-25 70 and FM Road 892; thence northward to the said intersection;  
 155-26 thence northward along FM Road 892 to its intersection with FM Road  
 155-27 2826; thence westward along FM Road 2826 to its intersection with  
 155-28 County Road 77; thence northward along County Road 77 to its  
 155-29 intersection with County Road 44; thence westward along County Road  
 155-30 44 to its intersection with the line; which as of January 1, 1979,  
 155-31 formed the division between Commissioners Precincts Nos. 1 and 2;  
 155-32 thence along the meanderings of the said line to its intersection  
 155-33 with the Nueces-Jim Wells County line excepting therefrom all land  
 155-34 comprising the area as of January 1, 1979, of Nueces County Water  
 155-35 Control and Improvement District No. 5 and of that portion of Lower  
 155-36 Nueces River Water Supply District which is located within the  
 155-37 boundaries described above[~~, and these boundaries form a closure,~~  
 155-38 ~~and no mistake shall affect the organization, existence, and~~  
 155-39 ~~validity of the authority, or the right to issue any type of bonds~~  
 155-40 ~~or refunding bonds, for the purposes for which the authority is~~  
 155-41 ~~created, or to pay principal of and interest on the bonds, or the~~  
 155-42 ~~right to assess, levy, and collect taxes, or in any other manner~~  
 155-43 ~~affect the legality or operation of the authority, its bonds, or its~~  
 155-44 ~~governing body].~~

155-45 SECTION 2.15. Section 1, Chapter 337, Acts of the 65th  
 155-46 Legislature, Regular Session, 1977, is amended to read as follows:

155-47 Sec. 1. ~~The [Under and pursuant to the provisions of Article~~  
 155-48 ~~XVI, Section 59, of the Texas Constitution, a conservation and~~  
 155-49 ~~reclamation district may be created and established in Jefferson~~  
 155-50 ~~County, Texas, in the manner provided in Section 1A of this Act, to~~  
 155-51 ~~be known as "West Jefferson County Municipal Water District" (the~~  
 155-52 ~~"district"), and the] boundaries of the West Jefferson County~~  
 155-53 Municipal Water District [said district] shall be as follows:

155-54 Beginning at the Northeast corner of the Shelby Corzine  
 155-55 Survey, Abstract 14, the same being the southeast corner of the  
 155-56 Samuel Stivers League;

155-57 Thence West along the south line of the Samuel Stivers League  
 155-58 to the southwest corner of said Samuel Stivers League;

155-59 Thence North along the west line of the Samuel Stivers League  
 155-60 to its intersection with the centerline, or the projection thereof  
 155-61 of Brooks Road;

155-62 Thence West along the centerline of Brooks Road and the  
 155-63 projection thereof to its intersection with the east bank of Green  
 155-64 Pond Gully;

155-65 Thence in a southerly direction following the meanders of the  
 155-66 east bank of Green Pond Gully to its intersection with the north  
 155-67 bank of the North Fork of Taylor's Bayou;

155-68 Thence easterly following the meanders of the north bank of  
 155-69 the North Fork of Taylor's Bayou to its intersection with the North

156-1 or West right of way of Interstate Highway 10;  
156-2 Thence in a southwesterly direction along the North or West  
156-3 right of way of Interstate Highway 10 to its intersection with the  
156-4 north bank of the South Fork of Taylor's Bayou;  
156-5 Thence southeasterly along the meanders of the north bank of  
156-6 the South Fork of Taylor's Bayou to its intersection with the  
156-7 southeast bank of May Haw Bayou;  
156-8 Thence southwesterly along the meanders of the southeast bank  
156-9 of May Haw Bayou to its intersection with the North right of way of  
156-10 State Highway 73;  
156-11 Thence easterly along the North right of way of State Highway  
156-12 73 to the intersection of a line 300 feet east of, and measured at  
156-13 right angles to, the west line of the A. D. Knowlton Survey,  
156-14 Abstract 668, and the J. W. Denny Survey, Abstract 747;  
156-15 Thence northerly on a line 300 feet east of and parallel to  
156-16 the west line of the A. D. Knowlton Survey, Abstract 668, and the J.  
156-17 W. Denny Survey, Abstract 747, to the north bank of Taylor's Bayou;  
156-18 Thence easterly following the meanders of the north bank of  
156-19 Taylor's Bayou to its intersection with the east bank of  
156-20 Hillebrandt Bayou;  
156-21 Thence northwesterly following the meanders of the east bank  
156-22 of Hillebrandt Bayou to its intersection with the west bank of  
156-23 John's Gully;  
156-24 Thence northerly following the meanders of the west bank of  
156-25 John's Gully to its intersection with the west line of the Wm. N.  
156-26 Sigler Survey, Abstract 48;  
156-27 Thence northerly along the west line of the Wm. N. Sigler  
156-28 Survey, Abstract 48, and the projection thereof past the northwest  
156-29 corner of the said Wm. N. Sigler Survey, Abstract 48, to the  
156-30 interior southwest corner of the David Cunningham Survey, Abstract  
156-31 15;  
156-32 Thence westerly along the south line of the west part of the  
156-33 David Cunningham Survey, Abstract 15, to its northernmost southwest  
156-34 corner;  
156-35 Thence northerly along the west line of the David Cunningham  
156-36 Survey, Abstract 15, to its northwest corner;  
156-37 Thence westerly along the projection to the west of the north  
156-38 line of the David Cunningham Survey, Abstract 15, to the west line  
156-39 of the Marcelo Grange Survey, Abstract 26, said line also being the  
156-40 east line of the C. Hillebrandt Survey, Abstract 28;  
156-41 Thence northerly along the west line of the Marcelo Grange  
156-42 Survey, Abstract 26, and the east line of the C. Hillebrandt Survey,  
156-43 Abstract 28, to the projection east of the north line of the Shelby  
156-44 Corzine Survey, Abstract 14, which is the same line as the south  
156-45 line of the Samuel Stivers League;  
156-46 Thence westerly along the projection east of the north line  
156-47 of the Shelby Corzine Survey, Abstract 14, and the south line of the  
156-48 Samuel Stivers League, to the point of beginning.  
156-49 LESS AND EXCEPT all land lying within the boundaries of  
156-50 Jefferson County Water Control and Improvement District No. 14,  
156-51 which is more fully described as follows:  
156-52 Lying in Jefferson County, Texas, and containing 160 acres,  
156-53 more or less, out of the H. T. & B. R. R. Survey, No. 19, A-259 and H.  
156-54 T. & B. R. R. Survey No. 18, A-570 and beginning for reference at the  
156-55 Southeast corner of the H. T. & B. R. R. Survey, No. 19, A-259;  
156-56 THENCE, due North 80.00 feet to a point lying on the North  
156-57 right-of-way line of Lawhon Road to an iron pin as a Point of  
156-58 Beginning;  
156-59 THENCE, N 89° 50' W 2,560.00 feet, more or less, along the  
156-60 North right-of-way line of said Lawhon Road to an iron pin being the  
156-61 most Southwesterly corner of Martel Heights Subdivision, Section 1  
156-62 as recorded in the Map Records of Jefferson County, Texas;  
156-63 THENCE, N 26° 45' 30" W 785.40 feet to an iron pin;  
156-64 THENCE, N 66° 07' E 278.10 feet to an iron pin;  
156-65 THENCE, N 61° 57' 18" E 4,358.00 feet to an iron pin;  
156-66 THENCE, S 03° 02' W 2,016.45 feet to an iron pin;  
156-67 THENCE, S 01° 24' E 855.8 feet to an iron pin;  
156-68 THENCE, N 89° 50' W 1,101.40 feet along the north right of way  
156-69 line of Lawhon Road to an iron pin being the point of Beginning and

157-1 containing 160 acres of land, more or less.

157-2 ARTICLE 3. REPEALER

157-3 SECTION 3.01. The following statutes are repealed:

- 157-4 (1) Chapter 187, Acts of the 61st Legislature, Regular  
157-5 Session, 1969;
- 157-6 (2) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,  
157-7 and 15, Chapter 11, Acts of the 61st Legislature, Regular Session,  
157-8 1969;
- 157-9 (3) Section 3, Chapter 280, Acts of the 62nd  
157-10 Legislature, Regular Session, 1971;
- 157-11 (4) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12,  
157-12 Chapter 145, Acts of the 41st Legislature, Regular Session, 1929;
- 157-13 (5) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, and 11, Chapter  
157-14 45, Acts of the 41st Legislature, Regular Session, 1929;
- 157-15 (6) Chapter 4, Acts of the 41st Legislature, Special  
157-16 Laws, 4th Called Session, 1930;
- 157-17 (7) Sections 2, 3, 4, 5, 6, and 7, Chapter 533, Acts of  
157-18 the 57th Legislature, Regular Session, 1961;
- 157-19 (8) Sections 2, 2a, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12,  
157-20 Chapter 20, Acts of the 57th Legislature, 3rd Called Session, 1962;
- 157-21 (9) Section 2, Chapter 520, Acts of the 71st  
157-22 Legislature, Regular Session, 1989;
- 157-23 (10) Sections 2, 3, 4, 5, 6, 7, and 8, Chapter 38, Acts  
157-24 of the 57th Legislature, 3rd Called Session, 1962;
- 157-25 (11) Sections 2, 2A, 3, 4, 5, 6, 7, 8, and 9, Chapter 4,  
157-26 Acts of the 58th Legislature, Regular Session, 1963;
- 157-27 (12) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12,  
157-28 Chapter 780, Acts of the 78th Legislature, Regular Session, 2003;
- 157-29 (13) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11,  
157-30 Chapter 218, Acts of the 72nd Legislature, Regular Session, 1991;
- 157-31 (14) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 679,  
157-32 Acts of the 62nd Legislature, Regular Session, 1971;
- 157-33 (15) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 412,  
157-34 Acts of the 62nd Legislature, Regular Session, 1971;
- 157-35 (16) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 409,  
157-36 Acts of the 62nd Legislature, Regular Session, 1971;
- 157-37 (17) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 699,  
157-38 Acts of the 62nd Legislature, Regular Session, 1971;
- 157-39 (18) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 456,  
157-40 Acts of the 62nd Legislature, Regular Session, 1971;
- 157-41 (19) Sections 1, 3, 4, 5, 6, 7, 8, and 9, Chapter 693,  
157-42 Acts of the 65th Legislature, Regular Session, 1977;
- 157-43 (20) Sections 2, 3, 4, and 5, Chapter 492, Acts of the  
157-44 83rd Legislature, Regular Session, 2013;
- 157-45 (21) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, and 11,  
157-46 Chapter 35, Acts of the 76th Legislature, Regular Session, 1999;
- 157-47 (22) Sections 1, 2, 3, 5, 6, 7, and 8, Chapter 352,  
157-48 Acts of the 62nd Legislature, Regular Session, 1971;
- 157-49 (23) Sections 1, 3, 4, 5, 6, 7, 8, and 9, Chapter 742,  
157-50 Acts of the 64th Legislature, Regular Session, 1975;
- 157-51 (24) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12,  
157-52 Chapter 1212, Acts of the 71st Legislature, Regular Session, 1989;
- 157-53 (25) Sections 1, 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12,  
157-54 Chapter 1214, Acts of the 71st Legislature, Regular Session, 1989;
- 157-55 (26) Sections 2 and 3, Chapter 1188, Acts of the 82nd  
157-56 Legislature, Regular Session, 2011;
- 157-57 (27) Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
157-58 14, and 15, Chapter 761, Acts of the 78th Legislature, Regular  
157-59 Session, 2003;
- 157-60 (28) Sections 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
157-61 14, and 15, Chapter 760, Acts of the 78th Legislature, Regular  
157-62 Session, 2003;
- 157-63 (29) Sections 1, 2, 4, 5, 6, 7, 8, 9, and 10, Chapter  
157-64 650, Acts of the 70th Legislature, Regular Session, 1987;
- 157-65 (30) Chapter 126, General Laws, Acts of the 44th  
157-66 Legislature, Regular Session, 1935;
- 157-67 (31) Section 5, Chapter 119, Acts of the 50th  
157-68 Legislature, Regular Session, 1947;
- 157-69 (32) Section 8, Article IV, Chapter 484, Acts of the

158-1 68th Legislature, Regular Session, 1983;  
 158-2 (33) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 11a, 12,  
 158-3 13, 14, and 15, Chapter 29, Acts of the 55th Legislature, 1st Called  
 158-4 Session, 1957;  
 158-5 (34) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
 158-6 14, and 15, Chapter 398, Acts of the 51st Legislature, Regular  
 158-7 Session, 1949;  
 158-8 (35) Section 5, Chapter 452, Acts of the 58th  
 158-9 Legislature, Regular Session, 1963;  
 158-10 (36) Sections 3 and 4, Chapter 908, Acts of the 75th  
 158-11 Legislature, Regular Session, 1997;  
 158-12 (37) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, and 11,  
 158-13 Chapter 33, Acts of the 56th Legislature, Regular Session, 1959;  
 158-14 (38) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
 158-15 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 633, Acts of the  
 158-16 61st Legislature, Regular Session, 1969;  
 158-17 (39) Sections 1, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter  
 158-18 246, Acts of the 58th Legislature, Regular Session, 1963;  
 158-19 (40) Sections 2, 4, 5, 6, 7, 8, 9, 10, 11, and 12,  
 158-20 Chapter 611, Acts of the 60th Legislature, Regular Session, 1967;  
 158-21 (41) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
 158-22 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 605, Acts of  
 158-23 the 59th Legislature, Regular Session, 1965;  
 158-24 (42) Sections 2 and 3, Chapter 101, Acts of the 60th  
 158-25 Legislature, Regular Session, 1967;  
 158-26 (43) Sections 2 and 3, Chapter 579, Acts of the 61st  
 158-27 Legislature, Regular Session, 1969;  
 158-28 (44) Chapter 317, Acts of the 72nd Legislature,  
 158-29 Regular Session, 1991;  
 158-30 (45) Sections 1, 2, 4, 5, 6, 7, 8, 8A, 9, 10, 11, and  
 158-31 12, Chapter 245, Acts of the 54th Legislature, Regular Session,  
 158-32 1955;  
 158-33 (46) Chapter 371, Acts of the 74th Legislature,  
 158-34 Regular Session, 1995;  
 158-35 (47) Section 2, Chapter 1449, Acts of the 75th  
 158-36 Legislature, Regular Session, 1997;  
 158-37 (48) Sections 2, 3, 4, 5, 6, 7, 8, 9, 10, and 11,  
 158-38 Chapter 613, Acts of the 59th Legislature, Regular Session, 1965;  
 158-39 (49) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
 158-40 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 584, Acts of  
 158-41 the 59th Legislature, Regular Session, 1965;  
 158-42 (50) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
 158-43 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 268, Acts of the  
 158-44 53rd Legislature, Regular Session, 1953;  
 158-45 (51) Sections 4 and 8, Chapter 76, Acts of the 59th  
 158-46 Legislature, Regular Session, 1965;  
 158-47 (52) Sections 1, 2(a), 2(c), 3, 4, 5, 6, 7, 8, 9, 10,  
 158-48 11, 12, 13, 14, 15, and 16, Chapter 638, Acts of the 60th  
 158-49 Legislature, Regular Session, 1967;  
 158-50 (53) Chapter 475, Acts of the 67th Legislature,  
 158-51 Regular Session, 1981;  
 158-52 (54) Sections 2, 3, 4, 5, 6, and 7, Chapter 198, Acts  
 158-53 of the 53rd Legislature, Regular Session, 1953;  
 158-54 (55) Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter  
 158-55 324, Acts of the 57th Legislature, Regular Session, 1961;  
 158-56 (56) Sections 2, 3, 4, 5, 6, 7, and 8, Chapter 520,  
 158-57 Acts of the 59th Legislature, Regular Session, 1965;  
 158-58 (57) Chapter 77, Acts of the 76th Legislature, Regular  
 158-59 Session, 1999;  
 158-60 (58) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,  
 158-61 14, 15, 16, 17, 18, 19, 20, 21, 22, and 23, Chapter 846, Acts of the  
 158-62 61st Legislature, Regular Session, 1969;  
 158-63 (59) Sections 2, 3, 4, 5, 6, 7, 8, 9, and 10, Chapter  
 158-64 532, Acts of the 59th Legislature, Regular Session, 1965;  
 158-65 (60) Chapter 508, Acts of the 54th Legislature,  
 158-66 Regular Session, 1955;  
 158-67 (61) Chapter 619, Acts of the 63rd Legislature,  
 158-68 Regular Session, 1973;  
 158-69 (62) Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13,

159-1 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, and 26, Chapter 436,  
159-2 Acts of the 66th Legislature, Regular Session, 1979; and  
159-3 (63) Sections 1A, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12,  
159-4 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, and 24, Chapter 337, Acts  
159-5 of the 65th Legislature, Regular Session, 1977.

159-6 ARTICLE 4. GENERAL MATTERS

159-7 SECTION 4.01. LEGISLATIVE INTENT OF NO SUBSTANTIVE CHANGE.  
159-8 This Act is enacted under Section 43, Article III, Texas  
159-9 Constitution. This Act is intended as a codification only, and no  
159-10 substantive change in the law is intended by this Act. This Act  
159-11 does not increase or decrease the territory of any special district  
159-12 of the state as those boundaries exist on the effective date of this  
159-13 Act.

159-14 SECTION 4.02. PRESERVATION OF VALIDATION MADE BY PREVIOUS  
159-15 LAW. (a) The repeal of a law, including a validating law, by this  
159-16 Act does not remove, void, or otherwise affect in any manner a  
159-17 validation under the repealed law. The validation is preserved and  
159-18 continues to have the same effect that it would have if the law were  
159-19 not repealed.

159-20 (b) Subsection (a) of this section does not diminish the  
159-21 saving provisions prescribed by Section 311.031, Government Code.

159-22 SECTION 4.03. EFFECTIVE DATE. This Act takes effect April  
159-23 1, 2017.

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