

1-1 By: Thompson of Brazoria H.B. No. 1962
1-2 (Senate Sponsor - Taylor of Galveston)
1-3 (In the Senate - Received from the House May 1, 2017;
1-4 May 2, 2017, read first time and referred to Committee on
1-5 Administration; May 2, 2017, reported favorably by the following
1-6 vote: Yeas 6, Nays 0; May 2, 2017, sent to printer.)

1-7 COMMITTEE VOTE

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

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

1-18 relating to the creation of the Brazoria County Municipal Utility
1-19 District No. 69; granting a limited power of eminent domain;
1-20 providing authority to issue bonds; providing authority to impose
1-21 assessments, fees, and taxes.

1-22 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-23 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-24 Code, is amended by adding Chapter 7970 to read as follows:

1-25 CHAPTER 7970. BRAZORIA COUNTY MUNICIPAL UTILITY DISTRICT NO. 69

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 7970.001. DEFINITIONS. In this chapter:

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

1-29 (2) "Commission" means the Texas Commission on
1-30 Environmental Quality.

1-31 (3) "Director" means a board member.

1-32 (4) "District" means the Brazoria County Municipal
1-33 Utility District No. 69.

1-34 Sec. 7970.002. NATURE OF DISTRICT. The district is a
1-35 municipal utility district created under Section 59, Article XVI,
1-36 Texas Constitution.

1-37 Sec. 7970.003. CONFIRMATION AND DIRECTORS' ELECTION
1-38 REQUIRED. The temporary directors shall hold an election to
1-39 confirm the creation of the district and to elect five permanent
1-40 directors as provided by Section 49.102, Water Code.

1-41 Sec. 7970.004. CONSENT OF MUNICIPALITY REQUIRED. The
1-42 temporary directors may not hold an election under Section 7970.003
1-43 until each municipality in whose corporate limits or
1-44 extraterritorial jurisdiction the district is located has
1-45 consented by ordinance or resolution to the creation of the
1-46 district and to the inclusion of land in the district.

1-47 Sec. 7970.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
1-48 The district is created to serve a public purpose and benefit.

1-49 (b) The district is created to accomplish the purposes of:

1-50 (1) a municipal utility district as provided by
1-51 general law and Section 59, Article XVI, Texas Constitution; and

1-52 (2) Section 52, Article III, Texas Constitution, that
1-53 relate to the construction, acquisition, improvement, operation,
1-54 or maintenance of macadamized, graveled, or paved roads, or
1-55 improvements, including storm drainage, in aid of those roads.

1-56 Sec. 7970.006. INITIAL DISTRICT TERRITORY. (a) The
1-57 district is initially composed of the territory described by
1-58 Section 2 of the Act enacting this chapter.

1-59 (b) The boundaries and field notes contained in Section 2 of
1-60 the Act enacting this chapter form a closure. A mistake made in the
1-61 field notes or in copying the field notes in the legislative process

2-1 does not affect the district's:

2-2 (1) organization, existence, or validity;

2-3 (2) right to issue any type of bond for the purposes
 2-4 for which the district is created or to pay the principal of and
 2-5 interest on a bond;

2-6 (3) right to impose a tax; or

2-7 (4) legality or operation.

2-8 SUBCHAPTER B. BOARD OF DIRECTORS

2-9 Sec. 7970.051. GOVERNING BODY; TERMS. (a) The district is
 2-10 governed by a board of five elected directors.

2-11 (b) Except as provided by Section 7970.052, directors serve
 2-12 staggered four-year terms.

2-13 Sec. 7970.052. TEMPORARY DIRECTORS. (a) On or after the
 2-14 effective date of the Act enacting this chapter, the owner or owners
 2-15 of a majority of the assessed value of the real property in the
 2-16 district may submit a petition to the commission requesting that
 2-17 the commission appoint as temporary directors the five persons
 2-18 named in the petition. The commission shall appoint as temporary
 2-19 directors the five persons named in the petition.

2-20 (b) Temporary directors serve until the earlier of:

2-21 (1) the date permanent directors are elected under
 2-22 Section 7970.003; or

2-23 (2) the fourth anniversary of the effective date of
 2-24 the Act enacting this chapter.

2-25 (c) If permanent directors have not been elected under
 2-26 Section 7970.003 and the terms of the temporary directors have
 2-27 expired, successor temporary directors shall be appointed or
 2-28 reappointed as provided by Subsection (d) to serve terms that
 2-29 expire on the earlier of:

2-30 (1) the date permanent directors are elected under
 2-31 Section 7970.003; or

2-32 (2) the fourth anniversary of the date of the
 2-33 appointment or reappointment.

2-34 (d) If Subsection (c) applies, the owner or owners of a
 2-35 majority of the assessed value of the real property in the district
 2-36 may submit a petition to the commission requesting that the
 2-37 commission appoint as successor temporary directors the five
 2-38 persons named in the petition. The commission shall appoint as
 2-39 successor temporary directors the five persons named in the
 2-40 petition.

2-41 SUBCHAPTER C. POWERS AND DUTIES

2-42 Sec. 7970.101. GENERAL POWERS AND DUTIES. The district has
 2-43 the powers and duties necessary to accomplish the purposes for
 2-44 which the district is created.

2-45 Sec. 7970.102. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-46 DUTIES. The district has the powers and duties provided by the
 2-47 general law of this state, including Chapters 49 and 54, Water Code,
 2-48 applicable to municipal utility districts created under Section 59,
 2-49 Article XVI, Texas Constitution.

2-50 Sec. 7970.103. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-51 52, Article III, Texas Constitution, the district may design,
 2-52 acquire, construct, finance, issue bonds for, improve, operate,
 2-53 maintain, and convey to this state, a county, or a municipality for
 2-54 operation and maintenance macadamized, graveled, or paved roads, or
 2-55 improvements, including storm drainage, in aid of those roads.

2-56 Sec. 7970.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
 2-57 project must meet all applicable construction standards, zoning and
 2-58 subdivision requirements, and regulations of each municipality in
 2-59 whose corporate limits or extraterritorial jurisdiction the road
 2-60 project is located.

2-61 (b) If a road project is not located in the corporate limits
 2-62 or extraterritorial jurisdiction of a municipality, the road
 2-63 project must meet all applicable construction standards,
 2-64 subdivision requirements, and regulations of each county in which
 2-65 the road project is located.

2-66 (c) If the state will maintain and operate the road, the
 2-67 Texas Transportation Commission must approve the plans and
 2-68 specifications of the road project.

2-69 Sec. 7970.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE

3-1 OR RESOLUTION. The district shall comply with all applicable
3-2 requirements of any ordinance or resolution that is adopted under
3-3 Section 54.016 or 54.0165, Water Code, and that consents to the
3-4 creation of the district or to the inclusion of land in the
3-5 district.

3-6 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-7 Sec. 7970.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
3-8 district may issue, without an election, bonds and other
3-9 obligations secured by:

3-10 (1) revenue other than ad valorem taxes; or
3-11 (2) contract payments described by Section 7970.153.

3-12 (b) The district must hold an election in the manner
3-13 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-14 before the district may impose an ad valorem tax or issue bonds
3-15 payable from ad valorem taxes.

3-16 (c) The district may not issue bonds payable from ad valorem
3-17 taxes to finance a road project unless the issuance is approved by a
3-18 vote of a two-thirds majority of the district voters voting at an
3-19 election held for that purpose.

3-20 Sec. 7970.152. OPERATION AND MAINTENANCE TAX. (a) If
3-21 authorized at an election held under Section 7970.151, the district
3-22 may impose an operation and maintenance tax on taxable property in
3-23 the district in accordance with Section 49.107, Water Code.

3-24 (b) The board shall determine the tax rate. The rate may not
3-25 exceed the rate approved at the election.

3-26 Sec. 7970.153. CONTRACT TAXES. (a) In accordance with
3-27 Section 49.108, Water Code, the district may impose a tax other than
3-28 an operation and maintenance tax and use the revenue derived from
3-29 the tax to make payments under a contract after the provisions of
3-30 the contract have been approved by a majority of the district voters
3-31 voting at an election held for that purpose.

3-32 (b) A contract approved by the district voters may contain a
3-33 provision stating that the contract may be modified or amended by
3-34 the board without further voter approval.

3-35 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-36 Sec. 7970.201. AUTHORITY TO ISSUE BONDS AND OTHER
3-37 OBLIGATIONS. The district may issue bonds or other obligations
3-38 payable wholly or partly from ad valorem taxes, impact fees,
3-39 revenue, contract payments, grants, or other district money, or any
3-40 combination of those sources, to pay for any authorized district
3-41 purpose.

3-42 Sec. 7970.202. TAXES FOR BONDS. At the time the district
3-43 issues bonds payable wholly or partly from ad valorem taxes, the
3-44 board shall provide for the annual imposition of a continuing
3-45 direct ad valorem tax, without limit as to rate or amount, while all
3-46 or part of the bonds are outstanding as required and in the manner
3-47 provided by Sections 54.601 and 54.602, Water Code.

3-48 Sec. 7970.203. BONDS FOR ROAD PROJECTS. At the time of
3-49 issuance, the total principal amount of bonds or other obligations
3-50 issued or incurred to finance road projects and payable from ad
3-51 valorem taxes may not exceed one-fourth of the assessed value of the
3-52 real property in the district.

3-53 SECTION 2. The Brazoria County Municipal Utility District
3-54 No. 69 initially includes all the territory contained in the
3-55 following area:

3-56 TRACT ONE

3-57 Being a tract of land containing 158.478 acres (6,903,334
3-58 square feet), located within the C.W. Groos Survey, Abstract-525 in
3-59 Brazoria County, Texas; Said 158.478 acre tract being a portion of a
3-60 called 160 acre tract recorded in the name of Richard Rogers in
3-61 Volume 103, Page 371 of the Brazoria County Deed Records (B.C.D.R.)
3-62 and all of a called 13.655 acre tract recorded in the name of H.L.&
3-63 P. Co. in Volume 1149, Page 240 of the B.C.D.R.; Said 158.478 acre
3-64 tract being more particularly described by metes and bounds as
3-65 follows (Bearings are based on the Texas Coordinate System of 1983,
3-66 South Central Zone per GPS observations):

3-67 Beginning at a 5/8-inch iron rod found at the southwest
3-68 corner of a called 40.0000 acre tract of land recorded in the name
3-69 of Prabhakar Rao Draksharam in Brazoria County Clerk's File Number

4-1 (B.C.C.F. No.) 2007030107, same being on the north line of a called
 4-2 151.44 acre tract recorded in the name of C.W. Way in Volume 272,
 4-3 Page 103 of the B.C.D.R., for the southeast corner of said 160 acre
 4-4 tract and the herein described tract, said iron rod being on the
 4-5 Right-Of-Way (R.O.W.) line of County Road 128 (30 foot easement
 4-6 reserved along the north line in Volume 124, Page 477 of the
 4-7 B.C.D.R., no easement reserved along the south line of said 160 acre
 4-8 tract found);

4-9 Thence, with the north line of said 151.44 acre tract and the
 4-10 south line of said 160 acre tract and said 13.655 acre tract, South
 4-11 87 degrees 19 minutes 22 seconds West, a distance of 2634.42 feet to
 4-12 a 5/8-inch iron rod with a Miller Survey Group (MSG) cap set at an
 4-13 angle point in said 151.44 acre tract, for the southwest corner of
 4-14 said 160 acre tract and the herein described tract;

4-15 Thence, with the upper east line of said 151.44 acre tract,
 4-16 the east line of a called 138.83 acre tract of land recorded in the
 4-17 name of Margurite Massey Smith Charitable Remainder Trust, U.A. in
 4-18 B.C.C.F. No. 2010013347, same being the west line of said 160 acre
 4-19 tract, North 02 degrees 36 minutes 15 seconds West, at a distance of
 4-20 1389.29 feet pass a 5/8-inch iron rod found at the southeast corner
 4-21 of said 138.83 acre tract, same being the upper northeast corner of
 4-22 said 151.44 acre tract, and continue in all a total distance of
 4-23 2634.99 feet to a 5/8-inch iron rod with a MSG cap set for the
 4-24 northwest corner of said 160 acre tract and the herein described
 4-25 tract;

4-26 Thence, with the north line of said 160 acre tract, said
 4-27 13.655 acre tract and the south line of a called 80 acre tract
 4-28 recorded in the name of Georgeanne and William Reeves in B.C.C.F.
 4-29 No. 99026030, the south line of a called 247.91 acre tract recorded
 4-30 in the name of RMJ Miller Real Estate Holdings, Ltd. in B.C.C.F.
 4-31 No. 2002020349, and the south lines of a called 0.8902 acre tract of
 4-32 land recorded in the name of the City of Pearland in B.C.C.F.
 4-33 No. 2009045975, the following three (3) courses:

4-34 1. North 87 degrees 17 minutes 52 seconds East, at a
 4-35 distance of 12.2 feet pass a railroad rail in concrete found at the
 4-36 called southwest corner of said 80 acre tract, from which a found
 4-37 1-inch iron pipe bears South 76 degrees 10 minutes East, a distance
 4-38 of 30.8 feet, and at a distance of 1320.06 feet pass a 3/4-inch iron
 4-39 pipe found at the southeast corner of said 80 acre tract and
 4-40 continue in all a total distance of 2227.43 feet to a 5/8-inch iron
 4-41 rod with a MSG cap set at the northwest corner of said 0.8902 acre
 4-42 tract, for the westerly northeast corner of the herein described
 4-43 tract;

4-44 2. South 51 degrees 39 minutes 45 seconds East, a
 4-45 distance of 165.85 feet to a 5/8-inch iron rod with a CL Davis cap
 4-46 found at the southwest corner of said 0.8902 acre tract, for an
 4-47 angle point in the north line of the herein described tract;

4-48 3. North 87 degrees 18 minutes 49 seconds East, a
 4-49 distance of 279.87 feet to a 5/8-inch iron rod with a CL Davis cap
 4-50 found the southeast corner of said 0.8902 acre tract, same being on
 4-51 the lower west line of said 247.91 acre tract, and being on the east
 4-52 line of said 160 acre tract, for the easterly northeast corner of
 4-53 the herein described tract;

4-54 Thence, with the lower west line of said 247.91 acre tract,
 4-55 the west line of said 40.0000 acre tract and the east line of said
 4-56 160 acre tract; South 02 degrees 38 minutes 46 seconds East, at a
 4-57 distance of 1207.41 feet pass a concrete monument found at a
 4-58 southwest corner of said 247.91 acre tract, same being the
 4-59 northwest corner of said 40.0000 acre tract, and continue in all a
 4-60 total distance of 2527.16 feet to the Point of Beginning and
 4-61 containing 158.478 acres of land.

4-62 TRACT TWO

4-63 Being a tract of land containing 212.174 acres (9,242,293
 4-64 square feet), located within the H. Stevens Survey, Abstract-593 in
 4-65 Brazoria County, Texas; Said 212.174 acre tract being a portion of a
 4-66 called 138.83 acre tract recorded in the name of Margurite Massey
 4-67 Smith Charitable Remainder Trust U.A. in Brazoria County Clerk's
 4-68 File Number (B.C.C.F. No.) 2010013347, all of a called 5.00 acre
 4-69 tract of land recorded in the name of William Stephen Summers and

5-1 wife, Lois Winifrede Smith Summers in Volume (V.) 1318, Page 9 (P.)
 5-2 700 of the Brazoria County Deed Records (B.C.D.R.), all of a called
 5-3 5.00 acre tract of land recorded in the name of Lois Winifrede
 5-4 Summers in V. 1775, P. 250 of the B.C.D.R., a portion of a called
 5-5 5.00 acre tract of land recorded in the name of Lois Winifrede
 5-6 Summers in V. 1775, P. 248 of the B.C.D.R., all of a called 10.55
 5-7 acre tract of land recorded in the name of Lois Smith Summers in
 5-8 B.C.C.F. No. 2013052681, a portion of a called 4.45 acre tract of
 5-9 land recorded in the name of Lois Smith Summers in B.C.C.F.
 5-10 No. 2013052682, and all of a called 45.00 acre tract of land
 5-11 recorded in the name of Lois Smith Summers in B.C.C.F.
 5-12 No. 2013052682; Said 212.174 acre tract being more particularly
 5-13 described by metes and bounds as follows (Bearings are based on the
 5-14 Texas Coordinate System of 1983, South Central Zone per GPS
 5-15 observations):

5-16 Beginning at a 1-inch iron pipe found at the northwest corner
 5-17 of a called 151.44 acre tract recorded in the name of C.W. Way in
 5-18 Volume 272, Page 103 of the Brazoria County Deed Records, same being
 5-19 on the east line of a Lot 44 of the Allison-Richey Gulf Coast Home
 5-20 Co. Part of Suburban Gardens, a subdivision plat of record in Volume
 5-21 2, Page 89 of the Brazoria County Plat Records (B.C.P.R.), said Lot
 5-22 44, recorded in the name of Plains Exploration & Production
 5-23 Company, L.P. in B.C.C.F. No. 02-033007, for the southwest corner
 5-24 of said 138.83 acre tract and the herein described tract;

5-25 Thence, with the east line of Lots 44 thru 42 all recorded in
 5-26 said B.C.C.F. No. 02-03307, the east line of Lots 41 and 40 being
 5-27 recorded in the name of Jimmy Brown in B.C.C.F. No. 1998020191, the
 5-28 east line of Lot 39 recorded in said B.C.C.F. No. 02-033007, the
 5-29 east line of Lot 38 recorded in the name of Danny O. Waldon in
 5-30 B.C.C.F. No. 96-0254867, the east line of Lot 37 recorded in the
 5-31 name of International Victory Christian Church in B.C.C.F.
 5-32 No. 2015007219, same being the west line of said 138.83 acre tract,
 5-33 North 02 degrees 36 minutes 15 seconds West, at a distance of
 5-34 2905.73 feet pass a found railroad spike at the northeast corner of
 5-35 said Lot 39, and at a distance of 3862.37 feet pass a 5/8-inch iron
 5-36 rod with a Miller Survey Group (MSG) cap set on the occupied south
 5-37 Right-Of-Way (R.O.W.) line of McKeever Road (County Road 100 width
 5-38 varies, monumented at 62.7 feet, north 20 feet per Volume 2, Page
 5-39 89, B.C.P.R.), and continue in all a total distance of 3897.23 feet
 5-40 to a "P-K" nail set in asphalt pavement for the northwest corner of
 5-41 said 138.83 acre tract and the herein described tract;

5-42 Thence, with the north line of said 138.83 acre tract, said
 5-43 10.55 acre tract, said 5.00 acre tract (V. 1775, P. 248) and said
 5-44 4.45 acre tract, North 87 degrees 21 minutes 45 seconds East, a
 5-45 distance of 2384.30 feet to a "P-K" nail set in asphalt pavement at
 5-46 the northeast corner of said 4.45 acre tract, for the northeast
 5-47 corner of the herein described tract;

5-48 Thence, with the east line of said 4.45 acre tract, South 02
 5-49 degrees 36 minutes 15 seconds East, at a distance of 32.55 feet pass
 5-50 a 5/8-inch iron rod with a Miller Survey Group (MSG) cap set on the
 5-51 occupied south R.O.W. line of said McKeever Road, at a distance of
 5-52 41.87 feet pass a 5/8-inch iron rod found, and continue in all a
 5-53 total distance of 246.27 feet to a 5/8-inch iron rod with a cap
 5-54 found on the northeast line of a called 1.1852 acre tract of land
 5-55 recorded in the name of the City of Pearland, Texas in B.C.C.F.
 5-56 No. 2011044376, from which a 5/8-inch iron rod with a CL Davis cap
 5-57 found bears South 51 degrees 41 minutes 48 seconds East, a distance
 5-58 of 12.55 feet;

5-59 Thence, with the lines of said 1.1852 acre tract, the
 5-60 following four (4) courses:

5-61 1. North 51 degrees 41 minutes 48 seconds West, a
 5-62 distance of 262.16 feet to a 5/8-inch iron rod with a cap found at an
 5-63 angle point;

5-64 2. South 87 degrees 18 minutes 40 seconds West, a
 5-65 distance of 49.92 feet to a 5/8-inch iron rod with a cap found at an
 5-66 angle point;

5-67 3. South 38 degrees 18 minutes 12 seconds West, a
 5-68 distance of 107.26 feet to a 5/8-inch iron rod with a cap found at an
 5-69 angle point;

6-1 4. South 51 degrees 41 minutes 48 seconds East, a
 6-2 distance of 421.14 feet to a 5/8-inch iron rod with a cap found on
 6-3 the east line of said 4.45 acre tract, from which a 5/8-inch iron
 6-4 rod with a CL Davis cap found bears South 51 degrees 41 minutes 48
 6-5 seconds East, a distance of 12.84 feet;

6-6 Thence, with the east line of said 4.45 acre tract and the
 6-7 east line of said 138.83 acre tract, South 02 degrees 36 minutes 15
 6-8 seconds East, a distance of 3465.72 feet to a 5/8-inch iron rod
 6-9 found at the northeast corner of said 151.44 acre tract, for the
 6-10 southeast corner of said 138.83 acre tract and the herein described
 6-11 tract;

6-12 Thence, with the line north line of said 151.44 acre tract and
 6-13 the south line of said 138.83 acre tract and said 45.00 acre tract,
 6-14 South 87 degrees 21 minutes 45 seconds West, a distance of 2384.30
 6-15 feet to the Point of Beginning and containing 212.174 acre of land.

6-16 Save and except the following 0.1697 acre tract:

6-17 Being a tract of land containing 0.1697 acres (7,394 square
 6-18 feet), located in the H. Stevens Survey, Abstract-593 in Brazoria
 6-19 County, Texas; Said 0.1697 acre tract being all of a called 0.1319
 6-20 acre tract of land recorded in the name of the City of Pearland,
 6-21 Texas in B.C.C.F. No. 2011044376 and all of a called 0.0378 acre
 6-22 tract of land recorded in the name of the City of Pearland, Texas in
 6-23 B.C.C.F. No. 2011044379; Said 0.1697 acre tract being more
 6-24 particularly described by metes and bounds as follows (Bearings are
 6-25 based on the Texas Coordinate System of 1983, South Central Zone per
 6-26 GPS observations):

6-27 Commencing at a 5/8-inch iron rod found at the northeasterly
 6-28 corner of a called 1.1852 acre tract recorded in the name of the
 6-29 City of Pearland, Texas in B.C.C.F. No. 2011044376;

6-30 Thence, through and across a called 4.45 acre tract recorded
 6-31 in the name of Lois Smith Summers in B.C.C.F. No. 2013052682, North
 6-32 51 degrees 41 minutes 48 seconds West, a distance of 18.29 feet to a
 6-33 5/8-inch iron rod with a MSG cap set at the southeast corner of said
 6-34 0.1319 acre tract for the southeast corner of and Point of Beginning
 6-35 of the herein described tract;

6-36 Thence, with the south line of said 0.1319 acre tract and
 6-37 0.0378 acre tract, South 87 degrees 18 minutes 47 seconds West, a
 6-38 distance of 263.76 feet to a 5/8-inch iron rod found at the
 6-39 southwest corner of said 0.0378 acre tract, for the southwest
 6-40 corner of the herein described tract;

6-41 Thence, with the west line of said 0.0378 acre tract, North 02
 6-42 degrees 41 minutes 13 seconds West, a distance of 30.00 feet to a
 6-43 5/8-inch iron rod with a MSG cap set at the northwest corner of said
 6-44 0.0378 acre tract, for the northwest corner of the herein described
 6-45 tract;

6-46 Thence, with the north line of said 0.0378 acre tract and
 6-47 0.1319 acre tract, North 87 degrees 18 minutes 47 seconds East, a
 6-48 distance of 229.23 feet to a 5/8-inch iron rod with a MSG cap set at
 6-49 the northeast corner of said 0.1319 acre tract, for the northeast
 6-50 corner of the herein described tract;

6-51 Thence, with the easterly line of said 0.1319 acre tract,
 6-52 South 51 degrees 41 minutes 48 seconds East, a distance of 45.74
 6-53 feet to the Point of Beginning and containing 0.1697 acres of land.

6-54 SECTION 3. (a) The legal notice of the intention to
 6-55 introduce this Act, setting forth the general substance of this
 6-56 Act, has been published as provided by law, and the notice and a
 6-57 copy of this Act have been furnished to all persons, agencies,
 6-58 officials, or entities to which they are required to be furnished
 6-59 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 6-60 Government Code.

6-61 (b) The governor, one of the required recipients, has
 6-62 submitted the notice and Act to the Texas Commission on
 6-63 Environmental Quality.

6-64 (c) The Texas Commission on Environmental Quality has filed
 6-65 its recommendations relating to this Act with the governor, the
 6-66 lieutenant governor, and the speaker of the house of
 6-67 representatives within the required time.

6-68 (d) All requirements of the constitution and laws of this
 6-69 state and the rules and procedures of the legislature with respect

7-1 to the notice, introduction, and passage of this Act are fulfilled
7-2 and accomplished.

7-3 SECTION 4. (a) If this Act does not receive a two-thirds
7-4 vote of all the members elected to each house, Subchapter C, Chapter
7-5 7970, Special District Local Laws Code, as added by Section 1 of
7-6 this Act, is amended by adding Section 7970.106 to read as follows:

7-7 Sec. 7970.106. NO EMINENT DOMAIN POWER. The district may
7-8 not exercise the power of eminent domain.

7-9 (b) This section is not intended to be an expression of a
7-10 legislative interpretation of the requirements of Section 17(c),
7-11 Article I, Texas Constitution.

7-12 SECTION 5. This Act takes effect immediately if it receives
7-13 a vote of two-thirds of all the members elected to each house, as
7-14 provided by Section 39, Article III, Texas Constitution. If this
7-15 Act does not receive the vote necessary for immediate effect, this
7-16 Act takes effect September 1, 2017.

7-17

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