

1-1 By: Parker (Senate Sponsor - Fallon) H.B. No. 4638
 1-2 (In the Senate - Received from the House April 29, 2019;
 1-3 April 29, 2019, read first time and referred to Committee on
 1-4 Intergovernmental Relations; May 9, 2019, reported favorably by
 1-5 the following vote: Yeas 7, Nays 0; May 9, 2019, 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 creation of the Bear Creek Ranch Municipal Utility
 1-18 District No. 1 of Parker County; granting a limited power of eminent
 1-19 domain; providing authority to issue bonds; providing authority to
 1-20 impose assessments, fees, and taxes.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-22 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-23 Code, is amended by adding Chapter 8078 to read as follows:

1-24 CHAPTER 8078. BEAR CREEK RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
 1-25 PARKER COUNTY

1-26 SUBCHAPTER A. GENERAL PROVISIONS

1-27 Sec. 8078.0101. 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 Bear Creek Ranch Municipal
 1-33 Utility District No. 1 of Parker County.

1-34 Sec. 8078.0102. 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. 8078.0103. CONFIRMATION AND DIRECTOR 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. 8078.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-42 temporary directors may not hold an election under Section
 1-43 8078.0103 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. 8078.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
 1-48 (a) 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. 8078.0106. 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. 8078.0201. GOVERNING BODY; TERMS. (a) The district
 2-10 is governed by a board of five elected directors.

2-11 (b) Except as provided by Section 8078.0202, directors
 2-12 serve staggered four-year terms.

2-13 Sec. 8078.0202. TEMPORARY DIRECTORS. (a) On or after
 2-14 September 1, 2019, the owner or owners of a majority of the assessed
 2-15 value of the real property in the district may submit a petition to
 2-16 the commission requesting that the commission appoint as temporary
 2-17 directors the five persons named in the petition. The commission
 2-18 shall appoint as temporary directors the five persons named in the
 2-19 petition.

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

2-21 (1) the date permanent directors are elected under
 2-22 Section 8078.0103; or

2-23 (2) September 1, 2023.

2-24 (c) If permanent directors have not been elected under
 2-25 Section 8078.0103 and the terms of the temporary directors have
 2-26 expired, successor temporary directors shall be appointed or
 2-27 reappointed as provided by Subsection (d) to serve terms that
 2-28 expire on the earlier of:

2-29 (1) the date permanent directors are elected under
 2-30 Section 8078.0103; or

2-31 (2) the fourth anniversary of the date of the
 2-32 appointment or reappointment.

2-33 (d) If Subsection (c) applies, the owner or owners of a
 2-34 majority of the assessed value of the real property in the district
 2-35 may submit a petition to the commission requesting that the
 2-36 commission appoint as successor temporary directors the five
 2-37 persons named in the petition. The commission shall appoint as
 2-38 successor temporary directors the five persons named in the
 2-39 petition.

2-40 SUBCHAPTER C. POWERS AND DUTIES

2-41 Sec. 8078.0301. GENERAL POWERS AND DUTIES. The district
 2-42 has the powers and duties necessary to accomplish the purposes for
 2-43 which the district is created.

2-44 Sec. 8078.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-45 DUTIES. The district has the powers and duties provided by the
 2-46 general law of this state, including Chapters 49 and 54, Water Code,
 2-47 applicable to municipal utility districts created under Section 59,
 2-48 Article XVI, Texas Constitution.

2-49 Sec. 8078.0303. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-50 52, Article III, Texas Constitution, the district may design,
 2-51 acquire, construct, finance, issue bonds for, improve, operate,
 2-52 maintain, and convey to this state, a county, or a municipality for
 2-53 operation and maintenance macadamized, graveled, or paved roads, or
 2-54 improvements, including storm drainage, in aid of those roads.

2-55 Sec. 8078.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-56 road project must meet all applicable construction standards,
 2-57 zoning and subdivision requirements, and regulations of each
 2-58 municipality in whose corporate limits or extraterritorial
 2-59 jurisdiction the road project is located.

2-60 (b) If a road project is not located in the corporate limits
 2-61 or extraterritorial jurisdiction of a municipality, the road
 2-62 project must meet all applicable construction standards,
 2-63 subdivision requirements, and regulations of each county in which
 2-64 the road project is located.

2-65 (c) If the state will maintain and operate the road, the
 2-66 Texas Transportation Commission must approve the plans and
 2-67 specifications of the road project.

2-68 Sec. 8078.0305. COMPLIANCE WITH MUNICIPAL CONSENT
 2-69 ORDINANCE OR RESOLUTION. The district shall comply with all

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

3-5 Sec. 8078.0306. DIVISION OF DISTRICT. (a) The district
 3-6 may be divided into two or more new districts only if the district:

3-7 (1) has no outstanding bonded debt; and

3-8 (2) is not imposing ad valorem taxes.

3-9 (b) This chapter applies to any new district created by the
 3-10 division of the district, and a new district has all the powers and
 3-11 duties of the district.

3-12 (c) Any new district created by the division of the district
 3-13 may not, at the time the new district is created, contain any land
 3-14 outside the area described by Section 2 of the Act enacting this
 3-15 chapter.

3-16 (d) The board, on its own motion or on receipt of a petition
 3-17 signed by the owner or owners of a majority of the assessed value of
 3-18 the real property in the district, may adopt an order dividing the
 3-19 district.

3-20 (e) The board may adopt an order dividing the district
 3-21 before or after the date the board holds an election under Section
 3-22 8078.0103 to confirm the district's creation.

3-23 (f) An order dividing the district shall:

3-24 (1) name each new district;

3-25 (2) include the metes and bounds description of the
 3-26 territory of each new district;

3-27 (3) appoint temporary directors for each new district;

3-28 and

3-29 (4) provide for the division of assets and liabilities
 3-30 between or among the new districts.

3-31 (g) On or before the 30th day after the date of adoption of
 3-32 an order dividing the district, the district shall file the order
 3-33 with the commission and record the order in the real property
 3-34 records of each county in which the district is located.

3-35 (h) Any new district created by the division of the district
 3-36 shall hold a confirmation and directors' election as required by
 3-37 Section 8078.0103. If the voters of a new district do not confirm
 3-38 the creation of the new district, the assets, obligations,
 3-39 territory, and governance of the new district revert to the
 3-40 original district.

3-41 (i) Municipal consent to the creation of the district and to
 3-42 the inclusion of land in the district granted under Section
 3-43 8078.0104 acts as municipal consent to the creation of any new
 3-44 district created by the division of the district and to the
 3-45 inclusion of land in the new district.

3-46 (j) Any new district created by the division of the district
 3-47 must hold an election as required by this chapter to obtain voter
 3-48 approval before the district may impose a maintenance tax or issue
 3-49 bonds payable wholly or partly from ad valorem taxes.

3-50 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-51 Sec. 8078.0401. ELECTIONS REGARDING TAXES OR BONDS.

3-52 (a) The district may issue, without an election, bonds and other
 3-53 obligations secured by:

3-54 (1) revenue other than ad valorem taxes; or

3-55 (2) contract payments described by Section 8078.0403.

3-56 (b) The district must hold an election in the manner
 3-57 provided by Chapters 49 and 54, Water Code, to obtain voter approval
 3-58 before the district may impose an ad valorem tax or issue bonds
 3-59 payable from ad valorem taxes.

3-60 (c) The district may not issue bonds payable from ad valorem
 3-61 taxes to finance a road project unless the issuance is approved by a
 3-62 vote of a two-thirds majority of the district voters voting at an
 3-63 election held for that purpose.

3-64 Sec. 8078.0402. OPERATION AND MAINTENANCE TAX. (a) If
 3-65 authorized at an election held under Section 8078.0401, the
 3-66 district may impose an operation and maintenance tax on taxable
 3-67 property in the district in accordance with Section 49.107, Water
 3-68 Code.

3-69 (b) The board shall determine the tax rate. The rate may not

4-1 exceed the rate approved at the election.

4-2 Sec. 8078.0403. CONTRACT TAXES. (a) In accordance with
 4-3 Section 49.108, Water Code, the district may impose a tax other than
 4-4 an operation and maintenance tax and use the revenue derived from
 4-5 the tax to make payments under a contract after the provisions of
 4-6 the contract have been approved by a majority of the district voters
 4-7 voting at an election held for that purpose.

4-8 (b) A contract approved by the district voters may contain a
 4-9 provision stating that the contract may be modified or amended by
 4-10 the board without further voter approval.

4-11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-12 Sec. 8078.0501. AUTHORITY TO ISSUE BONDS AND OTHER
 4-13 OBLIGATIONS. The district may issue bonds or other obligations
 4-14 payable wholly or partly from ad valorem taxes, impact fees,
 4-15 revenue, contract payments, grants, or other district money, or any
 4-16 combination of those sources, to pay for any authorized district
 4-17 purpose.

4-18 Sec. 8078.0502. TAXES FOR BONDS. At the time the district
 4-19 issues bonds payable wholly or partly from ad valorem taxes, the
 4-20 board shall provide for the annual imposition of a continuing
 4-21 direct ad valorem tax, without limit as to rate or amount, while all
 4-22 or part of the bonds are outstanding as required and in the manner
 4-23 provided by Sections 54.601 and 54.602, Water Code.

4-24 Sec. 8078.0503. BONDS FOR ROAD PROJECTS. At the time of
 4-25 issuance, the total principal amount of bonds or other obligations
 4-26 issued or incurred to finance road projects and payable from ad
 4-27 valorem taxes may not exceed one-fourth of the assessed value of the
 4-28 real property in the district.

4-29 SECTION 2. The Bear Creek Ranch Municipal Utility District
 4-30 No. 1 of Parker County initially includes all the territory
 4-31 contained in the following area:

4-32 BEING 2055.70 acres of land situated in the JAMES BRADLEY SURVEY,
 4-33 ABSTRACT No. 119, JAMES BRADLEY SURVEY, ABSTRACT No. 120, JOHN D.
 4-34 BAY SURVEY, ABSTARCT NO. 195, J.H. REAN SURVEY, ABSTRACT No. 1106,
 4-35 T.J. BENDERMAN SURVEY, ABSTRACT No. 2519, I. & G.N. RR. CO.,
 4-36 SECTION NO. 3, BLOCK 1, ABSTRACT NO. 1799 and the PETER B. HOLDER
 4-37 SURVEY, ABSTRACT No. 614, Parker County, Texas, being a portion of
 4-38 those certain tracts of land described in deed as Parcel No. 1 and
 4-39 Parcel No. 2, to The Dixon Foundation, recorded in Book 2416, Page
 4-40 417, Official Public Records, Parker County, Texas, said 2055.70
 4-41 acres being more particularly described as follows:

4-42 BEGINNING at the most westerly northwest corner of said Parcel
 4-43 No. 2, in Bear Creek Road (Right-of-Way varies), from which a 2"
 4-44 steel fence corner post found in the south line of said Bear Creek
 4-45 Road bears S 01°12'56" E, a distance of 40.00 feet, for reference,
 4-46 said BEGINNING point having a NAD 83, Zone 4202 (Grid) coordinate
 4-47 value of NORTH: 6918277.984 and EAST: 2233063.538, for reference;

4-48 THENCE along Bear Creek Road, as follows:

4-49 S 67°36'03" E, a distance of 3869.57 feet to the most northerly
 4-50 northeast corner of said Parcel No. 2;

4-51 S 02°12'27" E, a distance of 1472.57 feet to a point;

4-52 S 55°59'27" E, a distance of 1165.45 feet to a point;

4-53 S 71°46'27" E, a distance of 801.00 feet to a point;

4-54 S 70°43'19" E, a distance of 221.91 feet to a point;

4-55 S 70°45'54 E, a distance of 1742.88 feet to a point for the most
 4-56 northerly northeast corner of the herein described 2055.70 acre
 4-57 tract;

4-58 THENCE S 24°06'27" W, leaving said Bear Creek Road, passing the
 4-59 northwest corner of that certain tract of land described in deed to
 4-60 Kevin Reeves, recorded in Instrument Number 2017-02400, Official
 4-61 Public Records, Parker County, Texas, and continuing along the most
 4-62 west line of said Reeves tract, in all, a distance of 1186.42 feet
 4-63 to a point from which a 5/8" iron rod found bears N 60°42'50" W, a
 4-64 distance of 0.42 feet, for reference;

4-65 THENCE along the southwesterly lines of said Reeves tract as
 4-66 follows:

4-67 S 60°42'50" E, a distance of 230.94 feet to a 5/8" iron rod found;

4-68 S 14°49'14" E, a distance of 744.61 feet to a 5/8" iron rod found;

4-69 N 72°21'34" E, a distance of 390.26 feet to a point from which a 3"

5-1 steel pipe fence post bears N 06°43'26" W, a distance of 1.25 feet
 5-2 for reference;
 5-3 S 00°10'37" W, a distance of 764.25 feet to a 1/2" iron rod found at
 5-4 the southwest corner of said Reeves tract, being in the north line
 5-5 of a Seventy (70) foot wide Transmission Easement and Right-of-Way
 5-6 recorded in Book 2684, Page 531 and Book 2734, Page 1161, Official
 5-7 Public Records, Parker County, Texas;
 5-8 THENCE along the south line of said Reeves tract and the north line
 5-9 of said Transmission Easement and Right-of-Way, as follows:
 5-10 N 89°17'27" E, a distance of 766.57 feet to a point;
 5-11 S 87°58'20" E, a distance of 852.96 feet to a point;
 5-12 S 87°37'59" E, a distance of 500.58 feet to a point in the west
 5-13 occupied line of said Bear Creek Road, at the southeast corner of
 5-14 said Reeves tract;
 5-15 THENCE S 20°01'40" E, along the west occupied line of said Bear Creek
 5-16 Road, a distance of 75.70 feet to a 5/8" capped iron rod found
 5-17 stamped "Brooks Baker", being in the most easterly south line of
 5-18 said Parcel No. 2;
 5-19 THENCE along the most easterly south line of said Parcel No. 2, as
 5-20 follows:
 5-21 N 87°38'33" W, a distance of 529.23 feet to a point;
 5-22 N 87°58'55" W, a distance of 851.08 feet to a point;
 5-23 S 89°16'51" W, a distance of 765.97 feet to a point at the most
 5-24 southerly southwest corner of said Parcel No. 2 and being in the
 5-25 east line of said Parcel No. 1;
 5-26 THENCE S 03°54'04" E, along the east line of said Parcel No. 1 and
 5-27 along the called east line of said BENDERMAN SURVEY, a distance of
 5-28 10017.79 feet to a 2" pipe in concrete at the southeast corner of
 5-29 said Parcel No. 1 and being the called southeast corner of said
 5-30 BENDERMAN SURVEY;
 5-31 THENCE S 89°26'10" W, along the south line of said Parcel No. 1 and
 5-32 along the called south line of said BENDERMAN SURVEY, a distance of
 5-33 1606.98 feet to a 5/8" capped iron rod found stamped "Brooks Baker";
 5-34 THENCE S 89°48'07" W, continuing along the south line of said Parcel
 5-35 No. 1 and continuing along the called south line of said BENDERMAN
 5-36 SURVEY, a distance of 3711.27 feet to a 2" pipe in concrete found at
 5-37 the most southerly southwest corner of said Parcel No. 1;
 5-38 THENCE N 01°35'25" W, along the most southerly west line of said
 5-39 Parcel No. 1, a distance of 1216.91 feet to a 2" pipe in concrete
 5-40 found at an interior corner of said Parcel No. 1 and being in the
 5-41 called south line of said J.H. REAN SURVEY;
 5-42 THENCE N 89°19'15" W, along the most westerly south line of said
 5-43 Parcel No. 1 and along the called south line of said J.H. REAN
 5-44 SURVEY, a distance of 660.00 feet to a 2" pipe in concrete found at
 5-45 the most westerly southwest corner of said Parcel No. 1 and being
 5-46 the called southwest corner of said J.H. REAN SURVEY;
 5-47 THENCE along the west line of said Parcel No. 1 and along the called
 5-48 west line of said J.H. REAN SURVEY, as follows:
 5-49 N 00°01'41" W, a distance of 2676.89 feet to a 5/8" iron rod found;
 5-50 N 00°04'03" W, a distance of 1981.74 feet to a 5/8" iron rod found;
 5-51 N 00°10'29" E, a distance of 1520.50 feet to a 5/8" iron rod found;
 5-52 N 00°04'43" W, a distance of 1097.99 feet to a 5/8" iron rod found;
 5-53 N 00°02'24" W, a distance of 901.55 feet to a 1/2" capped iron rod
 5-54 set stamped "C.F. Stark RPLS 5084";
 5-55 N 00°25'07" W, a distance of 984.78 feet to a 2" pipe in concrete
 5-56 found at an interior corner of said Parcel No. 1;
 5-57 THENCE N 89°37'52" W along the most northerly south line of said
 5-58 Parcel No. 1, a distance of 2013.88 feet to a 1/2" capped iron rod
 5-59 set stamped "C.F. Stark RPLS 5084, at the most westerly southwest
 5-60 corner of said Parcel No. 1;
 5-61 THENCE ' N 00°45'08" W, along the most westerly west line of said
 5-62 Parcel No. 1, a distance of 1196.14 feet to a 5/8" rod found;
 5-63 THENCE N 01°17'22" W, continuing along the most westerly west line
 5-64 of said Parcel No. 1, a distance of 1964.12 to a 5/8" capped iron
 5-65 rod found stamped "Brooks Baker" at the northwest corner of said
 5-66 Parcel No. 1 and being the southwest corner of said Parcel No. 2,
 5-67 from which a 5/8" capped iron rod found (not legible) bears S
 5-68 88°46'12" E, a distance of 728.31 feet for reference;
 5-69 THENCE N 01°17'05" W, along the west line of said Parcel 2, a

6-1 distance of 3591.76 feet to the POINT OF BEGINNING and containing
6-2 2055.70 acres, more or less.
6-3 Being a 235.50 acre tract situated in the I & G.N. RAILROAD CO.
6-4 SURVEY, ABSTRANCT NO. 1783, AND THE A.J. OTTO SURVEY, ABSTRACT NO.
6-5 2340, Parker County, Texas and being all of the land conveyed to
6-6 Kolb Ranch, LLC as evidenced by deed recorded in County Clerk
6-7 Documents No. 2018-13108 and 2018-14455, said 235.50 acres being
6-8 further described in metes and bounds as follow:
6-9 BEGINNING at a 1/2inch iron rod found in the west line of the Curtis
6-10 D. Johnson, Jr. et al. tract, recorded in instrument
6-11 No. 2013-12796, Official Public Records, Parker County, Texas, for
6-12 the southeast corner of this tract. Said southeast corner also
6-13 being the northeast corner of Maravilla Vistas Addition, and
6-14 addition to Parker County, Texas recorded in Cabinet E, Slide 13,
6-15 Plat Records, Parker County, Texas and having a NAD 83 coordinate of
6-16 N: 6921387.53, E: 2234996.34;
6-17 THENCE N 63°51'23" W along the north line of said Maravilla Vistas
6-18 Addition, a distance of 1836.72 feet to a 1/2 inch iron rod found in
6-19 the east line of the Vina Louise Klasing tract as recorded in Volume
6-20 1548, Page 1187, Deed Records Parker County, Texas for the most
6-21 southern southwest corner of this tract, said most southern
6-22 southwest corner also being the northwest corner of said Maravilla
6-23 Vistas;
6-24 THENCE N 31°50'01" E, along the east line of said Klasing tract, a
6-25 distance of 507.08 feet to a 1/2 inch iron rod set stamped "C.F.
6-26 Stark 5084" for an interior corner of this tract;
6-27 THENCE N 37°39'16" W, along the north line of said Klasing tract, a
6-28 distance of 662.15 feet to a 1/2 inch iron rod found in the west line
6-29 of said Klasing tract and the east line of La Madera, Phase 3, an
6-30 addition to Parker County, Texas recorded in Cabinet D, Slide 219,
6-31 Plat Records, Parker County, Texas, continuing along the north line
6-32 of said La Madera Phase 3 a total distance of 2642.59 feet to a 1/2
6-33 inch iron rod found in the south line of McDavid Springs, an
6-34 addition to Parker County, Texas recorded in Cabinet C, Slide 726,
6-35 Plat Records, Parker County, Texas, for the most western southwest
6-36 corner of this tract, said most western southwest corner also the
6-37 northwest corner of said La Madera addition;
6-38 THENCE N 61°45'54" E, along the south line of said McDavid Springs
6-39 addition, a distance of 1335.26 feet to a 3 inch metal pipe post
6-40 found for an interior corner of this tract, said 3 inch metal pipe
6-41 post also being a corner for the McDavid Springs addition;
6-42 THENCE N 00°11'28" W, along the east line of said McDavid Springs
6-43 addition, a distance of 347.16 feet to a 3 inch metal pipe post
6-44 found for the northwest corner of this tract, said northwest corner
6-45 also being the southwest corner of the River Creek Addition, an
6-46 addition to Parker County recorded in Cabinet B, Slide 296, Plat
6-47 Records, Parker County, Texas;
6-48 THENCE, along the south line of said River Creek addition and the
6-49 south line of the Montex Drilling tract, recorded in Vol. 274, Pg.
6-50 244, Deed Records, Parker County, Texas as follows:
6-51 N 89°20'01" E, a distance of 1582.81 feet to a 1/2 inch iron
6-52 rod set stamped "C.F. Stark 5084"
6-53 N 89°24'23" E, a distance of 1099.43 feet to a 3 inch metal
6-54 pipe post found in the west line of the W.A. Moncrief tract,
6-55 recorded Vol. 523, Pg. 620, Deed Records, Parker County, Texas, for
6-56 the most northern northeast corner of this tract, said most
6-57 northern northeast corner also being the southeast corner of said
6-58 Montex Drilling tract;
6-59 THENCE S 01°03'51" E, along the west line of said Moncrief tract, a
6-60 distance of 527.13 feet to a 3 inch metal pipe post found in the
6-61 north line of said Johnson tract for a corner of this tract, said
6-62 corner also the southwest corner of the Moncrief tract and the
6-63 northwest corner of said Johnson tract;
6-64 THENCE S 52°21'34" W, along the northwesterly line of said Johnson
6-65 tract, a distance of 1487.07 feet to a 1/2 inch iron rod found
6-66 stamped "Harlan" for an interior corner of this tract, said
6-67 interior corner also being a the most westerly southwest corner of
6-68 said Johnson tract;
6-69 THENCE S 63°51'14" E, along the southwesterly line of said Johnson

7-1 tract, a distance of 1555.29 feet to a 1/2 inch iron rod found
7-2 stamped "Harlan" for the most easterly northeast corner of this
7-3 tract, said most easterly northeast corner also being an interior
7-4 corner of said Johnson tract;
7-5 THENCE S 26°08'47" W, along the west line of said Johnson tract, a
7-6 distance of 2473.48 feet to the POINT OF BEGINNING, and containing
7-7 235.50 acres (10,258,662.02 square feet) more or less.
7-8 BEING 215.30 acres situated in the I & G.N. RR. CO. SURVEY, Abstract
7-9 No. 1783, the W.H. JONES SURVEY, Abstract No. 2395 and the J.
7-10 BRADLEY SURVEY, Abstract No. 120, Parker County, Texas, being all
7-11 of that certain tract of land described in deed to Curtis D.
7-12 Johnson, Jr., et al, recorded in Instrument Number 201312796,
7-13 Official Records, Parker County, Texas, being more particularly
7-14 described as follows:
7-15 BEGINNING at a 3" metal pipe post found at the most northerly
7-16 northwest corner of said Johnson, Jr., et al tract and being the
7-17 most easterly southeast corner of that certain tract of land
7-18 described in deed to James P. McFarland, IV, recorded in Volume
7-19 2606, Page 1426, Official Records, Parker County, Texas, said
7-20 BEGINNING point having a NAD 83, Zone 4202 (Grid) coordinate value
7-21 of NORTH:6925201.42 and EAST:2235867.72, for reference;
7-22 THENCE N 88°48'42" E, along the north line of said Johnson, Jr., et
7-23 al, tract, a distance of 1011.13 feet to a 3" concrete filled metal
7-24 post found;
7-25 THENCE S 89°54'31" E, continuing along the north line of said
7-26 Johnson, Jr., et al, tract, a distance of 1002.32 feet to a 3"
7-27 concrete filled metal post found at the northeast corner of said
7-28 Johnson, Jr., et al, tract;
7-29 THENCE along the east and southeasterly line of said Johnson, Jr.,
7-30 et al, tract, as follows:
7-31 S 00°18'33" W, a distance of 729.65 feet to a 3" concrete filled
7-32 metal post found;
7-33 N 89°14'08" W, a distance of 333.23 feet to a 1/2" capped iron rod
7-34 set stamped "C.F. Stark RPLS 5084";
7-35 S 26°08'40" W, at a distance of 7451.86 feet, passing a 1/2" iron rod
7-36 found in the occupied north line of Bear Creek Road (Right-of-Way
7-37 varies), and continuing, in all, a distance of 7472.30 feet to a
7-38 point in said Bear Creek Road;
7-39 THENCE N 67°45'12" W, along Bear Creek Road, a distance of 919.65
7-40 feet to a point at the southwest corner of said Johnson, Jr., et al,
7-41 tract;
7-42 THENCE N 26°08'53" E, leaving said Bear Creek Road, at a distance of
7-43 20.20 feet passing a 1/2" capped iron rod found stamped "Harlan" in
7-44 the occupied north line of said Bear Creek Road, and continuing,
7-45 passing the southeast corner of MARAVILLA VISTAS, an Addition to
7-46 Parker County, Texas, according to the Plat recorded in Cabinet D,
7-47 Slide 491, Plat Records, Parker County, Texas, and continuing along
7-48 the common line of said Johnson, Jr., et al, tract and said
7-49 MARAVILLA VISTAS (recorded in Cab. D, Slide 491), at a distance of
7-50 2465.14 feet, passing a 1/2" capped iron rod found stamped "Texas
7-51 Surveying" at the northeast corner of said MARAVILLA VISTAS
7-52 (recorded in Cab. D, Slide 491) and being the southeast corner of
7-53 MARAVILLA VISTAS, an Addition to Parker County, Texas, according to
7-54 the Plat recorded in Cabinet E, Slide 13, Plat Records, Parker
7-55 County, Texas, and continuing along the common line of said
7-56 Johnson, Jr., et al, tract and said MARAVILLA VISTAS (recorded in
7-57 Cab. E, Slide 13), in all, a distance of 3622.23 feet to a 1/2" iron
7-58 rod found at the northeast corner of said MARAVILLA VISTAS
7-59 (recorded in Cab. E, Slide 13);
7-60 THENCE N 26°08'47" E, along the northwesterly line of said Johnson,
7-61 Jr., et al, tract, a distance of 2473.48 feet to a 1/2" capped iron
7-62 rod found stamped "Harlan" at an ell corner of said Johnson, Jr., et
7-63 al, tract;
7-64 THENCE N 63°51'14" W, along a northerly south line of said Johnson,
7-65 Jr., et al, tract, a distance of 1555.29 feet to a 1/2" capped iron
7-66 rod found stamped "Harlan" at the most westerly northwest corner of
7-67 said Johnson, Jr., et al, tract, being in the southeasterly line of
7-68 that certain tract of land described in deed to James P. McFarland,
7-69 IV, recorded in Volume 2606, Page 1426, Official Records, Parker

8-1 County, Texas, from which a 1/2" capped iron rod found stamped
8-2 "Harlan" bears S 52°17'02" W, a distance of 99.95 feet, for
8-3 reference;

8-4 THENCE N 52°21'34" E, along the common line of said Johnson, Jr., et
8-5 al, tract and said James P. McFarland, IV, a distance of 1487.07
8-6 feet to the POINT OF BEGINNING and containing 215.30 acres of land,
8-7 more or less.

8-8 SECTION 3. (a) The legal notice of the intention to
8-9 introduce this Act, setting forth the general substance of this
8-10 Act, has been published as provided by law, and the notice and a
8-11 copy of this Act have been furnished to all persons, agencies,
8-12 officials, or entities to which they are required to be furnished
8-13 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
8-14 Government Code.

8-15 (b) The governor, one of the required recipients, has
8-16 submitted the notice and Act to the Texas Commission on
8-17 Environmental Quality.

8-18 (c) The Texas Commission on Environmental Quality has filed
8-19 its recommendations relating to this Act with the governor, the
8-20 lieutenant governor, and the speaker of the house of
8-21 representatives within the required time.

8-22 (d) All requirements of the constitution and laws of this
8-23 state and the rules and procedures of the legislature with respect
8-24 to the notice, introduction, and passage of this Act are fulfilled
8-25 and accomplished.

8-26 SECTION 4. (a) If this Act does not receive a two-thirds
8-27 vote of all the members elected to each house, Subchapter C, Chapter
8-28 8078, Special District Local Laws Code, as added by Section 1 of
8-29 this Act, is amended by adding Section 8078.0307 to read as follows:

8-30 Sec. 8078.0307. NO EMINENT DOMAIN POWER. The district may
8-31 not exercise the power of eminent domain.

8-32 (b) This section is not intended to be an expression of a
8-33 legislative interpretation of the requirements of Section 17(c),
8-34 Article I, Texas Constitution.

8-35 SECTION 5. This Act takes effect September 1, 2019.

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