

1-1 By: Wilson (Senate Sponsor - Buckingham) H.B. No. 4669  
1-2 (In the Senate - Received from the House May 6, 2019;  
1-3 May 7, 2019, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 15, 2019, reported favorably by  
1-5 the following vote: Yeas 7, Nays 0; May 15, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
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 Northeast Burnet County Water  
1-18 District No. 1; granting a limited power of eminent domain;  
1-19 providing authority to issue bonds; providing authority to impose  
1-20 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 8064 to read as follows:

1-24 CHAPTER 8064. NORTHEAST BURNET COUNTY WATER DISTRICT NO. 1

1-25 SUBCHAPTER A. GENERAL PROVISIONS

1-26 Sec. 8064.0101. DEFINITIONS. In this chapter:

1-27 (1) "Board" means the district's board of directors.

1-28 (2) "Commission" means the Texas Commission on  
1-29 Environmental Quality.

1-30 (3) "Director" means a board member.

1-31 (4) "District" means the Northeast Burnet County Water  
1-32 District No. 1.

1-33 Sec. 8064.0102. NATURE OF DISTRICT. The district is a  
1-34 municipal utility district created under Section 59, Article XVI,  
1-35 Texas Constitution.

1-36 Sec. 8064.0103. CONFIRMATION AND DIRECTORS' ELECTION  
1-37 REQUIRED. The temporary directors shall hold an election to  
1-38 confirm the creation of the district and to elect five permanent  
1-39 directors as provided by Section 49.102, Water Code.

1-40 Sec. 8064.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
1-41 temporary directors may not hold an election under Section  
1-42 8064.0103 until each municipality in whose corporate limits or  
1-43 extraterritorial jurisdiction the district is located has  
1-44 consented by ordinance or resolution to the creation of the  
1-45 district and to the inclusion of land in the district.

1-46 Sec. 8064.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-47 (a) The district is created to serve a public purpose and benefit.

1-48 (b) The district is created to accomplish the purposes of:

1-49 (1) a municipal utility district as provided by  
1-50 general law and Section 59, Article XVI, Texas Constitution; and

1-51 (2) Section 52, Article III, Texas Constitution, that  
1-52 relate to the construction, acquisition, improvement, operation,  
1-53 or maintenance of macadamized, graveled, or paved roads, or  
1-54 improvements, including storm drainage, in aid of those roads.

1-55 Sec. 8064.0106. INITIAL DISTRICT TERRITORY. (a) The  
1-56 district is initially composed of the territory described by  
1-57 Section 2 of the Act enacting this chapter.

1-58 (b) The boundaries and field notes contained in Section 2 of  
1-59 the Act enacting this chapter form a closure. A mistake made in the  
1-60 field notes or in copying the field notes in the legislative process  
1-61 does not affect the district's:

- 2-1 (1) organization, existence, or validity;
- 2-2 (2) right to issue any type of bond for the purposes
- 2-3 for which the district is created or to pay the principal of and
- 2-4 interest on a bond;
- 2-5 (3) right to impose a tax; or
- 2-6 (4) legality or operation.

SUBCHAPTER B. BOARD OF DIRECTORS

2-8 Sec. 8064.0201. GOVERNING BODY; TERMS. (a) The district is

2-9 governed by a board of five elected directors.

2-10 (b) Except as provided by Section 8064.0202, directors

2-11 serve staggered four-year terms.

2-12 Sec. 8064.0202. TEMPORARY DIRECTORS. (a) On or after the

2-13 effective date of the Act enacting this chapter, the owner or owners

2-14 of a majority of the assessed value of the real property in the

2-15 district may submit a petition to the commission requesting that

2-16 the commission appoint as temporary directors the five persons

2-17 named in the petition. The commission shall appoint as temporary

2-18 directors the five persons named in the petition.

2-19 (b) Temporary directors serve until the earlier of:

2-20 (1) the date permanent directors are elected under

2-21 Section 8064.0103; or

2-22 (2) the fourth anniversary of the effective date of

2-23 the Act enacting this chapter.

2-24 (c) If permanent directors have not been elected under

2-25 Section 8064.0103 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 8064.0103; 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.

SUBCHAPTER C. POWERS AND DUTIES

2-41 Sec. 8064.0301. 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. 8064.0302. 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. 8064.0303. 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. 8064.0304. 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. 8064.0305. DIVISION OF DISTRICT. (a) The district may

2-69 be divided into two or more new districts only if the district:

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

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

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

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

3-14 (e) The board may adopt an order dividing the district  
 3-15 before or after the date the board holds an election under Section  
 3-16 8064.0103 to confirm the creation of the district.

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

3-18 (1) name each new district;

3-19 (2) include the metes and bounds description of the  
 3-20 territory of each new district;

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

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

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

3-32 (h) Any new district created by the division of the district  
 3-33 shall hold a confirmation and directors' election as required by  
 3-34 Section 8064.0103.

3-35 (i) Any new district created by the division of the district  
 3-36 must hold an election as required by this chapter to obtain voter  
 3-37 approval before the district may impose a maintenance tax or issue  
 3-38 bonds payable wholly or partly from ad valorem taxes.

3-39 Sec. 8064.0306. STRATEGIC PARTNERSHIP AGREEMENT. The  
 3-40 district may negotiate and enter into a written strategic  
 3-41 partnership agreement with a municipality under Section 43.0751,  
 3-42 Local Government Code.

#### 3-43 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-44 Sec. 8064.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)  
 3-45 The district may issue, without an election, bonds and other  
 3-46 obligations secured by:

3-47 (1) revenue other than ad valorem taxes; or

3-48 (2) contract payments described by Section 8064.0403.

3-49 (b) The district must hold an election in the manner  
 3-50 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
 3-51 before the district may impose an ad valorem tax or issue bonds  
 3-52 payable from ad valorem taxes.

3-53 (c) The district may not issue bonds payable from ad valorem  
 3-54 taxes to finance a road project unless the issuance is approved by a  
 3-55 vote of a two-thirds majority of the district voters voting at an  
 3-56 election held for that purpose.

3-57 (d) The district may not issue bonds payable wholly or  
 3-58 partly from assessments.

3-59 Sec. 8064.0402. OPERATION AND MAINTENANCE TAX. (a) If  
 3-60 authorized at an election held under Section 8064.0401, the  
 3-61 district may impose an operation and maintenance tax on taxable  
 3-62 property in the district in accordance with Section 49.107, Water  
 3-63 Code.

3-64 (b) The board shall determine the tax rate. The rate may not  
 3-65 exceed the rate approved at the election.

3-66 Sec. 8064.0403. CONTRACT TAXES. (a) In accordance with  
 3-67 Section 49.108, Water Code, the district may impose a tax other than  
 3-68 an operation and maintenance tax and use the revenue derived from  
 3-69 the tax to make payments under a contract after the provisions of

4-1 the contract have been approved by a majority of the district voters  
 4-2 voting at an election held for that purpose.

4-3 (b) A contract approved by the district voters may contain a  
 4-4 provision stating that the contract may be modified or amended by  
 4-5 the board without further voter approval.

4-6 SUBCHAPTER E. ASSESSMENTS; APPLICABILITY OF IMPACT FEES AND  
 4-7 ASSESSMENTS

4-8 Sec. 8064.0501. PETITION REQUIRED FOR FINANCING  
 4-9 RECREATIONAL FACILITY OR IMPROVEMENT BY ASSESSMENT. (a) The  
 4-10 district may finance a recreational facility or improvement with  
 4-11 assessments on residential or commercial property or both  
 4-12 residential and commercial property under this subchapter, but only  
 4-13 if:

4-14 (1) a written petition requesting that facility or  
 4-15 improvement has been filed with the board; and

4-16 (2) the district holds a hearing on the proposed  
 4-17 assessments.

4-18 (b) The petition must be signed by the owners of a majority  
 4-19 of the assessed value of real property in the district subject to  
 4-20 assessment according to the most recent certified tax appraisal  
 4-21 roll for the county.

4-22 Sec. 8064.0502. METHOD OF NOTICE FOR HEARING. The district  
 4-23 shall mail notice of the hearing to each property owner in the  
 4-24 district who will be subject to the assessment at the current  
 4-25 address to be assessed as reflected on the tax rolls. The district  
 4-26 may mail the notice by certified or first class United States mail.  
 4-27 The board shall determine the method of notice.

4-28 Sec. 8064.0503. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)  
 4-29 An assessment or a reassessment imposed under this subchapter by  
 4-30 the district, penalties and interest on an assessment or  
 4-31 reassessment, an expense of collection, and reasonable attorney's  
 4-32 fees incurred by the district:

4-33 (1) are a first and prior lien against the property  
 4-34 assessed;

4-35 (2) are superior to any other lien or claim other than  
 4-36 a lien or claim for county, school district, or municipal ad valorem  
 4-37 taxes; and

4-38 (3) are the personal liability of and a charge against  
 4-39 the owners of the property even if the owners are not named in the  
 4-40 assessment proceedings.

4-41 (b) The lien is effective from the date of the board's  
 4-42 resolution imposing the assessment until the date the assessment is  
 4-43 paid. The board may enforce the lien in the same manner that the  
 4-44 board may enforce an ad valorem tax lien against real property.

4-45 (c) The board may make a correction to or deletion from the  
 4-46 assessment roll that does not increase the amount of assessment of  
 4-47 any parcel of land without providing notice and holding a hearing in  
 4-48 the manner required for additional assessments.

4-49 Sec. 8064.0504. UTILITY PROPERTY EXEMPT FROM IMPACT FEES  
 4-50 AND ASSESSMENTS. The district may not impose an impact fee or  
 4-51 assessment on the property, including the equipment,  
 4-52 rights-of-way, facilities, or improvements, of:

4-53 (1) an electric utility or a power generation company  
 4-54 as defined by Section 31.002, Utilities Code;

4-55 (2) a gas utility as defined by Section 101.003 or  
 4-56 121.001, Utilities Code;

4-57 (3) a telecommunications provider as defined by  
 4-58 Section 51.002, Utilities Code; or

4-59 (4) a person who provides to the public cable  
 4-60 television or advanced telecommunications services.

4-61 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

4-62 Sec. 8064.0601. AUTHORITY TO ISSUE BONDS AND OTHER  
 4-63 OBLIGATIONS. The district may issue bonds or other obligations  
 4-64 payable wholly or partly from ad valorem taxes, impact fees,  
 4-65 revenue, contract payments, grants, or other district money, or any  
 4-66 combination of those sources, to pay for any authorized district  
 4-67 purpose.

4-68 Sec. 8064.0602. TAXES FOR BONDS. At the time the district  
 4-69 issues bonds payable wholly or partly from ad valorem taxes, the

5-1 board shall provide for the annual imposition of a continuing  
 5-2 direct ad valorem tax, without limit as to rate or amount, while all  
 5-3 or part of the bonds are outstanding as required and in the manner  
 5-4 provided by Sections 54.601 and 54.602, Water Code.

5-5 Sec. 8064.0603. BONDS FOR ROAD PROJECTS. At the time of  
 5-6 issuance, the total principal amount of bonds or other obligations  
 5-7 issued or incurred to finance road projects and payable from ad  
 5-8 valorem taxes may not exceed one-fourth of the assessed value of the  
 5-9 real property in the district.

#### 5-10 SUBCHAPTER G. DEFINED AREAS

5-11 Sec. 8064.0701. AUTHORITY TO ESTABLISH DEFINED AREAS OR  
 5-12 DESIGNATED PROPERTY. The district may define areas or designate  
 5-13 certain property of the district to pay for improvements,  
 5-14 facilities, or services that primarily benefit that area or  
 5-15 property and do not generally and directly benefit the district as a  
 5-16 whole.

5-17 Sec. 8064.0702. PROCEDURE FOR ELECTION. (a) Before the  
 5-18 district may impose an ad valorem tax or issue bonds payable from ad  
 5-19 valorem taxes of the defined area or designated property, the board  
 5-20 shall hold an election in the defined area or in the designated  
 5-21 property only.

5-22 (b) The board may submit the issues to the voters on the same  
 5-23 ballot to be used in another election.

5-24 Sec. 8064.0703. DECLARING RESULT AND ISSUING ORDER. (a) If  
 5-25 a majority of the voters voting at the election approve the  
 5-26 proposition or propositions, the board shall declare the results  
 5-27 and, by order, shall establish the defined area and describe it by  
 5-28 metes and bounds or designate the specific property.

5-29 (b) A court may not review the board's order except on the  
 5-30 ground of fraud, palpable error, or arbitrary and confiscatory  
 5-31 abuse of discretion.

5-32 Sec. 8064.0704. TAXES FOR SERVICES, IMPROVEMENTS, AND  
 5-33 FACILITIES IN DEFINED AREAS OR DESIGNATED PROPERTY. On voter  
 5-34 approval and adoption of the order described by Section 8064.0703,  
 5-35 the district may apply separately, differently, equitably, and  
 5-36 specifically its taxing power and lien authority to the defined  
 5-37 area or designated property to provide money to construct,  
 5-38 administer, maintain, and operate services, improvements, and  
 5-39 facilities that primarily benefit the defined area or designated  
 5-40 property.

5-41 Sec. 8064.0705. ISSUANCE OF BONDS FOR DEFINED AREA OR  
 5-42 DESIGNATED PROPERTY. After the order under Section 8064.0703 is  
 5-43 adopted, the district may issue bonds to provide for any land,  
 5-44 improvements, facilities, plants, equipment, and appliances for  
 5-45 the defined area or designated property.

5-46 SECTION 2. The Northeast Burnet County Water District No. 1  
 5-47 initially includes all the territory contained in the following  
 5-48 area:

#### 5-49 FIELD NOTES

5-50 BEING ALL OF THAT CERTAIN 1863.573 ACRE TRACT OR PARCEL OF LAND OUT  
 5-51 OF AND A PART OF THE JAMES H. CRISWELL SURVEY, NO. 64, ABSTRACT NO.  
 5-52 187 1/2, M.M GRANT SURVEY NO. 529, ABSTRACT NO. 369, M.M. GRANT  
 5-53 SURVEY NO. 530, ABSTRACT NO. 370, J.H. EVANS SURVEY NO. 1239,  
 5-54 ABSTRACT NO. 1164, WILLIAM B. ANDERSON SURVEY NO. 65, ABSTRACT NO.  
 5-55 13, T.C.RY. CO. SURVEY NO. 53, ABSTRACT NO. 1357, JOHN B. BARKER  
 5-56 SURVEY NO. 1345, ABSTRACT NO. 1211, WILLIAM G. WILLIAMS SURVEY NO.  
 5-57 931, ABSTRACT NO. 1001, W.C. HEATH SURVEY NO. 1398, ABSTRACT NO.  
 5-58 1310, SARAH SMART SURVEY, NO. 841, ABSTRACT NO. 865, T.C.R.R. CO.  
 5-59 SURVEY NO. 91, ABSTRACT NO. 1588, DAVE STEWART SURVEY NO. 5,  
 5-60 ABSTRACT NO 806, AND THE S.W. MAYO SURVEY NO. 1156, ABSTRACT NO.  
 5-61 1184, ALL SITUATED IN BURNET COUNTY, TEXAS, SAID TRACT OF LAND BEING  
 5-62 MORE PARTICULARLY DESCRIBED AS BEING ALL OF A CALLED 233.6123 ACRE  
 5-63 TRACT OF LAND (EXHIBIT A), SAVE AND EXCEPT A CALLED 10.00 ACRE TRACT  
 5-64 OF LAND (EXHIBIT B) CONVEYED TO SWG BRIGGS I, LP. IN DOCUMENT NO.  
 5-65 201610419, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY, TEXAS, ALL OF  
 5-66 A CALLED 1526.98 ACRE TRACT OF LAND CONVEYED TO SWG BRIGGS I, LP.,  
 5-67 IN VOLUME 856, PAGE 747, OFFICIAL PUBLIC RECORDS OF BURNET COUNTY,  
 5-68 TEXAS, AND ALL OF A CALLED 113.00 ACRE TRACT OF LAND CONVEYED TO SWG  
 5-69 BRIGGS I, LP., IN DOCUMENT NUMBER 201610423, OFFICIAL PUBLIC

6-1 RECORDS OF BURNET COUNTY, TEXAS, SAID 1863.573 ACRE TRACT OF LAND  
6-2 BEING MORE FULLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:  
6-3 BEGINNING, at a at the northernmost corner of said 113.00 acre  
6-4 tract, being at the westernmost corner of A CALLED 31.0236 acre  
6-5 tract of land conveyed to Mike & Deanna Leschber in Document Number  
6-6 201204123, Official Public Records of Burnet County, Texas, same  
6-7 being in the southeast line of County Road 219 (R.O.W. Varies), for  
6-8 the northeast corner and the POINT OF BEGINNING of the herein  
6-9 described tract of land,  
6-10 THENCE, with the northeast line of said 113.00 acres, the southwest  
6-11 line of said 31.0236 acres, the southwest line of a called 25.16  
6-12 acre tract of land conveyed to Danny & Darlene Bannister in Document  
6-13 Number 201605105, Official Public Records of Burnet, County, Texas,  
6-14 and the southwest line of a called 25.18 acre tract of land conveyed  
6-15 to Barbara Cook Irrevocable Trust in Document Number 201604313,  
6-16 Official Public Records of Burnet County, Texas, the following nine  
6-17 (9) courses and distances, numbered 1 through 9,  
6-18 1) S21°23'29"E, a distance of 526.92 feet to a point,  
6-19 2) S28°33'31"E, a distance of 1017.15 feet to a point,  
6-20 3) S08°26'18"W, a distance of 288.16 feet to a point,  
6-21 4) N86°24'09"E, a distance of 312.43 feet to a point,  
6-22 5) S32°25'56"E, a distance of 358.15 feet to a point,  
6-23 6) S29°49'18"E, a distance of 163.65 feet to a point,  
6-24 7) S36°39'03"E, a distance of 194.88 feet to a point,  
6-25 8) S22°22'24"E, a distance of 94.36 feet to a point, and  
6-26 9) S19°03'14"E, a distance of 218.48 feet to a point at the  
6-27 most westerly, southwest corner of said 25.18 acre tract, being the  
6-28 easternmost corner of said 113.00 acre tract, same being in a  
6-29 northwest line of said 1526.98 acre tract of land,  
6-30 THENCE, N67°56'31"E, with the southeast line of said 25.18 acre  
6-31 tract, a distance of 815.54 feet to a point at an interior corner of  
6-32 said 25.18 acre tract of land,  
6-33 THENCE, S21°01'35"E, continuing with a northeast line of said  
6-34 1526.98 acre tract, the southwest line of said 25.18 acre tract, the  
6-35 southwest line of a called 25.10 acre tract of land conveyed to  
6-36 Pamela Cannavan in Volume 1214, Page 561, Official Public Records  
6-37 of Burnet County, Texas, the southwest line of a called 25.092 acre  
6-38 tract of land conveyed to David & Melody Baker in Document Number  
6-39 201100991, Official Public Records of Burnet County, Texas, and the  
6-40 southwest line of a called 25.13 acre tract of land conveyed to K.D.  
6-41 Rhodes Ranch, LLC. in Document Number 200702836, Official Public  
6-42 Records of Burnet, County, Texas, a distance of 3532.45 feet to a  
6-43 point at the southernmost corner of said 25.13 acre tract, being in  
6-44 the northwest line of a called 31.44 acre tract of land conveyed to  
6-45 Daniel & Diann Davis in Volume 1032, Page 314m, Official Public  
6-46 Records of Burnet, County, Texas,  
6-47 THENCE, S67°36'29"W, with the northwest line of said 31.44 acre and  
6-48 a southeast line of said 1526.98 acre tract of land, a distance of  
6-49 281.44 feet to a point at the westernmost corner of said 31.44 acre  
6-50 tract,  
6-51 THENCE, continuing with a northeast line of said 1526.98 acre  
6-52 tract, the southwest line of said 31.44 acre tract, the southwest  
6-53 line of a called 50.0 acre tract of land conveyed to Andres &  
6-54 Jacqueline Gonzales in Volume 632, Page 553, Official Public  
6-55 Records of Burnet County, Texas, and a southwest line of a called  
6-56 79.88 acre tract of land (Tract Three) conveyed to Kevin & Faith  
6-57 McAndrew in Document Number 20906099, Official Public Records of  
6-58 Burnet County, Texas, the following four (4) courses and distances,  
6-59 numbered 1 through 4,  
6-60 1) S21°06'12"E, a distance of 924.69 feet to a point,  
6-61 2) S25°03'14"E, a distance of 415.81 feet to a point,  
6-62 3) S20°46'52"E, a distance of 563.14 feet to a point, and  
6-63 4) S21°06'08"E, a distance of 745.00 feet to a point at an  
6-64 interior corner of said 79.88 acre tract, being at the easternmost  
6-65 corner of said 1526.98 acre tract, for the easternmost corner of the  
6-66 herein described tract of land,  
6-67 THENCE, S68°34'51"W, with a southeast line of said 1526.98 acre  
6-68 tract, a northwest line of said 79.88 acre tract, and the northwest  
6-69 line of Lots 18 & 19, Spring Creek Estates, a subdivision recorded

7-1 in Volume 2, Page 29A, Plat Records of Burnet county, Texas, a  
7-2 distance of 2652.74 feet to a point at the westernmost corner of  
7-3 said Lot 18, being at a south corner of said 1526.98 acre tract,  
7-4 same being in the northeast line of a called 107.9 acre tract of  
7-5 land conveyed to Charles & Nancy Stovall in Document Number  
7-6 201803478, Official Public Records of Burnet County, Texas,  
7-7 THENCE, N21°32'12"W, with a southwest line of said 1526.98 acre  
7-8 tract and the northeast line of said 107.9 acre tract of land, a  
7-9 distance of 1043.80 feet to a point at the north corner of said  
7-10 107.9 acre tract of land,  
7-11 THENCE, with a southeast line of said 1526.98 acre tract, the  
7-12 southeast line of said 223.6123 acre tract, the northwest line of  
7-13 said 107.9 acre tract, the northwest line of a called 317.74 acre  
7-14 tract of land, (Tract 1) conveyed to Jadenyx, LP. in Volume 1196,  
7-15 Page 271, Official Public Records of Burnet County, Texas, and the  
7-16 northwest line of a called 232.06 acre tract of land (Tract 3)  
7-17 conveyed to Jadenyx, LP. in Volume 1196, Page 271, Official Public  
7-18 Records of Burnet County, Texas, the following two (2) courses and  
7-19 distances, numbered 1 and 2,  
7-20 1) S68°29'04"W, a distance of 1840.13 feet to a point, and  
7-21 2) S68°51'14"W, a distance of 5049.97 feet to a point at the  
7-22 west corner of said 232.06 acre tract, being at the southernmost  
7-23 corner of said 223.6123 acre tract, same being in the northeast line  
7-24 of a called 469.21 acre tract of land conveyed to Billie Stiles in  
7-25 Volume 1458, Page 914, Official Public Records of Burnet County,  
7-26 Texas, for the southwest corner of the herein described tract of  
7-27 land,  
7-28 THENCE, with the common line of said 469.21 acre tract of land and  
7-29 said 223.6123 acre tract of land, the following two (2) courses and  
7-30 distances, numbered 1 and 2,  
7-31 1) N21°32'07"W, a distance of 2024.80 feet to a point at the  
7-32 northernmost corner of said 469.21 acre tract of land, and  
7-33 2) S69°04'28"W, a distance of 1682.57 feet to a point in the  
7-34 northwest line of said 469.21 acre tract, being at a southwest  
7-35 corner of said 223.6123 acre tract, same being at the easternmost  
7-36 corner of a called 160.45 acre tract of land conveyed to Floyd &  
7-37 Tammy Cantwell in Document Number 200910400, Official Public  
7-38 Records of Burnet County, Texas, for a southwest corner of the  
7-39 herein described tract of land,  
7-40 THENCE, N21°13'36"W, with a southwest line of said 223.6123 acre  
7-41 tract, the northeast line of said 160.45 acre tract and the  
7-42 northeast line of a called 14.0 acre tract of land conveyed to SWG  
7-43 Briggs I, LP. in Document Number 201610417, Official Public Records  
7-44 of Burnet County, Texas, a distance of 1973.11 feet to a point in  
7-45 the southwest line of said 223.6123 acre tract, being in the  
7-46 northeast line of said 14.0 acre tract, same being at the  
7-47 southernmost corner of a called 10.00 acre tract of land conveyed to  
7-48 Wayne & Leigh Anne Eaton in Volume 975, Page 166, Official Public  
7-49 Records of Burnet County, Texas,  
7-50 THENCE, with the southeast and northeast line of said 10.00 acre  
7-51 tract and over and across said 223.6123 acre tract of land, the  
7-52 following two (2) courses and distances, numbered 1 and 2,  
7-53 1) N69°01'35"E, a distance of 660.01 feet to a point at the  
7-54 east corner of said 10.00 acre tract, and  
7-55 2) N21°13'36"W, a distance of 660.00 feet to a point at the  
7-56 northernmost corner of said 10.00 acre tract, being a northwest  
7-57 line of said 223.6123 acre tract of land, same being in the  
7-58 southeast line of FM 2657 (80' R.O.W.), for a west corner of the  
7-59 herein described tract of land,  
7-60 THENCE, with the southeast line of said FM 2657, the northwest line  
7-61 of said 223.6123 acre tract and the northwest line of said 1526.98  
7-62 acre tract of land, the following nine (9) courses and distances,  
7-63 numbered 1 through 9,  
7-64 1) N69°01'35"E, a distance of 680.27 feet to a point at the  
7-65 beginning of a curve to the left,  
7-66 2) Along said curve to the left, having a radius of 1185.92  
7-67 feet, an arc length of 1092.68 feet, and a chord that bears  
7-68 N42°38'30"E, a distance of 1054.44 feet to a point,  
7-69 3) N16°14'45"E, a distance of 1349.29 feet to a point at the

8-1 beginning of a curve to the left,  
 8-2 4) Along said curve to the left, having a radius of 2904.79  
 8-3 feet, an arc length of 769.66 feet, and a chord that bears  
 8-4 N08°39'20"E, a distance of 767.41 feet to a point,  
 8-5 5) N01°04'37"E, a distance of 1877.79 feet to a point at the  
 8-6 beginning of a curve to the right,  
 8-7 6) Along said curve to the right, having a radius of 1105.92  
 8-8 feet, an arc length of 637.44 feet, and a chord that bears  
 8-9 N17°32'25"E, a distance of 628.65 feet to a point,  
 8-10 7) N42°28'01"E, a distance of 97.25 feet to a point at the  
 8-11 beginning of a curve to the right,  
 8-12 8) Along said curve to the right, having a radius of 1095.92  
 8-13 feet, an arc length of 162.19 feet, and a chord that bears  
 8-14 N43°19'43"E, a distance of 162.04 feet to a point, and  
 8-15 9) N47°34'39"E, a distance of 657.87 feet to a point at the  
 8-16 intersection of the southeast line of said FM 2657 and the south  
 8-17 line of County Road 219 (R.O.W. Varies), being at a north corner of  
 8-18 said 1526.98 acre tract of land, for a north corner of the herein  
 8-19 described tract of land,  
 8-20 THENCE, with the south line of said County Road 219, the north line  
 8-21 of said 1526.98 acre tract, and the north line of said 113.00 acre  
 8-22 tract, the following eight (8) courses and distances, numbered 1  
 8-23 through 8,  
 8-24 1) S54°06'13"E, a distance of 57.20 feet to a point,  
 8-25 2) S72°29'38"E, a distance of 88.74 feet to a point,  
 8-26 3) N69°30'23"E, a distance of 313.21 feet to a point,  
 8-27 4) N86°15'23"E, a distance of 719.11 feet to a point,  
 8-28 5) S54°47'06"E, a distance of 233.00 feet to a point,  
 8-29 6) S85°05'04"E, a distance of 2003.08 feet to a point,  
 8-30 7) N86°10'53"E, a distance of 53.79 feet to a point,  
 8-31 8) N68°21'35"E, a distance of 1753.54 feet to the POINT OF  
 8-32 BEGINNING and containing 1863.573 acres of land.  
 8-33 BEARING BASIS: 1526.98 Acres, Volume 856, Page 747, Official Public  
 8-34 Records of Burnet County, Texas.  
 8-35 SECTION 3. (a) The legal notice of the intention to  
 8-36 introduce this Act, setting forth the general substance of this  
 8-37 Act, has been published as provided by law, and the notice and a  
 8-38 copy of this Act have been furnished to all persons, agencies,  
 8-39 officials, or entities to which they are required to be furnished  
 8-40 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
 8-41 Government Code.  
 8-42 (b) The governor, one of the required recipients, has  
 8-43 submitted the notice and Act to the Texas Commission on  
 8-44 Environmental Quality.  
 8-45 (c) The Texas Commission on Environmental Quality has filed  
 8-46 its recommendations relating to this Act with the governor, the  
 8-47 lieutenant governor, and the speaker of the house of  
 8-48 representatives within the required time.  
 8-49 (d) All requirements of the constitution and laws of this  
 8-50 state and the rules and procedures of the legislature with respect  
 8-51 to the notice, introduction, and passage of this Act are fulfilled  
 8-52 and accomplished.  
 8-53 SECTION 4. (a) If this Act does not receive a two-thirds  
 8-54 vote of all the members elected to each house, Subchapter C, Chapter  
 8-55 8064, Special District Local Laws Code, as added by Section 1 of  
 8-56 this Act, is amended by adding Section 8064.0307 to read as follows:  
 8-57 Sec. 8064.0307. NO EMINENT DOMAIN POWER. The district may  
 8-58 not exercise the power of eminent domain.  
 8-59 (b) This section is not intended to be an expression of a  
 8-60 legislative interpretation of the requirements of Section 17(c),  
 8-61 Article I, Texas Constitution.  
 8-62 SECTION 5. This Act takes effect immediately if it receives  
 8-63 a vote of two-thirds of all the members elected to each house, as  
 8-64 provided by Section 39, Article III, Texas Constitution. If this  
 8-65 Act does not receive the vote necessary for immediate effect, this  
 8-66 Act takes effect September 1, 2019.

8-67

\* \* \* \* \*