

1-1 By: Cyrier (Senate Sponsor - Eckhardt) H.B. No. 4645
 1-2 (In the Senate - Received from the House May 17, 2021;
 1-3 May 17, 2021, read first time and referred to Committee on Local
 1-4 Government; May 22, 2021, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
 1-6 May 22, 2021, 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	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR H.B. No. 4645 By: Springer

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the creation of the Wildwood Municipal Utility
 1-22 District; granting a limited power of eminent domain; providing
 1-23 authority to issue bonds; providing authority to impose
 1-24 assessments, fees, and taxes.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-26 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-27 Code, is amended by adding Chapter 7946A to read as follows:

1-28 CHAPTER 7946A. WILDWOOD MUNICIPAL UTILITY DISTRICT

1-29 SUBCHAPTER A. GENERAL PROVISIONS

1-30 Sec. 7946A.0101. DEFINITIONS. In this chapter:

1-31 (1) "Board" means the district's board of directors.
 1-32 (2) "Commission" means the Texas Commission on
 1-33 Environmental Quality.

1-34 (3) "Director" means a board member.

1-35 (4) "District" means the Wildwood Municipal Utility
 1-36 District.

1-37 Sec. 7946A.0102. NATURE OF DISTRICT. The district is a
 1-38 municipal utility district created under Section 59, Article XVI,
 1-39 Texas Constitution.

1-40 Sec. 7946A.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-41 REQUIRED. The temporary directors shall hold an election to
 1-42 confirm the creation of the district and to elect five permanent
 1-43 directors as provided by Section 49.102, Water Code.

1-44 Sec. 7946A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-45 temporary directors may not hold an election under Section
 1-46 7946A.0103 until each municipality in whose corporate limits or
 1-47 extraterritorial jurisdiction the district is located has
 1-48 consented by ordinance or resolution to the creation of the
 1-49 district and to the inclusion of land in the district.

1-50 Sec. 7946A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-51 (a) The district is created to serve a public purpose and benefit.

1-52 (b) The district is created to accomplish the purposes of:

1-53 (1) a municipal utility district as provided by
 1-54 general law and Section 59, Article XVI, Texas Constitution; and

1-55 (2) Section 52, Article III, Texas Constitution, that
 1-56 relate to the construction, acquisition, improvement, operation,
 1-57 or maintenance of macadamized, graveled, or paved roads, or
 1-58 improvements, including storm drainage, in aid of those roads.

1-59 Sec. 7946A.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-60 district is initially composed of the territory described by

2-1 Section 2 of the Act enacting this chapter.

2-2 (b) The boundaries and field notes contained in Section 2 of
2-3 the Act enacting this chapter form a closure. A mistake made in the
2-4 field notes or in copying the field notes in the legislative process
2-5 does not affect the district's:

2-6 (1) organization, existence, or validity;

2-7 (2) right to issue any type of bond for the purposes
2-8 for which the district is created or to pay the principal of and
2-9 interest on a bond;

2-10 (3) right to impose a tax; or

2-11 (4) legality or operation.

2-12 SUBCHAPTER B. BOARD OF DIRECTORS

2-13 Sec. 7946A.0201. GOVERNING BODY; TERMS. (a) The district
2-14 is governed by a board of five elected directors.

2-15 (b) Except as provided by Section 7946A.0202, directors
2-16 serve staggered four-year terms.

2-17 Sec. 7946A.0202. TEMPORARY DIRECTORS. (a) The temporary
2-18 board consists of:

2-19 (1) Byron Frankland;

2-20 (2) Billy Wayne (Trey) Newby III;

2-21 (3) John Azar;

2-22 (4) Fred Nagel; and

2-23 (5) Suzan Leigh Randall.

2-24 (b) Temporary directors serve until the earlier of:

2-25 (1) the date permanent directors are elected under
2-26 Section 7946A.0103; or

2-27 (2) the fourth anniversary of the effective date of
2-28 the Act enacting this chapter.

2-29 (c) If permanent directors have not been elected under
2-30 Section 7946A.0103 and the terms of the temporary directors have
2-31 expired, successor temporary directors shall be appointed or
2-32 reappointed as provided by Subsection (d) to serve terms that
2-33 expire on the earlier of:

2-34 (1) the date permanent directors are elected under
2-35 Section 7946A.0103; or

2-36 (2) the fourth anniversary of the date of the
2-37 appointment or reappointment.

2-38 (d) If Subsection (c) applies, the owner or owners of a
2-39 majority of the assessed value of the real property in the district
2-40 may submit a petition to the commission requesting that the
2-41 commission appoint as successor temporary directors the five
2-42 persons named in the petition. The commission shall appoint as
2-43 successor temporary directors the five persons named in the
2-44 petition.

2-45 SUBCHAPTER C. POWERS AND DUTIES

2-46 Sec. 7946A.0301. GENERAL POWERS AND DUTIES. The district
2-47 has the powers and duties necessary to accomplish the purposes for
2-48 which the district is created.

2-49 Sec. 7946A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
2-50 DUTIES. The district has the powers and duties provided by the
2-51 general law of this state, including Chapters 49 and 54, Water Code,
2-52 applicable to municipal utility districts created under Section 59,
2-53 Article XVI, Texas Constitution.

2-54 Sec. 7946A.0303. AUTHORITY FOR ROAD PROJECTS. Under
2-55 Section 52, Article III, Texas Constitution, the district may
2-56 design, acquire, construct, finance, issue bonds for, improve,
2-57 operate, maintain, and convey to this state, a county, or a
2-58 municipality for operation and maintenance macadamized, graveled,
2-59 or paved roads, or improvements, including storm drainage, in aid
2-60 of those roads.

2-61 Sec. 7946A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
2-62 road project must meet all applicable construction standards,
2-63 zoning and subdivision requirements, and regulations of each
2-64 municipality in whose corporate limits or extraterritorial
2-65 jurisdiction the road project is located.

2-66 (b) If a road project is not located in the corporate limits
2-67 or extraterritorial jurisdiction of a municipality, the road
2-68 project must meet all applicable construction standards,
2-69 subdivision requirements, and regulations of each county in which

3-1 the road project is located.
3-2 (c) If the state will maintain and operate the road, the
3-3 Texas Transportation Commission must approve the plans and
3-4 specifications of the road project.

3-5 Sec. 7946A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
3-6 ORDINANCE OR RESOLUTION. The district shall comply with all
3-7 applicable requirements of any ordinance or resolution that is
3-8 adopted under Section 54.016 or 54.0165, Water Code, and that
3-9 consents to the creation of the district or to the inclusion of land
3-10 in the district.

3-11 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-12 Sec. 7946A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
3-13 The district may issue, without an election, bonds and other
3-14 obligations secured by:

- 3-15 (1) revenue other than ad valorem taxes; or
- 3-16 (2) contract payments described by Section
3-17 7946A.0403.

3-18 (b) The district must hold an election in the manner
3-19 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-20 before the district may impose an ad valorem tax or issue bonds
3-21 payable from ad valorem taxes.

3-22 (c) The district may not issue bonds payable from ad valorem
3-23 taxes to finance a road project unless the issuance is approved by a
3-24 vote of a two-thirds majority of the district voters voting at an
3-25 election held for that purpose.

3-26 Sec. 7946A.0402. OPERATION AND MAINTENANCE TAX. (a) If
3-27 authorized at an election held under Section 7946A.0401, the
3-28 district may impose an operation and maintenance tax on taxable
3-29 property in the district in accordance with Section 49.107, Water
3-30 Code.

3-31 (b) The board shall determine the tax rate. The rate may not
3-32 exceed the rate approved at the election.

3-33 Sec. 7946A.0403. CONTRACT TAXES. (a) In accordance with
3-34 Section 49.108, Water Code, the district may impose a tax other than
3-35 an operation and maintenance tax and use the revenue derived from
3-36 the tax to make payments under a contract after the provisions of
3-37 the contract have been approved by a majority of the district voters
3-38 voting at an election held for that purpose.

3-39 (b) A contract approved by the district voters may contain a
3-40 provision stating that the contract may be modified or amended by
3-41 the board without further voter approval.

3-42 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

3-43 Sec. 7946A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
3-44 OBLIGATIONS. The district may issue bonds or other obligations
3-45 payable wholly or partly from ad valorem taxes, impact fees,
3-46 revenue, contract payments, grants, or other district money, or any
3-47 combination of those sources, to pay for any authorized district
3-48 purpose.

3-49 Sec. 7946A.0502. TAXES FOR BONDS. At the time the district
3-50 issues bonds payable wholly or partly from ad valorem taxes, the
3-51 board shall provide for the annual imposition of a continuing
3-52 direct ad valorem tax, without limit as to rate or amount, while all
3-53 or part of the bonds are outstanding as required and in the manner
3-54 provided by Sections 54.601 and 54.602, Water Code.

3-55 Sec. 7946A.0503. BONDS FOR ROAD PROJECTS. At the time of
3-56 issuance, the total principal amount of bonds or other obligations
3-57 issued or incurred to finance road projects and payable from ad
3-58 valorem taxes may not exceed one-fourth of the assessed value of the
3-59 real property in the district.

3-60 SECTION 2. The Wildwood Municipal Utility District
3-61 initially includes all the territory contained in the following
3-62 area:

3-63 DESCRIPTION OF APPROXIMATELY 418.30 ACRES OF LAND IN THE JOSE
3-64 ANTONIO NAVARRO GRANT, ABSTRACT NO. 53, BASTROP COUNTY, TEXAS;
3-65 BEING ALL OF A CERTAIN CALLED 121.72 ACRE TRACT DESCRIBED IN THE
3-66 SPECIAL WARRANTY DEED TO HAL BERDOLL AND WIFE, LISA BERDOLL OF
3-67 RECORD IN DOCUMENT NO. 201413308, OFFICIAL PUBLIC RECORDS OF
3-68 BASTROP COUNTY, TEXAS, ALL OF A CERTAIN CALLED 168.95 ACRE TRACT
3-69 DESIGNATED AS TRACT 4 AND DESCRIBED IN THE SPECIAL WARRANTY DEED TO

4-1 HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO.
 4-2 201413307, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A
 4-3 PORTION OF A CERTAIN CALLED 1.98 ACRE TRACT DESIGNATED AS TRACT 1
 4-4 AND DESCRIBED IN THE SAID SPECIAL WARRANTY DEED TO HAL BERDOLL AND
 4-5 WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201413307, OFFICIAL
 4-6 PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A PORTION OF A CERTAIN
 4-7 CALLED 67.83 ACRE TRACT DESIGNATED AS TRACT 2 AND DESCRIBED IN THE
 4-8 SAID SPECIAL WARRANTY DEED TO HAL BERDOLL AND WIFE, LISA BERDOLL OF
 4-9 RECORD IN DOCUMENT NO. 201413307, OFFICIAL PUBLIC RECORDS OF
 4-10 BASTROP COUNTY, TEXAS, ALL OF A CERTAIN CALLED 0.64 ACRE TRACT
 4-11 DESCRIBED IN EXHIBIT A-1, AND A PORTION OF A CERTAIN CALLED 1.21
 4-12 ACRE TRACT DESCRIBED IN EXHIBIT A-2, IN THE DEED WITHOUT WARRANTY TO
 4-13 HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO.
 4-14 201413309, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, ALL OF
 4-15 A CERTAIN CALLED 62.586 ACRE TRACT DESCRIBED IN EXHIBIT A-2, IN THE
 4-16 GENERAL WARRANTY DEED TO BERDOLL INVESTMENTS LP OF RECORD IN
 4-17 DOCUMENT NO. 201312598, OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY,
 4-18 TEXAS, ALL OF A CERTAIN CALLED 24.012 ACRE TRACT DESIGNATED AS TRACT
 4-19 2 AND DESCRIBED IN EXHIBIT B, IN THE GENERAL WARRANTY DEED TO HAL
 4-20 BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201510944,
 4-21 OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A PORTION OF A
 4-22 CERTAIN CALLED 6.177 ACRE TRACT DESIGNATED AS TRACT 1 AND DESCRIBED
 4-23 IN EXHIBIT A, IN THE SAID GENERAL WARRANTY DEED TO HAL BERDOLL AND
 4-24 WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO. 201510944, OFFICIAL
 4-25 PUBLIC RECORDS OF BASTROP COUNTY, TEXAS, A PORTION OF A CERTAIN
 4-26 CALLED 0.306 ACRE TRACT DESCRIBED IN THE SPECIAL WARRANTY DEED TO
 4-27 HAL BERDOLL AND WIFE, LISA BERDOLL OF RECORD IN DOCUMENT NO.
 4-28 201111355, DOCUMENT NO. 201701630, AND DOCUMENT NO. 201701631,
 4-29 OFFICIAL PUBLIC RECORDS OF BASTROP COUNTY, TEXAS; SAID 418.30 ACRES
 4-30 OF LAND, BEING COMPRISED OF TRACT 1 - 449.03 ACRES, AND TRACT 2 -
 4-31 5.563 ACRES, SAVE AND EXCEPT TRACT 3 - 35.66 ACRES, AND SAVE AND
 4-32 EXCEPT TRACT 4 - 0.637, AS SURVEYED BY LANDDEV CONSULTING, LLC,
 4-33 BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

4-34 TRACT 1 - 449.03 Acres

4-35 BEGINNING at a bolt found in the south right-of-way line of
 4-36 State Highway 71, a variable-width right-of-way, at the northeast
 4-37 corner of the said 62.586 acre tract, same being the northwest
 4-38 corner of Lot 1, JW Subdivision, a subdivision according to the plat
 4-39 or map of record in Cabinet 7, Page 68-A, Plat Records of Bastrop
 4-40 County, Texas, for the northeast corner of the tract described
 4-41 herein;

4-42 THENCE with the east line of the said 62.586 acre tract, and
 4-43 the west line of said Lot 1, JW Subdivision, with an east line of the
 4-44 tract described herein, the following two (2) courses and
 4-45 distances:

4-46 1. S 28°22'06" W, a distance of 604.12 feet to a calculated
 4-47 angle point at the southwest corner of said Lot 1, JW Subdivision,
 4-48 for an angle point in an east line of the tract described herein,
 4-49 and

4-50 2. S 27°42'48" W, at a distance of 2,184.16 feet, passing a
 4-51 1/2-inch iron rod and continuing for a total distance of 2,185.28
 4-52 feet to an axle found in the north line of a certain called 1,443.0
 4-53 acre tract designated as Second Tract and described in the deed to
 4-54 John W. Caldwell, Jr. of record in Document No. 201816538, Official
 4-55 Public Records of Bastrop County, Texas, for the easterly southeast
 4-56 corner of the tract described herein;

4-57 THENCE with a south line of the said 62.586 acre tract, the
 4-58 south line of the said 67.83 acre tract, and the south line of the
 4-59 said 0.64 acre tract, with the north line of the said 1,443.0 acre
 4-60 tract, with a south line of the tract described herein, the
 4-61 following four (4) courses and distances:

4-62 1. N 62°30'36" W, a distance of 578.60 feet to a 1/2-inch
 4-63 iron rod found at an angle point,

4-64 2. N 62°05'35" W, a distance of 422.69 feet to a 1-inch
 4-65 square iron rod found at an angle point,

4-66 3. N 62°07'59" W, a distance of 1,883.16 feet to a 5/8-inch
 4-67 iron rod with a red illegible plastic cap found at a point-on-line,
 4-68 and

4-69 4. N 62°07'59" W, a distance of 27.48 feet to a 3-inch metal

5-1 fence post found in the east line of the said 168.95 acre tract, at
 5-2 the southwest corner of the said 0.64 acre tract, for a re-entrant
 5-3 corner of the tract described herein,

5-4 THENCE with the east line of the said 168.95 acre tract, and
 5-5 the east line of the said 121.72 acre tract, with the west line of
 5-6 the said 1,443.0 acre tract, with an east line of the tract
 5-7 described herein, the following three (3) courses and distances:

5-8 1. S 27°33'16" W, a distance of 1,350.13 feet to a 1/2-inch
 5-9 iron rod found at an angle point,

5-10 2. S 27°33'46" W, a distance of 2,962.00 feet to a leaning
 5-11 1/2-inch iron rod found at the southeast corner of the said 168.95
 5-12 acre tract and the northeast corner of the said 121.72 acre tract,
 5-13 and

5-14 3. S 27°20'28" W, a distance of 2,815.27 feet to a 1-inch
 5-15 iron pipe found in the north line of a certain called 769.524 acre
 5-16 tract designated as Tract 2 and described in the deed to Carr Family
 5-17 Partnership, LTD. of record in Volume 736, page 233, Official
 5-18 Public Records of Bastrop County, Texas, at the southeast corner of
 5-19 the said 121.72 acre tract, for the southerly southeast corner of
 5-20 the tract described herein;

5-21 THENCE N 62°35'22" W, with the north line of the said 769.524
 5-22 acre tract, with the south line of the said 121.72 acre tract, with
 5-23 a south line of the tract described herein, a distance of 1,884.51
 5-24 feet to a 1/2-inch iron rod found in the east line of a certain
 5-25 called 951.10 acre tract described in the deed to Carr Family
 5-26 partnership, LTD. of record in Document No. 956, Page 441, Deed
 5-27 Records of Bastrop County, Texas, at the southwest corner of the
 5-28 said 121.72 acre tract, for the southwest corner of the tract
 5-29 described herein;

5-30 THENCE N 27°17'56" E, leaving the north line of the said
 5-31 769.524 acre tract, with the east line of the said 951.10 acre
 5-32 tract, with the west line of the said 121.72 acre tract, with the
 5-33 west line of the tract described herein, a distance of 2,809.87 feet
 5-34 to a calculated point for the northwest corner of the said 121.72
 5-35 acre tract and the southwest corner of the said 168.95 acre tract,
 5-36 for an angle point in the west line of the tract described herein;

5-37 THENCE with the west and north lines of the said 168.95 acre
 5-38 tract, with the west and north lines of the tract described herein,
 5-39 the following four (4) courses and distances:

5-40 1. N 27°21'42" E, with the east line of the said 951.10 acre
 5-41 tract, a distance of 3,164.61 feet to a 1/2-inch iron pipe found at
 5-42 the westerly northwest corner of the said 168.95 acre tract and the
 5-43 southwest corner of a certain called 48.634 acre tract described in
 5-44 the deed to Clarence L. Vinklarek et. Ux. of record in Volume 217,
 5-45 Page 208, Deed Records of Bastrop County, Texas,

5-46 2. S 62°34'59" E, with the south line of the said 48.634 acre
 5-47 tract, a distance of 1,225.65 feet to a 1/2-inch iron pipe found at
 5-48 a re-entrant corner,

5-49 3. N 27°27'06" E, a distance of 2,050.44 feet to a 1/2-inch
 5-50 iron rod found at the northerly northwest corner of the said 168.95
 5-51 acre tract, same being the southwest corner of a certain called
 5-52 6.667 acre tract described in the gift deed to Katie Frerich
 5-53 Karnstadt of record in Document No. 201406127, Official Public
 5-54 Records of Bastrop County, Texas, and

5-55 4. S 62°32'13" E, with the south line of the said 6.667 acre
 5-56 tract, and the south line of a certain called 3.707 acre tract
 5-57 described in the deed to Robert Frerich and Tamara Frerich of record
 5-58 in Document No. 200112158, Official Public Records of Bastrop
 5-59 County, Texas, a distance of 670.10 feet to a 1/2-inch iron pipe
 5-60 found at the northeast corner of the said 168.95 acre tract, and the
 5-61 southeast corner of the said 3.707 acre tract, same being the
 5-62 southwest corner of the said 1.21 acre tract, for a re-entrant
 5-63 corner of the tract described herein;

5-64 THENCE N 27°31'42" E, with the west line of the said 1.21 acre
 5-65 tract, and the east line of the said 3.707 acre tract, with the west
 5-66 line of the tract described herein, a distance of 1,629.03 feet to a
 5-67 calculated point for the northwest corner of the said 1.21 acre
 5-68 tract, for a northwest corner of the tract described herein;

5-69 THENCE S 78°22'38" E, a distance of 31.12 feet to a bent 1-inch

6-1 iron pipe found at the northeast corner of the said 1.21 acre tract
 6-2 and the northwest corner of the said 1.98 acre tract, for a
 6-3 northwest corner of the tract described herein;

6-4 THENCE S 77°54'08" E, with the north line of the said 1.98 acre
 6-5 tract, with a north line of the tract described herein, a distance
 6-6 of 363.53 feet to a 1-1/2-inch iron pipe found at the northeast
 6-7 corner of the said 1.98 acre tract, same being the northerly
 6-8 northwest corner of a certain tract designated as Tract Two and
 6-9 described in the deed to Lina Sue West of record in Document
 6-10 No. 20190184, Official Public Records of Bastrop County, Texas, for
 6-11 a northeast corner of the tract described herein;

6-12 THENCE with an east and south line of the said 1.98 acre
 6-13 tract, with a west and north line of the said Second Tract, with an
 6-14 east and south line of the tract described herein, the following two
 6-15 (2) courses and distances:

6-16 1. S 26°56'38" W, a distance of 241.66 feet to a calculated
 6-17 point for the southeast corner of the said 1.98 acre tract, and

6-18 2. N 79°19'42" W, a distance of 366.39 feet to a bent 1-inch
 6-19 iron pipe found in the east line of the said 1.21 acre tract, at the
 6-20 southwest corner of the said 1.98 acre tract, for a re-entrant
 6-21 corner of the tract described herein;

6-22 THENCE S 27°21'26" W, with the west line of the said Second
 6-23 Tract, with the east line of the said 1.21 acre tract, with the west
 6-24 line of the tract described herein, a distance of 812.51 feet to a
 6-25 5/8-inch iron rod found at the southwest corner of the said Second
 6-26 Tract, and the westerly northwest corner of the said 67.83 acre
 6-27 tract for a re-entrant corner of the tract described herein;

6-28 THENCE with the south and east line of the said Second Tract,
 6-29 with a north and west line of the said 67.83 acre tract, with a north
 6-30 and west line of the tract described herein, the following two (2)
 6-31 courses and distances:

6-32 1. S 62°08'29" E, a distance of 1,149.03 feet to an 8-inch
 6-33 fence post found at the southeast corner of the said Second Tract
 6-34 and a re-entrant corner of the said 67.83 acre tract, and

6-35 2. N 28°26'14" E, a distance of 1,440.02 feet to a calculated
 6-36 point for the northeast corner of the said Second Tract, and a
 6-37 northwest corner of the said 67.83 acre tract, for a northwest
 6-38 corner of the tract described herein;

6-39 THENCE with the south right-of-way line of said State Highway
 6-40 71, with the north line of the said 67.83 acre tract, with the north
 6-41 line of the said 24.012 acre tract, and with the north line of the
 6-42 said 62.586 acre tract, with the north line of the tract described
 6-43 herein, the following six (6) courses and distances:

6-44 1. S 76°31'21" E, a distance of 22.68 feet to a fence post
 6-45 found at an angle point,

6-46 2. S 79°43'49" E, a distance of 101.07 feet to a Texas
 6-47 Department of Transportation (TxDOT) Type-I concrete monument
 6-48 found at a point-of-curvature,

6-49 3. With the arc of a curve to the right, having a radius of
 6-50 2,755.03 feet, an arc distance of 189.73 feet, and a chord which
 6-51 bears S 78°28'39" E, a distance of 189.70 feet to a calculated
 6-52 non-tangent end of curve,

6-53 4. S 53°05'32" E, a distance of 454.67 feet to a Texas
 6-54 Department of Transportation (TxDOT) Type-I concrete monument
 6-55 found at an angle point,

6-56 5. S 55°16'20" E, a distance of 69.16 feet to a calculated
 6-57 angle point, and

6-58 6. S 54°07'31" E, a distance of 918.17 feet to the POINT OF
 6-59 BEGINNING and containing 449.03 acres of land, more or less.

6-60 TRACT 2 - 5.563 Acres

6-61 BEGINNING at a Texas Department of Transportation (TxDOT)
 6-62 Type-II concrete monument found in the south right-of-way line of
 6-63 State Highway 71, a variable-width right-of-way, in the north line
 6-64 of the said 6.177 acre tract, at the northeast corner of a certain
 6-65 called 0.9152 acre tract designated as Parcel 26 and described in
 6-66 the deed to the State of Texas of record in Document No. 202005708,
 6-67 Official Public Records of Bastrop County, Texas, for a northwest
 6-68 corner an POINT OF BEGINNING of the tract described herein;

6-69 THENCE S 59°57'55" E, a distance of 722.58 feet to a

7-1 calculated point for the east corner of the said 6.177 acre tract,
7-2 for the east corner of the tract described herein;
7-3 THENCE with the north line of the vacated portion of State
7-4 Highway 71, with the south line of the said 6.177 acre tract, and
7-5 with the south line of the said 0.306 acre tract, with the south
7-6 line of the tract described herein, the following three (3) courses
7-7 and distances:
7-8 1. N 80°14'31" W, at a distance of 906.31 feet, passing a
7-9 Texas Department of Transportation (TxDOT) Type-I concrete
7-10 monument found at a point-on-line, and continuing for a total
7-11 distance of 1,060.87 feet to a Texas Department of Transportation
7-12 (TxDOT) Type-I concrete monument found at a point-of-curvature,
7-13 2. With the arc of a curve to the right, having a radius of
7-14 1,504.75 feet, an arc distance of 214.68 feet, and a chord which
7-15 bears N 77°15'23" W, a distance of 214.50 feet to a calculated point
7-16 for the southeast corner of the said 0.306 acre tract, for a point
7-17 of compound-curvature in the south line of the tract described
7-18 herein, and
7-19 3. With the arc of a curve to the right, having a radius of
7-20 1,858.52 feet, an arc distance of 30.16 feet, and a chord which
7-21 bears N 72°08'53" W, a distance of 30.16 feet to a calculated point
7-22 in the east line of a certain called 3.707 acre tract described in
7-23 the deed to Robert Frerich and Tamara Frerich of record in Document
7-24 No. 200112158, Official Public Records of Bastrop County, Texas,
7-25 for the southwest corner of the said 0.306 acre tract, for the
7-26 southwest corner of the tract described herein;
7-27 THENCE N 27°36'14" E, with the west line of the said 0.306 acre
7-28 tract and the east line of the said 3.707 acre tract, with the west
7-29 line of the tract described herein, a distance of 371.91 feet to an
7-30 iron rod with a 2-inch aluminum cap stamped "TxDOT" found at the
7-31 southwest corner of the said 0.9152 acre tract, for the westerly
7-32 northwest corner of the tract described herein;
7-33 THENCE leaving the west line of the said 3.707 acre tract,
7-34 crossing the said 0.306 acre tract and the said 6.177 acre tract,
7-35 with the south and east lines of the said 0.9152 acre tract, with
7-36 the north and west lines of the tract described herein, the
7-37 following five (5) courses and distances:
7-38 1. S 59°59'51" E, a distance of 122.61 feet to a Texas
7-39 Department of Transportation (TxDOT) Type-II concrete monument
7-40 found at an angle point,
7-41 2. S 52°51'00" E, a distance of 201.55 feet to a Texas
7-42 Department of Transportation (TxDOT) Type-II concrete monument
7-43 found at an angle point,
7-44 3. S 68°35'00" E, a distance of 101.08 feet to a Texas
7-45 Department of Transportation (TxDOT) Type-II concrete monument
7-46 found at an angle point,
7-47 4. S 59°56'27" E, a distance of 100.02 feet to a Texas
7-48 Department of Transportation (TxDOT) Type-II concrete monument
7-49 found at an angle point, and
7-50 5. N 30°04'14" E, a distance of 75.98 feet to the POINT OF
7-51 BEGINNING and containing 5.563 acres of land, more or less.
7-52 TRACT 3 - SAVE AND EXCEPT 35.66 Acres
7-53 BEGINNING at a 5/8-inch iron rod found at the westerly
7-54 northwest corner of the said 67.83 acre tract, in the west line of
7-55 the said 1.21 acre tract, same being the southwest corner of a
7-56 certain tract designated as Tract Two and described in the deed to
7-57 Lina Sue West of record in Document No. 20190184, Official Public
7-58 Records of Bastrop County, Texas, for the northwest corner and
7-59 POINT OF BEGINNING of the tract described herein;
7-60 THENCE S 62°08'29" E, with the south line of the said Second
7-61 Tract, with a north line of the said 67.83 acre tract, a distance of
7-62 581.20 feet to a calculated point for the northeast corner of the
7-63 tract described herein;
7-64 THENCE leaving the south line of the said Second Tract,
7-65 crossing the said 67.83 acre tract, with the east line of the tract
7-66 described herein, the following two (2) courses and distances:
7-67 1. S 05°37'30" E, a distance of 1,151.62 feet to a calculated
7-68 angle point, and
7-69 2. S 01°52'30" E, a distance of 587.94 feet to a calculated

8-1 point in the north line of a certain called 1,443.0 acre tract
 8-2 designated as Second Tract and described in the deed to John W.
 8-3 Caldwell, Jr. of record in Document No. 201816538, Official Public
 8-4 Records of Bastrop County, Texas, in the south line of the said
 8-5 67.83 acre tract, for the southeast corner of the tract described
 8-6 herein;

8-7 THENCE N 62°07'59" W, with the north line of the said 1,443.0
 8-8 acre tract, with the south line of the said 67.83 acre tract, with
 8-9 the south line of the tract described herein, a distance of 1,501.62
 8-10 feet to a 5/8-inch iron rod with a red illegible plastic cap found
 8-11 at the southwest corner of the said 67.83 acre tract and the
 8-12 northwest corner of the said 1,443.0 acre tract, same being the
 8-13 southeast corner of the said 0.64 acre tract, for the southwest
 8-14 corner of the tract described herein;

8-15 THENCE with the west line of the said 67.83 acre tract, with
 8-16 the east line of the said 0.64 acre tract, and with the east line of
 8-17 the said 1.21 acre tract, the following two (2) courses and
 8-18 distances:

8-19 1. N 27°39'37" E, a distance of 897.17 feet to a 1/2-inch
 8-20 iron pipe found at the northeast corner of the said 0.64 acre tract
 8-21 and the southeast corner of the said 1.21 acre tract, and

8-22 2. N 27°31'04" E, a distance of 573.66 feet to the POINT OF
 8-23 BEGINNING and containing 35.66 acres of land, more or less.

8-24 TRACT 4 - SAVE AND EXCEPT 0.637 Acres

8-25 COMMENCING at a 5/8-inch iron rod found at the westerly
 8-26 northwest corner of the said 67.83 acre tract, in the west line of
 8-27 the said 1.21 acre tract, same being the southwest corner of a
 8-28 certain tract designated as Tract Two and described in the deed to
 8-29 Lina Sue West of record in Document No. 20190184, Official Public
 8-30 Records of Bastrop County, Texas;

8-31 THENCE N 27°21'26" E, with the west line of the said Tract Two,
 8-32 with the east line of the said 1.21 acre tract, a distance of 33.58
 8-33 feet to the southeast corner and POINT OF BEGINNING of the tract
 8-34 described herein;

8-35 THENCE N 62°53'25" W, leaving the west line of the said Tract
 8-36 Two, crossing the said 1.21 acre tract, with the south line of the
 8-37 tract described herein, a distance of 34.50 feet to a calculated
 8-38 point in the west line of the said 1.21 acre tract, and the east line
 8-39 of a certain called 3.707 acre tract described in the deed to Robert
 8-40 Frerich and Tamara Frerich of record in Document No. 200112158,
 8-41 Official Public Records of Bastrop County, Texas for the southwest
 8-42 corner of the tract described herein;

8-43 THENCE N 27°31'42" E, with the west line of the said 1.21 acre
 8-44 tract, with the east line of the said 3.707 acre tract, with the
 8-45 west line of the tract described herein, a distance of 848.65 feet
 8-46 to a calculated point, for the northwest corner of the tract
 8-47 described herein;

8-48 THENCE S 09°12'05" E, leaving the east line of the said 3.707
 8-49 acre tract, crossing the said 1.21 acre tract, with the north line
 8-50 of the tract described herein, a distance of 53.40 feet to a
 8-51 calculated point in the east line of the said 1.21 acre tract and
 8-52 the west line of the said 1.98 acre tract, for a point-on-line in
 8-53 the north line of the tract described herein;

8-54 THENCE S 09°12'05" E, leaving the east line of the said 1.21
 8-55 acre tract, crossing the said 1.98 acre tract, with the north line
 8-56 of the tract described herein, a distance of 27.22 feet to a
 8-57 calculated point in the south line of the said 1.98 acre tract, and
 8-58 the north line of the said Tract Two, for an angle point of the tract
 8-59 described herein;

8-60 THENCE N 79°19'42" W, with the south line of the said 1.98 acre
 8-61 tract, with the north line of the said Tract Two, with a south line
 8-62 of the tract described herein, a distance of 16.76 feet to a bent
 8-63 1-inch iron pipe found in the east line of the said 1.21 acre tract,
 8-64 at the southwest corner of the said 1.98 acre tract, and the
 8-65 westerly northwest corner of the said Tract Two, for a re-entrant
 8-66 corner of the tract described herein;

8-67 THENCE S 27°21'26" W, with the west line of said Tract Two,
 8-68 with the east line of the said 1.21 acre tract, with the east line of
 8-69 the tract described herein, a distance of 778.93 feet to the POINT

9-1 OF BEGINNING and containing 0.637 acres of land, more or less.
9-2 FOR A TOTAL AREA OF 418.30 ACRES BEING ALL OF TRACT 1 AND
9-3 TRACT 2, SAVE AND EXCEPT TRACT 3 AND TRACT 4 DESCRIBED HEREIN.

9-4 Bearing Basis: Texas Coordinate System, Central Zone (4203),
9-5 NAD 83(2011), Grid.

9-6 SECTION 3. (a) The legal notice of the intention to
9-7 introduce this Act, setting forth the general substance of this
9-8 Act, has been published as provided by law, and the notice and a
9-9 copy of this Act have been furnished to all persons, agencies,
9-10 officials, or entities to which they are required to be furnished
9-11 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
9-12 Government Code.

9-13 (b) The governor, one of the required recipients, has
9-14 submitted the notice and Act to the Texas Commission on
9-15 Environmental Quality.

9-16 (c) The Texas Commission on Environmental Quality has filed
9-17 its recommendations relating to this Act with the governor, the
9-18 lieutenant governor, and the speaker of the house of
9-19 representatives within the required time.

9-20 (d) All requirements of the constitution and laws of this
9-21 state and the rules and procedures of the legislature with respect
9-22 to the notice, introduction, and passage of this Act are fulfilled
9-23 and accomplished.

9-24 SECTION 4. (a) If this Act does not receive a two-thirds
9-25 vote of all the members elected to each house, Subchapter C, Chapter
9-26 7946A, Special District Local Laws Code, as added by Section 1 of
9-27 this Act, is amended by adding Section 7946A.0306 to read as
9-28 follows:

9-29 Sec. 7946A.0306. NO EMINENT DOMAIN POWER. The district may
9-30 not exercise the power of eminent domain.

9-31 (b) This section is not intended to be an expression of a
9-32 legislative interpretation of the requirements of Section 17(c),
9-33 Article I, Texas Constitution.

9-34 SECTION 5. This Act takes effect immediately if it receives
9-35 a vote of two-thirds of all the members elected to each house, as
9-36 provided by Section 39, Article III, Texas Constitution. If this
9-37 Act does not receive the vote necessary for immediate effect, this
9-38 Act takes effect September 1, 2021.

9-39 * * * * *