

1-1 By: Springer S.B. No. 2240  
 1-2 (In the Senate - Filed April 29, 2021; May 3, 2021, read  
 1-3 first time and referred to Committee on Local Government;  
 1-4 May 19, 2021, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; May 19, 2021,  
 1-6 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 S.B. No. 2240 By: Springer

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

1-21 relating to the creation of the High Pointe Ranch Municipal Utility  
 1-22 District No. 1 of Denton County; granting a limited power of  
 1-23 eminent domain; providing authority to issue bonds; providing  
 1-24 authority to impose 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 7919A to read as follows:

1-28 CHAPTER 7919A. HIGH POINTE RANCH MUNICIPAL UTILITY DISTRICT NO. 1  
 1-29 OF DENTON COUNTY

1-30 SUBCHAPTER A. GENERAL PROVISIONS

1-31 Sec. 7919A.0101. DEFINITIONS. In this chapter:

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

1-33 (2) "Commission" means the Texas Commission on  
 1-34 Environmental Quality.

1-35 (3) "City" means the City of Aubrey, Texas;

1-36 (4) "Director" means a board member.

1-37 (5) "District" means the High Pointe Ranch Municipal  
 1-38 Utility District No. 1 of Denton County.

1-39 Sec. 7919A.0102. NATURE OF DISTRICT. The district is a  
 1-40 municipal utility district created under Section 59, Article XVI,  
 1-41 Texas Constitution.

1-42 Sec. 7919A.0103. CONFIRMATION AND DIRECTOR ELECTION  
 1-43 REQUIRED. The temporary directors shall hold an election to  
 1-44 confirm the creation of the district as provided by Section 49.102,  
 1-45 Water Code.

1-46 Sec. 7919A.0104. CONSENT OF MUNICIPALITY REQUIRED. The  
 1-47 temporary directors may not hold an election under Section  
 1-48 7919A.0103 until each municipality in whose corporate limits or  
 1-49 extraterritorial jurisdiction the district is located has  
 1-50 consented by ordinance or resolution to the creation of the  
 1-51 district and to the inclusion of land in the district.

1-52 Sec. 7919A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-53 (a) The district is created to serve a public purpose and benefit.

1-54 (b) The district is created to accomplish the purposes of:

1-55 (1) a municipal utility district as provided by  
 1-56 general law and Section 59, Article XVI, Texas Constitution; and

1-57 (2) Section 52, Article III, Texas Constitution, that  
 1-58 relate to the construction, acquisition, improvement, operation,  
 1-59 or maintenance of macadamized, graveled, or paved roads, or  
 1-60 improvements, including storm drainage, in aid of those roads.

2-1 Sec. 7919A.0106. INITIAL DISTRICT TERRITORY. (a) The  
2-2 district is initially composed of the territory described by  
2-3 Section 2 of the Act enacting this chapter.

2-4 (b) The boundaries and field notes contained in Section 2 of  
2-5 the Act enacting this chapter form a closure. A mistake made in the  
2-6 field notes or in copying the field notes in the legislative process  
2-7 does not affect the district's:

- 2-8 (1) organization, existence, or validity;
- 2-9 (2) right to issue any type of bond for the purposes  
2-10 for which the district is created or to pay the principal of and  
2-11 interest on a bond;
- 2-12 (3) right to impose a tax; or
- 2-13 (4) legality or operation.

2-14 SUBCHAPTER B. BOARD OF DIRECTORS

2-15 Sec. 7919A.0201. GOVERNING BODY; TERMS. (a) The district  
2-16 is governed by a board of five directors who serve staggered terms  
2-17 of four years, with two or three directors' terms expiring June 1 of  
2-18 each even-numbered year.

2-19 (b) The governing body of the city, by a majority vote,  
2-20 shall appoint one member of the board.

2-21 (c) The commission shall appoint four members of the board  
2-22 in the manner provided by Section 7919A.0202.

2-23 Sec. 7919A.0202. APPOINTMENT BY COMMISSION. (a) Before  
2-24 the term of a director appointed by the commission expires, the  
2-25 board shall recommend to the commission a person to serve as a  
2-26 successor director. The commission shall appoint as director the  
2-27 person recommended by the board.

2-28 (b) A person recommended by the board under Subsection (a)  
2-29 must be:

- 2-30 (1) at least 18 years of age;
- 2-31 (2) an owner of property in the district;
- 2-32 (3) an owner of stock, whether beneficial or  
2-33 otherwise, of a corporate owner of property in the district;
- 2-34 (4) an owner of a beneficial interest in a trust that  
2-35 owns property in the district; or
- 2-36 (5) an agent, employee, or tenant of a person  
2-37 described by Subdivision (2), (3), or (4).

2-38 Sec. 7919A.0203. VACANCY. (a) Except as provided by  
2-39 Subsection (b), if a vacancy occurs on the board, the remaining  
2-40 directors shall appoint a director for the remainder of the  
2-41 unexpired term.

2-42 (b) If a vacancy occurs in the position of the board member  
2-43 appointed by the city, the city shall appoint a director for the  
2-44 remainder of the unexpired term.

2-45 Sec. 7919A.0204. INITIAL DIRECTORS. (a) The initial  
2-46 directors that will be replaced by appointment by the commission  
2-47 are as follows:

- 2-48 (1) Clark Overlander;
- 2-49 (2) Justin Morse;
- 2-50 (3) Zach Stateson; and
- 2-51 (4) Michelle Dobson.

2-52 (b) The initial director that will be replaced by  
2-53 appointment by the governing body of the city is Mark Kaiser.

2-54 (c) The initial directors shall determine by lot which two  
2-55 positions expire after two years, and which three positions expire  
2-56 after four years.

2-57 (d) This section expires March 31, 2026.

2-58 SUBCHAPTER C. POWERS AND DUTIES

2-59 Sec. 7919A.0301. GENERAL POWERS AND DUTIES. The district  
2-60 has the powers and duties necessary to accomplish the purposes for  
2-61 which the district is created.

2-62 Sec. 7919A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND  
2-63 DUTIES. The district has the powers and duties provided by the  
2-64 general law of this state, including Chapters 49 and 54, Water Code,  
2-65 applicable to municipal utility districts created under Section 59,  
2-66 Article XVI, Texas Constitution.

2-67 Sec. 7919A.0303. AUTHORITY FOR ROAD PROJECTS. Under  
2-68 Section 52, Article III, Texas Constitution, the district may  
2-69 design, acquire, construct, finance, issue bonds for, improve,

3-1 operate, maintain, and convey to this state, a county, or a  
 3-2 municipality for operation and maintenance macadamized, graveled,  
 3-3 or paved roads, or improvements, including storm drainage, in aid  
 3-4 of those roads.

3-5 Sec. 7919A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A  
 3-6 road project must meet all applicable construction standards,  
 3-7 zoning and subdivision requirements, and regulations of each  
 3-8 municipality in whose corporate limits or extraterritorial  
 3-9 jurisdiction the road project is located.

3-10 (b) If a road project is not located in the corporate limits  
 3-11 or extraterritorial jurisdiction of a municipality, the road  
 3-12 project must meet all applicable construction standards,  
 3-13 subdivision requirements, and regulations of each county in which  
 3-14 the road project is located.

3-15 (c) If the state will maintain and operate the road, the  
 3-16 Texas Transportation Commission must approve the plans and  
 3-17 specifications of the road project.

3-18 Sec. 7919A.0305. COMPLIANCE WITH MUNICIPAL CONSENT  
 3-19 ORDINANCE OR RESOLUTION. The district shall comply with all  
 3-20 applicable requirements of any ordinance or resolution that is  
 3-21 adopted under Section 54.016 or 54.0165, Water Code, and that  
 3-22 consents to the creation of the district or to the inclusion of land  
 3-23 in the district.

3-24 Sec. 7919A.0306. DIVISION OF DISTRICT. (a) The district  
 3-25 may be divided into two or more new districts only if the district:

- 3-26 (1) has no outstanding bonded debt; and  
 3-27 (2) is not imposing ad valorem taxes.

3-28 (b) This chapter applies to any new district created by  
 3-29 division of the district, and a new district has all the powers and  
 3-30 duties of the district.

3-31 (c) A new district created by the division of the district  
 3-32 may not, at the time the new district is created, contain any land  
 3-33 outside the area described by Section 2 of the Act enacting this  
 3-34 chapter.

3-35 (d) The board, on its own motion or on receipt of a petition  
 3-36 signed by the owner or owners of a majority of the assessed value of  
 3-37 the real property in the district, may adopt an order dividing the  
 3-38 district.

3-39 (e) The board may adopt an order dividing the district  
 3-40 before or after the date the board holds an election under Section  
 3-41 7919A.0103 to confirm the district's creation.

3-42 (f) An order dividing the district shall:

- 3-43 (1) name each new district;  
 3-44 (2) include the metes and bounds description of the  
 3-45 territory of each new district;  
 3-46 (3) appoint temporary directors for each new district;  
 3-47 and

3-48 (4) provide for the division of assets and liabilities  
 3-49 between the new districts.

3-50 (g) On or before the 30th day after the date of adoption of  
 3-51 an order dividing the district, the district shall file the order  
 3-52 with the commission and record the order in the real property  
 3-53 records of each county in which the district is located.

3-54 (h) A new district created by the division of the district  
 3-55 shall hold a confirmation and directors' election as required by  
 3-56 Section 7919A.0103. If the voters of a new district do not confirm  
 3-57 the creation of the new district, the assets, obligations,  
 3-58 territory, and governance of the new district revert to the  
 3-59 original district.

3-60 (i) If the creation of the new district is confirmed, the  
 3-61 new district shall provide the election date and results to the  
 3-62 commission.

3-63 (j) A new district created by the division of the district  
 3-64 must hold an election as required by this chapter to obtain voter  
 3-65 approval before the district may impose a maintenance tax or issue  
 3-66 bonds payable wholly or partly from ad valorem taxes.

3-67 (k) Municipal consent to the creation of the district and to  
 3-68 the inclusion of land in the district granted under Section  
 3-69 7919A.0104 acts as municipal consent to the creation of any new

4-1 district created by the division of the district and to the  
4-2 inclusion of land in the new district.

4-3 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4-4 Sec. 7919A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)

4-5 The district may issue, without an election, bonds and other  
4-6 obligations secured by:

4-7 (1) revenue other than ad valorem taxes; or

4-8 (2) contract payments described by Section

4-9 7919A.0403.

4-10 (b) The district must hold an election in the manner  
4-11 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
4-12 before the district may impose an ad valorem tax or issue bonds  
4-13 payable from ad valorem taxes.

4-14 (c) The district may not issue bonds payable from ad valorem  
4-15 taxes to finance a road project unless the issuance is approved by a  
4-16 vote of a two-thirds majority of the district voters voting at an  
4-17 election held for that purpose.

4-18 Sec. 7919A.0402. OPERATION AND MAINTENANCE TAX. (a) If  
4-19 authorized at an election held under Section 7919A.0401, the  
4-20 district may impose an operation and maintenance tax on taxable  
4-21 property in the district in accordance with Section 49.107, Water  
4-22 Code.

4-23 (b) The board shall determine the tax rate. The rate may not  
4-24 exceed the rate approved at the election.

4-25 Sec. 7919A.0403. CONTRACT TAXES. (a) In accordance with  
4-26 Section 49.108, Water Code, the district may impose a tax other than  
4-27 an operation and maintenance tax and use the revenue derived from  
4-28 the tax to make payments under a contract after the provisions of  
4-29 the contract have been approved by a majority of the district voters  
4-30 voting at an election held for that purpose.

4-31 (b) A contract approved by the district voters may contain a  
4-32 provision stating that the contract may be modified or amended by  
4-33 the board without further voter approval.

4-34 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-35 Sec. 7919A.0501. AUTHORITY TO ISSUE BONDS AND OTHER  
4-36 OBLIGATIONS. The district may issue bonds or other obligations  
4-37 payable wholly or partly from ad valorem taxes, impact fees,  
4-38 revenue, contract payments, grants, or other district money, or any  
4-39 combination of those sources, to pay for any authorized district  
4-40 purpose.

4-41 Sec. 7919A.0502. TAXES FOR BONDS. At the time the district  
4-42 issues bonds payable wholly or partly from ad valorem taxes, the  
4-43 board shall provide for the annual imposition of a continuing  
4-44 direct ad valorem tax, without limit as to rate or amount, while all  
4-45 or part of the bonds are outstanding as required and in the manner  
4-46 provided by Sections 54.601 and 54.602, Water Code.

4-47 Sec. 7919A.0503. BONDS FOR ROAD PROJECTS. At the time of  
4-48 issuance, the total principal amount of bonds or other obligations  
4-49 issued or incurred to finance road projects and payable from ad  
4-50 valorem taxes may not exceed one-fourth of the assessed value of the  
4-51 real property in the district.

4-52 SECTION 2. The High Pointe Ranch Municipal Utility District  
4-53 No. 1 of Denton County initially includes all the territory  
4-54 contained in the following area:

4-55 HIGH POINTE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 - TRACT 1  
4-56 OF a 357.445 acres tract of land out of the Francisco Trevino  
4-57 Survey, Abstract No. 1243, Denton County, Texas; being all of a  
4-58 certain 229.479 acres tract (Tract 1), a 32.8 acres tract (Tract 2)  
4-59 and a 29.885 acres tract (Tract 3), all described in Volume 4257,  
4-60 Page 1101, Document No. 99-0004597 of the Deed Records of Denton  
4-61 County, Texas; also being all of a certain 6.874 acres tract  
4-62 described in Volume 4574, Page 1528, Document No. 00-000036697 and  
4-63 all of a certain 57.6071 acres tract described in Volume 4483, Page  
4-64 133, Document No. 99-000123273, both in the Deed Records of Denton  
4-65 County, Texas; and being further described by metes and bounds as  
4-66 follows:

4-67 BEGINNING at a set "PK" nail in Blackjack Road (paved) and in the  
4-68 southeast right of way line of U.S. Highway No. 377 and in the  
4-69 recognized north line of said Francisco Trevino Survey and at the

5-1 northwest corner of said 32.8 acres tract for the most northerly  
 5-2 northwest and beginning corner of this tract. Whence the recognized  
 5-3 southwest corner of the Thomas Chambers Survey, Abstract No. 223  
 5-4 bears South 87°12'41" East 60.40 feet.  
 5-5 THENCE South 87°12'41" East at 60.40 feet pass a "PK" nail at the  
 5-6 southwest corner of a certain 6.164 acres tract (Tract 5) described  
 5-7 in said Volume 4257, Page 1101 and in all 1160.06 feet along said  
 5-8 Blackjack Road to a found "PK" nail at the southeast corner of said  
 5-9 6.164 acres tract for a corner of this tract.  
 5-10 THENCE South 88°09'42" East 505.03 feet to a set "PK" nail in said  
 5-11 Blackjack Road for a corner of this tract.  
 5-12 THENCE South 89°21'04" East 1356.90 feet to a set "PK" nail in said  
 5-13 Blackjack Road for the northeast corner of this tract.  
 5-14 THENCE South 01°40'27" West at 20.69 feet pass a 4" steel post in the  
 5-15 south line of said Blackjack Road and in all 2322.77 feet to a set  
 5-16 capped 1/2" iron rod for the most easterly southeast corner of this  
 5-17 tract.  
 5-18 THENCE South 89°35'01" West at 250.28 feet pass a found capped 1/2"  
 5-19 iron rod at the northeast corner of a certain 27.104 acres tract  
 5-20 described in Document No. 96-000070599 and in all 1539.46 feet to a  
 5-21 found 1/2" iron pipe at the northwest corner of a certain 27.600  
 5-22 acres tract described in Document No. 96-000070600 for an ell  
 5-23 corner of this tract.  
 5-24 THENCE South 00°10'39" East 956.88 feet to a set capped 1/2" iron rod  
 5-25 in the west line of said 27.600 acres tract for a corner of this  
 5-26 tract.  
 5-27 THENCE South 00°56'07" West 1132.15 feet to a set capped 1/2" iron  
 5-28 rod in the north right of way line of F.M. Highway No. 428 and at the  
 5-29 southwest corner of said 27.600 acres tract for the most southerly  
 5-30 southeast corner of this tract.  
 5-31 THENCE along the north right of way line of said F.M. Highway  
 5-32 No. 428 the following courses and distances:  
 5-33     • South 71°34'50" West 144.40 feet to a set capped 1/2" iron  
 5-34 rod;  
 5-35     • Westerly along the arc of a 07 deg. 21 min. 35 sec.  
 5-36 non-tangent curve to the right having a radius of 778.51 feet, a  
 5-37 central angle of 18 deg. 46 min. 14 sec., a chord of South 82°46'29"  
 5-38 West 253.91 feet and an arc length of 255.05 feet to a set capped  
 5-39 1/2" iron rod;  
 5-40     • South 88°45'46" West 378.48 feet to a set capped 1/2" iron  
 5-41 rod;  
 5-42     • South 89°36'06" West 1349.02 feet to a set capped 1/2" iron  
 5-43 rod;  
 5-44     • And South 89°52'21" West 1364.91 feet to a set capped 1/2"  
 5-45 iron rod in the southeast right of way line of said U.S. Highway  
 5-46 No. 377 for the most southerly southwest corner of this tract;  
 5-47 THENCE North 32°23'53" West 213.57 feet along the southeast right of  
 5-48 way line of said U.S. Highway 377 to a wood right of way marker for  
 5-49 the most westerly southwest corner of this tract.  
 5-50 THENCE North 25°19'53" East 4804.08 feet along the southeast right  
 5-51 of way line of said U.S. Highway No. 377 to a set capped 1/2" iron  
 5-52 rod for the most westerly northwest corner of this tract.  
 5-53 THENCE North 59°03'36" East at 101.21 feet pass a set 1/2" iron rod  
 5-54 and in all 166.34 feet to the POINT OF BEGINNING and containing  
 5-55 357.445 acres of land, more or less.  
 5-56 HIGH POINTE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 - TRACT 2  
 5-57 BEING a tract of land situated in the F. Trevino Survey, Abstract  
 5-58 No. 1243, Denton County, Texas, and being all of a called 61.667  
 5-59 acre tract of land described in a General Warranty Deed to Betsy  
 5-60 Turner, as recorded in Instrument No. 97-0010270 of the Official  
 5-61 Records of Denton County, Texas, and being more particularly  
 5-62 described as follows:  
 5-63 BEGINNING at a mag nail set for the northeast corner of said 61.667  
 5-64 acre tract, common to the northwest corner of a called 41.640 acre  
 5-65 tract of land described in a deed to Michael Ray Self and spouse,  
 5-66 Hannah Carter Self, as recorded in Instrument No. 2020-72317 of the  
 5-67 Official Records of Denton County, Texas, being on the southerly  
 5-68 line of Tract I described in a deed to LTR Dressage, LLC, as  
 5-69 recorded in Instrument No. 2012-60776 of the Official Records of

6-1 Denton County, Texas, and in the centerline of Black Jack Road, a  
6-2 variable width right-of-way, no record found;  
6-3 THENCE South 0°37'22" West, departing the southerly line of said  
6-4 Tract I and the centerline of said Black Jack Road, along the  
6-5 easterly line of said 61.667 acre tract and the westerly line of  
6-6 said 41.640 acre tract, a distance of 2297.48 feet to a 5/8 inch  
6-7 iron rod with plastic cap stamped "KHA" set for the southeast corner  
6-8 of said 61.667 acre tract, common to the southwest corner of said  
6-9 41.640 acre tract, being on the northerly line of a called 94.58  
6-10 acre tract of land described in a deed to Robert J. Houlihan,  
6-11 Trustee of the Jacqueline A. Houlihan Family Trust, as recorded in  
6-12 Instrument No. 2015-75670 of the Official Records of Denton County,  
6-13 Texas;  
6-14 THENCE South 89°33'30" West, along the southerly line of said 61.667  
6-15 acre tract, the northerly line of said 94.58 acre tract and the  
6-16 northerly line of a called 5.000 acre tract of land described in a  
6-17 deed to Robert J. Houlihan, as recorded in Instrument  
6-18 No. 2015-75669 of the Official Records of Denton County, Texas, a  
6-19 distance of 1184.22 feet to a 5/8 inch iron rod with plastic cap  
6-20 stamped "KHA" set for the southwest corner of said 61.667 acre  
6-21 tract, being on the easterly line of a called 166.34 acre tract of  
6-22 land described in a deed to ALW 377, LLC, as recorded in Instrument  
6-23 No. 2018-78707 of the Official Records of Denton County, Texas;  
6-24 THENCE North 1°40'23" East, departing the northerly line of said  
6-25 94.58 acre tract, along the westerly line of said 61.667 acre tract  
6-26 and the easterly line of said 166.34 acre tract, a distance of  
6-27 2319.56 feet to a 1 inch iron pipe found for the northwest corner of  
6-28 said 61.667 acre tract, common to the northeast corner of said  
6-29 166.34 acre tract, being on the southerly line of a called 37.115  
6-30 acre tract of land described in a deed to Calvin Paul Redfearn, as  
6-31 recorded in Instrument No. 2014-96676 of the Official Records of  
6-32 Denton County, Texas, and in the middle of Black Jack Road;  
6-33 THENCE South 89°23'35" East, along the northerly line of said 61.667  
6-34 acre tract, the southerly line of said 37.115 acre tract, the  
6-35 southerly line of a called 20.236 acre tract of land described in a  
6-36 deed to Gary Conway and Debbie Conway, as recorded in Instrument  
6-37 No. 2019-158825 of the Official Records of Denton County, Texas,  
6-38 and the southerly line of said Tract I, a distance of 1141.49 feet  
6-39 to the POINT OF BEGINNING and containing 61.611 acres (2,683,778  
6-40 square feet) of land, more or less.  
6-41 HIGH POINTE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 - TRACT 3  
6-42 BEING a tract of land situated in the F. Trevino Survey, Abstract  
6-43 No. 1243, Denton County, Texas, and being all of a called 41.640  
6-44 acre tract of land described in a Warranty Deed with Vendor's Lien  
6-45 to Michael Ray Self and spouse, Hannah Carter Self, as recorded in  
6-46 Instrument No. 2020-72317 of the Official Records of Denton County,  
6-47 Texas, and being more particularly described as follows:  
6-48 BEGINNING at a mag nail set for the northwest corner of said 41.640  
6-49 acre tract, common to the northeast corner of a called 61.667 acre  
6-50 tract of land described in a deed to Betsy Turner, as recorded in  
6-51 Instrument No. 97-0010270 of the Official Records of Denton County,  
6-52 Texas, being on the southerly line of Tract I described in a deed to  
6-53 LTR Dressage, LLC, as recorded in Instrument No. 2012-60776 of the  
6-54 Official Records of Denton County, Texas, and in the centerline of  
6-55 Black Jack Road, a variable width right-of-way, no record found;  
6-56 THENCE South 89°10'02" East, along a northerly line of said 41.640  
6-57 acre tract, the southerly line of said Tract I, the southerly line  
6-58 of a called 22.380 acre tract of land described as Tract II in said  
6-59 deed recorded in Instrument No. 2012-60776 of the Official Records  
6-60 of Denton County, Texas, and the centerline of said Black Jack Road,  
6-61 a distance of 570.47 feet to a 1 inch iron pipe found for the  
6-62 northerly northeast corner of said 41.640 acre tract, common to the  
6-63 northwest corner of a called 14.975 acre tract of land described in  
6-64 a deed to K & T Swan Family Limited Partnership, L.P., as recorded  
6-65 in Instrument No. 2017-78524 of the Official Records of Denton  
6-66 County, Texas;  
6-67 THENCE South 1°07'20" East, departing the southerly line of said  
6-68 Tract II and the centerline of said Black Jack Road, along an  
6-69 easterly line of said 41.640 acre tract and the westerly line of

7-1 said 14.975 acre tract, a distance of 1528.04 feet to a 1/2 inch  
7-2 iron rod found for the southwest corner of said 14.975 acre tract,  
7-3 common to an ell corner of said 41.640 acre tract;  
7-4 THENCE South 89°22'10" East, along a northerly line of said 41.640  
7-5 acre tract and the southerly line of said 14.975 acre tract, a  
7-6 distance of 570.06 feet to a 3/8 inch iron rod found for the  
7-7 southerly northeast corner of said 41.640 acre tract, common to the  
7-8 southeast corner of said 14.975 acre tract;  
7-9 THENCE South 1°04'44" East, along an easterly line of said 41.640  
7-10 acre tract, a distance of 745.84 feet to a 1/2 inch iron pipe found  
7-11 for the southeast corner of said 41.640 acre tract, common to the  
7-12 northeast corner of a called 16.597 acre tract of land described in  
7-13 a deed to Phillip J. Anton and wife, Karen M. Anton, as recorded in  
7-14 Instrument No. 95-65740 of the Official Records of Denton County,  
7-15 Texas;  
7-16 THENCE South 89°33'30" West, along the southerly line of said 41.640  
7-17 acre tract, the northerly line of said 16.597 acre tract, the  
7-18 northerly line of a called 6.703 acre tract of land described in a  
7-19 deed to Phillip John Anton and wife, Karen Marie Anton, as recorded  
7-20 in Instrument No. 2005-92268 of the Official Records of Denton  
7-21 County, Texas, and the northerly line of a called 94.58 acre tract  
7-22 of land described in a deed to Robert J. Houlihan, Trustee of the  
7-23 Jacqueline A. Houlihan Family Trust, as recorded in Instrument  
7-24 No. 2015-75670 of the Official Records of Denton County, Texas, a  
7-25 distance of 1209.41 feet to a 5/8 inch iron rod with plastic cap  
7-26 stamped "KHA" set for the southwest corner of said 41.640 acre  
7-27 tract, common to the southeast corner of aforesaid 61.667 acre  
7-28 tract;  
7-29 THENCE North 0°37'22" East, departing the northerly line of said  
7-30 94.58 acre tract, along the westerly line of said 41.640 acre tract  
7-31 and the easterly line of said 61.667 acre tract, a distance of  
7-32 2297.48 feet to the POINT OF BEGINNING and containing 41.650 acres  
7-33 (1,814,290 square feet) of land, more or less.

7-34 SECTION 3. (a) The legal notice of the intention to  
7-35 introduce this Act, setting forth the general substance of this  
7-36 Act, has been published as provided by law, and the notice and a  
7-37 copy of this Act have been furnished to all persons, agencies,  
7-38 officials, or entities to which they are required to be furnished  
7-39 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
7-40 Government Code.

7-41 (b) The governor, one of the required recipients, has  
7-42 submitted the notice and Act to the Texas Commission on  
7-43 Environmental Quality.

7-44 (c) The Texas Commission on Environmental Quality has filed  
7-45 its recommendations relating to this Act with the governor, the  
7-46 lieutenant governor, and the speaker of the house of  
7-47 representatives within the required time.

7-48 (d) All requirements of the constitution and laws of this  
7-49 state and the rules and procedures of the legislature with respect  
7-50 to the notice, introduction, and passage of this Act are fulfilled  
7-51 and accomplished.

7-52 SECTION 4. (a) If this Act does not receive a two-thirds  
7-53 vote of all the members elected to each house, Subchapter C, Chapter  
7-54 7919A, Special District Local Laws Code, as added by Section 1 of  
7-55 this Act, is amended by adding Section 7919A.0306 to read as  
7-56 follows:

7-57 Sec. 7919A.0306. NO EMINENT DOMAIN POWER. The district may  
7-58 not exercise the power of eminent domain.

7-59 (b) This section is not intended to be an expression of a  
7-60 legislative interpretation of the requirements of Section 17(c),  
7-61 Article I, Texas Constitution.

7-62 SECTION 5. This this Act takes effect March 31, 2022.

7-63

\* \* \* \* \*