

1-1 By: Nichols S.B. No. 2580
 1-2 (In the Senate - Filed March 23, 2023; March 30, 2023, read
 1-3 first time and referred to Committee on Local Government;
 1-4 April 24, 2023, reported favorably by the following vote: Yeas 8,
 1-5 Nays 0; April 24, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Bettencourt	X			
1-8 Springer	X			
1-9 Eckhardt	X			
1-10 Gutierrez			X	
1-11 Hall	X			
1-12 Nichols	X			
1-13 Parker	X			
1-14 Paxton	X			
1-15 West	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the creation of the Liberty County Municipal Utility
 1-20 District No. 12; granting a limited power of eminent domain;
 1-21 providing authority to issue bonds; providing authority to impose
 1-22 assessments, fees, and taxes.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-24 SECTION 1. Subtitle F, Title 6, Special District Local Laws
 1-25 Code, is amended by adding Chapter 7977A to read as follows:

1-26 CHAPTER 7977A. LIBERTY COUNTY MUNICIPAL UTILITY DISTRICT NO. 12
 1-27 SUBCHAPTER A. GENERAL PROVISIONS

1-28 Sec. 7977A.0101. DEFINITIONS. In this chapter:

1-29 (1) "Board" means the district's board of directors.
 1-30 (2) "Commission" means the Texas Commission on
 1-31 Environmental Quality.

1-32 (3) "Director" means a board member.
 1-33 (4) "District" means the Liberty County Municipal
 1-34 Utility District No. 12.

1-35 Sec. 7977A.0102. NATURE OF DISTRICT. The district is a
 1-36 municipal utility district created under Section 59, Article XVI,
 1-37 Texas Constitution.

1-38 Sec. 7977A.0103. CONFIRMATION AND DIRECTOR ELECTION
 1-39 REQUIRED. The temporary directors shall hold an election to
 1-40 confirm the creation of the district and to elect five permanent
 1-41 directors as provided by Section 49.102, Water Code.

1-42 Sec. 7977A.0104. CONSENT OF MUNICIPALITY REQUIRED. The
 1-43 temporary directors may not hold an election under Section
 1-44 7977A.0103 until each municipality in whose corporate limits or
 1-45 extraterritorial jurisdiction the district is located has
 1-46 consented by ordinance or resolution to the creation of the
 1-47 district and to the inclusion of land in the district as required by
 1-48 applicable law.

1-49 Sec. 7977A.0105. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.
 1-50 (a) The district is created to serve a public purpose and benefit.

1-51 (b) The district is created to accomplish the purposes of:
 1-52 (1) a municipal utility district as provided by
 1-53 general law and Section 59, Article XVI, Texas Constitution; and
 1-54 (2) Section 52, Article III, Texas Constitution, that
 1-55 relate to the construction, acquisition, improvement, operation,
 1-56 or maintenance of macadamized, graveled, or paved roads, or
 1-57 improvements, including storm drainage, in aid of those roads.

1-58 Sec. 7977A.0106. INITIAL DISTRICT TERRITORY. (a) The
 1-59 district is initially composed of the territory described by
 1-60 Section 2 of the Act enacting this chapter.

1-61 (b) The boundaries and field notes contained in Section 2 of

2-1 the Act enacting this chapter form a closure. A mistake made in the
 2-2 field notes or in copying the field notes in the legislative process
 2-3 does not affect the district's:

- 2-4 (1) organization, existence, or validity;
- 2-5 (2) right to issue any type of bond for the purposes
 2-6 for which the district is created or to pay the principal of and
 2-7 interest on a bond;
- 2-8 (3) right to impose a tax; or
- 2-9 (4) legality or operation.

2-10 SUBCHAPTER B. BOARD OF DIRECTORS

2-11 Sec. 7977A.0201. GOVERNING BODY; TERMS. (a) The district
 2-12 is governed by a board of five elected directors.

2-13 (b) Except as provided by Section 7977A.0202, directors
 2-14 serve staggered four-year terms.

2-15 Sec. 7977A.0202. TEMPORARY DIRECTORS. (a) On or after the
 2-16 effective date of the Act enacting this chapter, the owner or owners
 2-17 of a majority of the assessed value of the real property in the
 2-18 district may submit a petition to the commission requesting that
 2-19 the commission appoint as temporary directors the five persons
 2-20 named in the petition. The commission shall appoint as temporary
 2-21 directors the five persons named in the petition.

2-22 (b) Temporary directors serve until the earlier of:

2-23 (1) the date permanent directors are elected under
 2-24 Section 7977A.0103; or

2-25 (2) the fourth anniversary of the effective date of
 2-26 the Act enacting this chapter.

2-27 (c) If permanent directors have not been elected under
 2-28 Section 7977A.0103 and the terms of the temporary directors have
 2-29 expired, successor temporary directors shall be appointed or
 2-30 reappointed as provided by Subsection (d) to serve terms that
 2-31 expire on the earlier of:

2-32 (1) the date permanent directors are elected under
 2-33 Section 7977A.0103; or

2-34 (2) the fourth anniversary of the date of the
 2-35 appointment or reappointment.

2-36 (d) If Subsection (c) applies, the owner or owners of a
 2-37 majority of the assessed value of the real property in the district
 2-38 may submit a petition to the commission requesting that the
 2-39 commission appoint as successor temporary directors the five
 2-40 persons named in the petition. The commission shall appoint as
 2-41 successor temporary directors the five persons named in the
 2-42 petition.

2-43 SUBCHAPTER C. POWERS AND DUTIES

2-44 Sec. 7977A.0301. GENERAL POWERS AND DUTIES. The district
 2-45 has the powers and duties necessary to accomplish the purposes for
 2-46 which the district is created.

2-47 Sec. 7977A.0302. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-48 DUTIES. The district has the powers and duties provided by the
 2-49 general law of this state, including Chapters 49 and 54, Water Code,
 2-50 applicable to municipal utility districts created under Section 59,
 2-51 Article XVI, Texas Constitution.

2-52 Sec. 7977A.0303. AUTHORITY FOR ROAD PROJECTS. Under
 2-53 Section 52, Article III, Texas Constitution, the district may
 2-54 design, acquire, construct, finance, issue bonds for, improve,
 2-55 operate, maintain, and convey to this state, a county, or a
 2-56 municipality for operation and maintenance macadamized, graveled,
 2-57 or paved roads, or improvements, including storm drainage, in aid
 2-58 of those roads.

2-59 Sec. 7977A.0304. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-60 road project must meet all applicable construction standards,
 2-61 zoning and subdivision requirements, and regulations of each
 2-62 municipality in whose corporate limits or extraterritorial
 2-63 jurisdiction the road project is located.

2-64 (b) If a road project is not located in the corporate limits
 2-65 or extraterritorial jurisdiction of a municipality, the road
 2-66 project must meet all applicable construction standards,
 2-67 subdivision requirements, and regulations of each county in which
 2-68 the road project is located.

2-69 (c) If the state will maintain and operate the road, the

3-1 Texas Transportation Commission must approve the plans and
3-2 specifications of the road project.

3-3 Sec. 7977A.0305. COMPLIANCE WITH MUNICIPAL CONSENT
3-4 ORDINANCE OR RESOLUTION. The district shall comply with all
3-5 applicable requirements of any ordinance or resolution that is
3-6 adopted under Section 54.016 or 54.0165, Water Code, and that
3-7 consents to the creation of the district or to the inclusion of land
3-8 in the district.

3-9 Sec. 7977A.0306. DIVISION OF DISTRICT. (a) The board, on
3-10 its own motion or on receipt of a petition signed by the owner or
3-11 owners of a majority of the assessed value of the real property in
3-12 the district, may adopt an order dividing the district.

3-13 (b) An order dividing a district may create one or more new
3-14 districts and may provide for the continuation of the district.

3-15 (c) An order dividing the district shall:

3-16 (1) name any new district;

3-17 (2) include the metes and bounds description of the
3-18 territory of each of the districts;

3-19 (3) appoint temporary directors for any new district;
3-20 and

3-21 (4) provide for the division of assets and liabilities
3-22 between the districts.

3-23 (d) The board may adopt an order dividing the district
3-24 before or after the date the board holds an election to confirm the
3-25 district's creation.

3-26 (e) The district may be divided only if the district:

3-27 (1) has never issued any bonds; and

3-28 (2) is not imposing ad valorem taxes.

3-29 (f) A new district created by the division of the district
3-30 may not, at the time the new district is created, contain any land
3-31 outside the area described by Section 2 of the Act enacting this
3-32 chapter.

3-33 (g) On or before the 30th day after the date of adoption of
3-34 an order dividing the district, the district shall file the order
3-35 with the commission and record the order in the real property
3-36 records of each county in which the district is located.

3-37 (h) This chapter applies to any new district created by the
3-38 division of the district, and a new district has all the powers and
3-39 duties of the district.

3-40 (i) A new district created by the division of the district
3-41 shall hold a confirmation and directors' election.

3-42 (j) If the creation of the new district is confirmed, the
3-43 new district shall provide the election date and results to the
3-44 commission.

3-45 (k) A new district created by the division of the district
3-46 must hold an election as required by this chapter to obtain voter
3-47 approval before the district may impose a maintenance tax or issue
3-48 bonds payable wholly or partly from ad valorem taxes.

3-49 (l) The district may continue to rely on confirmation,
3-50 directors', bond, or tax elections held prior to the division.

3-51 (m) Municipal consent to the creation of the district and to
3-52 the inclusion of land in the district acts as municipal consent to
3-53 the creation of any new district created by the division of the
3-54 district and to the inclusion of land in the new district.

3-55 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-56 Sec. 7977A.0401. ELECTIONS REGARDING TAXES OR BONDS. (a)
3-57 The district may issue, without an election, bonds and other
3-58 obligations secured by:

3-59 (1) revenue other than ad valorem taxes; or

3-60 (2) contract payments described by Section
3-61 7977A.0403.

3-62 (b) The district must hold an election in the manner
3-63 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-64 before the district may impose an ad valorem tax or issue bonds
3-65 payable from ad valorem taxes.

3-66 (c) The district may not issue bonds payable from ad valorem
3-67 taxes to finance a road project unless the issuance is approved by a
3-68 vote of a two-thirds majority of the district voters voting at an
3-69 election held for that purpose.

4-1 Sec. 7977A.0402. OPERATION AND MAINTENANCE TAX. (a) If
4-2 authorized at an election held under Section 7977A.0401, the
4-3 district may impose an operation and maintenance tax on taxable
4-4 property in the district in accordance with Section 49.107, Water
4-5 Code.

4-6 (b) The board shall determine the tax rate. The rate may not
4-7 exceed the rate approved at the election.

4-8 Sec. 7977A.0403. CONTRACT TAXES. (a) In accordance with
4-9 Section 49.108, Water Code, the district may impose a tax other than
4-10 an operation and maintenance tax and use the revenue derived from
4-11 the tax to make payments under a contract after the provisions of
4-12 the contract have been approved by a majority of the district voters
4-13 voting at an election held for that purpose.

4-14 (b) A contract approved by the district voters may contain a
4-15 provision stating that the contract may be modified or amended by
4-16 the board without further voter approval.

4-17 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-18 Sec. 7977A.0501. AUTHORITY TO ISSUE BONDS AND OTHER
4-19 OBLIGATIONS. The district may issue bonds or other obligations
4-20 payable wholly or partly from ad valorem taxes, impact fees,
4-21 revenue, contract payments, grants, or other district money, or any
4-22 combination of those sources, to pay for any authorized district
4-23 purpose.

4-24 Sec. 7977A.0502. TAXES FOR BONDS. At the time the district
4-25 issues bonds payable wholly or partly from ad valorem taxes, the
4-26 board shall provide for the annual imposition of a continuing
4-27 direct ad valorem tax, without limit as to rate or amount, while all
4-28 or part of the bonds are outstanding as required and in the manner
4-29 provided by Sections 54.601 and 54.602, Water Code.

4-30 Sec. 7977A.0503. BONDS FOR ROAD PROJECTS. At the time of
4-31 issuance, the total principal amount of bonds or other obligations
4-32 issued or incurred to finance road projects and payable from ad
4-33 valorem taxes may not exceed one-fourth of the assessed value of the
4-34 real property in the district.

4-35 SECTION 2. The Liberty County Municipal Utility District
4-36 No. 12 initially includes all the territory contained in the
4-37 following area:

4-38 TRACT 1 - 460.66 Acres

4-39 480.66 ACRES OF LAND, SITUATED IN THE F.J. C. SMILEY SURVEY,
4-40 ABSTRACT 345, LIBERTY COUNTY, TEXAS, BEING A PART OF THAT CERTAIN
4-41 590.04 ACRE TRACT DESCRIBED AS TRACT THREE IN A DEED FROM
4-42 INTERNATIONAL PAPER REALTY CORPORATION TO COPPER STATION HOLDINGS,
4-43 LLC RECORDED IN LIBERTY COUNTY CLERK'S FILE 2005004984, SAID 480.66
4-44 ACRES BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

4-45 BEGINNING at a concrete monument stamped "CP&F L-160" found
4-46 for the lower Northwest corner of the herein described tract at an
4-47 ell corner of said 590.04 acre tract, the Northeast corner of
4-48 Tarkington Acres, according to the Plat recorded in Volume 8, Page
4-49 21, Liberty County Map Records, and the Southeast corner of a 68.0
4-50 acre tract described in a deed to William L. Bailey recorded in
4-51 Liberty County Clerk's File 2005016474;

4-52 Thence North 53 deg. 34 min. 28 sec. East, along the Southeast
4-53 line of the Bailey tract, a distance of 2533.94 feet to 1/2 inch
4-54 iron rod found for a corner of said Bailey tract;

4-55 Thence North 04 deg. 56 min. 54 sec. West, along the East line
4-56 of the Bailey tract, at 60.20 feet pass a 1 inch iron bar found at
4-57 the Northeast corner of the Bailey tract, being a corner of said
4-58 590.04 acre tract and the Southeast corner of the David L. Muck 10.0
4-59 acre tract described in clerk's File 2005003535, continue along the
4-60 West line of said 590.04 acre tract, at 1024.62 feet pass a 1/2 inch
4-61 iron rod set in the South right-of-way line of County Road 2184,
4-62 from which point a 3/8 inch iron rod found at a fence corner bears
4-63 North 70 deg. 46 min. 06 sec. East - 35.44 feet, and continue for a
4-64 total distance of 1050.63 feet to a 60d nail set for the upper
4-65 Northwest corner of the herein described tract in the centerline of
4-66 County Road 2184, said point being the southwest corner of the
4-67 Kaitlyn Hanka 42.87 acre tract described in Clerk's File
4-68 2005016201;

4-69 Thence North 70 deg. 39 min. 07 sec. East, along the

5-1 centerline of County Road 2184, with the Southerly line of the Hanka
5-2 tract, a distance of 873.25 feet to an angle point;
5-3 Thence North 70 deg. 09 min. 40 sec. East, along the
5-4 centerline of County Road 2184, with the Southerly line of the Hanka
5-5 tract, a distance of 376.40 feet to an angle point;
5-6 Thence North 68 deg. 18 min. 24 sec. East, along the
5-7 centerline of County Road 2184, with the southerly line of the Hanka
5-8 tract, a distance of 110.56 feet to an angle point;
5-9 Thence North 65 deg. 24 min. 12 sec. East, along the
5-10 centerline of County Road 2184, with the Southerly line of the Hanka
5-11 tract, a distance of 50.58 feet to an angle point;
5-12 Thence North 63 deg. 57 min. 20 sec. East, along the
5-13 centerline of County Road 2184, with the southerly line of the Hanka
5-14 tract, a distance of 51.05 feet to an angle point;
5-15 Thence North 61 deg. 43 min. 32 sec. East, along the
5-16 centerline of County Road 2184, with the southerly line of the Hanka
5-17 tract, a distance of 6.88 feet to an angle point;
5-18 Thence North 60 deg. 11 min. 45 Sec. East, along the
5-19 centerline of County Road 2184, with the Southerly line of the Hanka
5-20 tract, a distance of 153.55 feet to an angle point;
5-21 Thence North 59 deg. 30 min. 01 sec. East, along the
5-22 centerline of County Road 2184, with the Southerly line of the Hanka
5-23 Tract, a distance of 162.45 feet to a point marking the Northeast
5-24 corner of the herein described tract at the southeast corner of the
5-25 Hanka tract, in the East line of the aforementioned 590.04 acre
5-26 tract;
5-27 Thence South 03 deg. 33 min. 57 sec. East, along the East line
5-28 of said 590.04 acre tract, at 37.18 feet pass an axle found, and
5-29 continue along the West line of the Sean Hardy Nelson 26.341 acre
5-30 tract described in Clerk's File 2005004844, the Billy E. Fly 6.0
5-31 acre tract described in Clerk's File 2006014900, the Foster Jay
5-32 Nelson tract described in Clerk's File 2005013371, which line is
5-33 the West line of the Nelson 99.4 acre tract and the Nelson 100 acre
5-34 tract, and continue for a total distance of 4946.17 feet to an axle
5-35 found for angle point;
5-36 Thence South 01 deg. 57 min. 20 sec. East (call South 01 deg.
5-37 56 min. 23 sec. East), along the West line of the J. F. McAdams tract
5-38 described in Volume 314, Page 579, Deed Records, a distance of
5-39 1850.26 feet (call 1849.98 feet) to a concrete monument found at the
5-40 Southeast corner of said 590.04 acre tract and the Northeast corner
5-41 of Oak Shadows Subdivision, according to the Plat recorded in
5-42 Volume 8, Page 59, Liberty County Map Records;
5-43 Thence South 87 deg. 22 min. 40 sec. West (call south 87 deg.
5-44 27 min. 25 sec. West), along the South line of said 590.04 acre
5-45 tract and the North line of Oak Shadows Subdivision, passing
5-46 several 1/2 inch iron rods found generally on line, a distance of
5-47 3938.18 feet (call 3937.67 feet) to a concrete monument found at the
5-48 Southwest corner of said 590.04 acre tract and the Northwest corner
5-49 of Oak Shadows Subdivision, in the East line of the Charles Stetson,
5-50 Jr. tract described in Volume 961, Page 191, Deed Records;
5-51 Thence North 02 deg. 13 min. 16 sec. West, along the West line
5-52 of said 590.04 acre tract and the East line of the Stetson tract,
5-53 the East line of the Kenneth O'Brien, Jr. tract described in Volume
5-54 1985, Page 875, Official Records, and the East line of Tarkington
5-55 Acres, passing several 1/2 inch iron rods found generally on line, a
5-56 distance of 3698.88 feet to the PLACE OF BEGINNING and containing
5-57 480.66 acres of land and being the same land described in Liberty
5-58 County Clerk's File 2007004426.
5-59 TRACT 2 - 253.23 Acres
5-60 253.23 acres of land situated in the F.J.C. Smiley League,
5-61 Abstract Number 345, Liberty County, Texas, being a portion of that
5-62 certain called 576.84 acres of land described in deed recorded
5-63 under Volume 314, Page 579 of the Deed Records of Liberty County,
5-64 Texas, being all of that certain called 10.0274 acres of land
5-65 described in deed recorded under Volume 670, Page 365 of the Deed
5-66 Records of Liberty County, Texas and all of that certain called 2.6
5-67 acres of land described in deed recorded under Volume 561, Page 565
5-68 of the Deed Records of Liberty County, Texas, said 253.23 acres of
5-69 land being more particularly described by metes and bounds as

6-1 follows:

6-2 COMMENCING at a concrete monument found for the Northwesterly
6-3 corner of that certain Oak Shadows Subdivision, a subdivision as
6-4 shown on map or plat recorded under Volume 8, Page 59 of the Map
6-5 Records of Liberty County, Texas and the southwesterly corner of
6-6 that certain called 480.66 acres of land described in deed recorded
6-7 in the Official Public Records of Real Property of Liberty County,
6-8 Texas, under County Clerk's File Number 2016007160;

6-9 Thence, N 89°47'00" E, along the Northerly line of said Oak
6-10 Shadows Subdivision and the southerly line of said 480.66 acre
6-11 tract, a distance of 3,938.29 feet to a concrete monument found in
6-12 the Westerly line of said 576.84 acre tract, for the northeasterly
6-13 corner of said Oak Shadows Subdivision, the southeasterly corner of
6-14 said 480.66 acre tract and the POINT OF BEGINNING of the herein
6-15 described tract of land;

6-16 Thence, N 00°26'34" E, along the easterly line of said 480.66
6-17 acre tract, a distance of 1,850.33 feet to an axle found for the
6-18 southwesterly corner of that certain 3.1 acre tract described in
6-19 deed recorded under Volume 559, Page 113 of the Deed Records of
6-20 Liberty County, Texas;

6-21 Thence, S 89°52'31" E, along the southerly line of said 3.1
6-22 acre tract, a distance of 2,073.84 feet to an axle found in the
6-23 southerly line of said 3.1 acre tract;

6-24 Thence, N 00°39'46" W, along the easterly line of said 3.1
6-25 acres, an easterly line of that certain called 99.4 acres of land
6-26 described in deed recorded in the Official Public Records of Real
6-27 Property of Liberty County, Texas, under County Clerk's File Number
6-28 20005013371 and along the Westerly line of said 2.6 acre tract, a
6-29 distance of 1,939.12 feet to a 5/8 inch iron rod with cap set for an
6-30 interior corner of said 99.4 acre tract and the northwesterly
6-31 corner of said 2.6 acre tract;

6-32 Thence, N 88°59'50" E, along a southerly line of said 99.4
6-33 acre tract, a distance of 60.00 feet to an axle found for the
6-34 southwesterly corner of that certain called 23.6084 acres of land
6-35 described in deed recorded in the Official Public Records of Real
6-36 Property of Liberty County, Texas, under County Clerk's File Number
6-37 2006009319 and the northwesterly corner of that certain called
6-38 24.628 acres of land described in deed recorded in the Official
6-39 Public Records of Real Property of Liberty County, Texas, under
6-40 County Clerk's File Number 2016001692;

6-41 Thence, S 00°38'29" E, along the westerly line of said 24.628
6-42 acre tract, a distance of 1,400.66 feet to an axle found for the
6-43 southwesterly corner of said 24.628 acre tract and the
6-44 northwesterly corner of that certain called 8.8163 acres of land
6-45 described in deed recorded under Volume 1906, Page 167 of the Deed
6-46 Records of Liberty County, Texas;

6-47 Thence, S 00°43'07" E, along the westerly line of said 8.8163
6-48 acre tract, a distance of 236.36 feet to a 5/8 inch iron rod with cap
6-49 set for the southwesterly corner of said 8.8163 acre tract and the
6-50 northwesterly corner of said 10.0274 acre tract;

6-51 Thence, N 89°09'16" E, along the Southerly line of said 8.8163
6-52 acre tract, a distance of 1,777.39 feet to a 3/4 inch iron rod found
6-53 in a westerly line of that certain called 1090.0 acres of land
6-54 described in deed recorded under volume 1957, Page 554 of the Deed
6-55 Records of Liberty County, Texas, for the southeasterly corner of
6-56 said 8.8163 acre tract.

6-57 Thence, along a westerly line of said 1090.0 acre tract, the
6-58 following courses and distances:

6-59 S 63°06'14" E, a distance of 27.94 feet to a point of curvature
6-60 to the right;

6-61 In a southeasterly direction, with said curve to the right,
6-62 having a central angle of 39°51'52", an arc length of 183.13 feet, a
6-63 radius of 263.21 feet, a chord bearing of S 43°10'18" E and a chord
6-64 distance of 179.46 feet to a point of tangency;

6-65 S 23°14'22" E, a distance of 92.72 feet to a 3/4 inch iron rod
6-66 in concrete found in the Northerly line of that certain called 12
6-67 acres of land described in deed recorded in the Official Public
6-68 Records of Real Property of Liberty County, Texas, under County
6-69 Clerk's File Number 2016012578 for the Southeasterly corner of said

7-1 10.0274 acre tract and a westerly corner of said 1090.0 acre tract;
7-2 Thence, N 89°35'31" W, along the northerly line of said 12
7-3 acre tract, a distance of 269.19 feet to a 3/4 inch iron rod found
7-4 for the Northwesterly corner of said 12 acre tract;
7-5 Thence, S 01°19'18" E, along the westerly line of said 12 acre
7-6 tract and the Westerly line of that certain called 12 acres of land
7-7 described in deed recorded under Volume 1268, Page 315 of the Deed
7-8 Records of Liberty County, Texas, at 676.67 feet pass a 3/4 inch
7-9 iron rod found for the Southwesterly corner of said 12 acre tract
7-10 recorded under Liberty County Clerk's File Number 2016012578 and
7-11 the Northwesterly corner of said 12 acre tract recorded under
7-12 Volume 1268, Page 315 of the Deed Records of Liberty County, in all
7-13 a total distance of 1,375.17 feet to a 5/8 inch iron rod with cap set
7-14 for the Southwesterly corner of said 12 acre tract recorded under
7-15 Volume 1268, Page 315 of the Deed Records of Liberty County;
7-16 Thence, S 89°45'33" E, along the Southerly line of said 12
7-17 acre tract recorded under Volume 1268, Page 315 of the Deed Records
7-18 of Liberty County, a distance of 772.79 feet to a 5/8 inch iron rod
7-19 with cap set in the Westerly line of that certain called 14.1112
7-20 acres of land described in deed recorded in the Official Public
7-21 Records of Real Property of Liberty County, Texas, under County
7-22 Clerk's File Number 2015002555, for the Southeasterly corner of
7-23 said 12 acre tract recorded under Volume 1268, Page 315 of the Deed
7-24 Records of Liberty County;
7-25 Thence, S 02°39'07" E, along the Westerly line of said 14.1112
7-26 acre tract, a distance of 436.62 feet to a railroad tie found for
7-27 the Northwesterly corner of that certain called 65 acres of land
7-28 described in deed recorded under Volume 1268, Page 315 of the Deed
7-29 Records of Liberty County, Texas and the Southwesterly corner of
7-30 said 14.1112 acre tract;
7-31 Thence, S 01°29'49" E, along the Westerly line of said 65 acre
7-32 tract and partially along the Westerly line of that certain called 5
7-33 acres of land described in deed recorded under Volume 1268, Page 315
7-34 of the Deed Records of Liberty County, Texas, a distance of 1,273.11
7-35 feet to a 1-1/2 inch iron pipe found in Southerly line of that
7-36 certain 200' Gulf States Utilities Company Right-of-way Easement
7-37 recorded under Volume 648, Page 606 of the Deed Records of Liberty
7-38 County, Texas and the Westerly line of said 5 acre tract;
7-39 Thence, N 76°56'31" W, along the Southerly line of said 200'
7-40 Gulf States Utilities Company Right-of-way Easement, a distance of
7-41 4,818.85 feet to a 1/2 inch iron pipe found in the Easterly line of
7-42 said Oak Shadows Subdivision;
7-43 Thence, N 00°25'01" W, along the Easterly line of said Oak
7-44 Shadows Subdivision, a distance of 49.82 feet to the POINT OF
7-45 BEGINNING and containing 253.23 acres of land.
7-46 Tract 3 - 24.97 Acres
7-47 A tract or parcel of land containing 24.97 acres situated in
7-48 the F.J.C. Smiley Survey, Abstract No. 345 and being part of the
7-49 first 55.023 acre tract in deed dated December 23, 1965 and recorded
7-50 in Volume 595, Page 149, of the Deed Records of Liberty County, TX,
7-51 and also being all of the 8.8163 acres of land out of a 18.8437 acre
7-52 tract of land out of the 26.1932 acres conveyed to C.J. Martin by
7-53 deed recorded in Volume 608, Page 323, Deed Records of Liberty
7-54 County, TX, being more particularly described as follows:
7-55 From the point of beginning being a found concrete monument
7-56 for the Southwest corner of said 55.023 acre tract;
7-57 Thence, North 03° 01' 09" West, a distance of 1250.99 feet to a
7-58 set five-eight inch iron rod in the Southerly margin of County Road
7-59 2189;
7-60 Thence, across County Road 2189, North 03° 01' 09" West, a
7-61 distance of 34.75 feet to a found five-eight inch iron rod in the
7-62 northerly margin of County Road 2189;
7-63 Thence, along said northerly margin, South 62° 42' 10" East, a
7-64 distance of 34.75 feet to a found five-eight-inch iron rod;
7-65 Thence, leaving said northerly margin, South 03° 01' 09" East,
7-66 a distance of 17.16 feet to a set PK nail in the center of said road;
7-67 Thence, along and with the center of said road, South 63° 59'
7-68 38" East, a distance of 99.61 feet to a point;
7-69 Thence, South 55° 06' 29" East, a distance of 288.37 feet to a

8-1 point;

8-2 Thence, along a curve to the right with a chord bearing of

8-3 South 42° 10' 03" East, a distance of 239.61 feet to a point, said

8-4 curve having a radius of 535.00 feet and arc length of 241.66 feet;

8-5 Thence, South 29° 13' 38" East, a distance of 378.87 feet to a

8-6 point;

8-7 Thence, South 22° 16' 06" East, a distance of 355.00 feet to a

8-8 point;

8-9 Thence, along a curve to the right with a chord bearing of

8-10 South 20° 40' 44" East, a distance of 31.09 feet to a set PK nail,

8-11 said curve having a radius of 756.43 feet and arc length of 31.09

8-12 feet;

8-13 Thence, leaving center of said road, North 86° 58' 51" East, a

8-14 distance of 14.16 feet to a found five-eighth inch iron rod in the

8-15 easterly margin of said road;

8-16 Thence, along and with said margin, South 17° 53' 19" East, a

8-17 distance of 67.87 feet to a found five-eighth inch iron rod;

8-18 Thence, South 11° 36' 11" East, a distance of 70.19 feet to a

8-19 found five-eighth inch iron rod;

8-20 Thence, leaving said margin, South 86° 58' 51" West, a

8-21 distance of 30.34' to a set five-eighth inch iron rod in the westerly

8-22 margin of said road;

8-23 Thence, along and with said margin, South 15° 42' 11" East, a

8-24 distance of 29.61 feet to a set five-eighth inch iron rod;

8-25 Thence, along a curve to the left with a chord bearing of

8-26 South 37° 08' 29" East, a distance of 187.86 feet to a point, said

8-27 curve having a radius of 197.67 feet and arc length of 195.76 feet;

8-28 Thence, South 65° 30' 45" East, a distance of 110.94 feet to a

8-29 found three-quarter inch iron rod for the southeast corner of the

8-30 tract herein described;

8-31 Thence, leaving said margin, South 86° 44' 45" West, a

8-32 distance of 1774.10 feet to a set five-eighth inch iron rod for the

8-33 southwest corner of the tract herein described;

8-34 Thence, North 03° 09' 41" West, a distance of 242.39 feet to a

8-35 found car axle;

8-36 Thence, North 86° 56' 29" East, a distance of 763.02 feet to

8-37 the point of beginning. said tract or parcel containing 24.97 acres

8-38 of land.

8-39 SAVE AND EXCEPT 5.57 Acres:

8-40 A tract or parcel of land, more particularly described as

8-41 Tract-A1 containing 5.57 acres situated in the F.J.C. Smiley

8-42 Survey, Abstract No. 345 and being part of the first 55.023 acre

8-43 tract in deed dated December 23, 1965 and recorded in Volume 595,

8-44 Page 149, of the Deed Records of Liberty County, TX, being more

8-45 particularly described as follows:

8-46 From the point of commencement, being a concrete monument

8-47 found at the Southwest corner of a 55.023 acre tract and described

8-48 in a deed as first tract dated December 23, 1965, and recorded in

8-49 Volume 595, Page 149, of the Deed Records of Liberty County, Texas,

8-50 the point of beginning bears North 03° 01' 09" west, a distance of

8-51 422.56 feet; said point of beginning is marked by a set five-eighth

8-52 inch iron rod;

8-53 Thence, North 03° 01' 09" West, a distance of 845.80 feet to

8-54 the center of County Road 2189, from which a found five-eighth inch

8-55 iron rod bears South 03° 01' 09" East a distance of 17.37 feet at the

8-56 southern margin of said road;

8-57 Thence, along and with center of said road, south 63° 44' 24"

8-58 east, a distance of 134.25 feet to a point;

8-59 Thence, South 55° 06' 29" East, a distance of 288.37 feet to a

8-60 point;

8-61 Thence, on a curve to the right, said curve having a chord

8-62 bearing of South 46° 37' 16" East a chord length of 157.91 feet, an

8-63 arc length of 158.49 feet and radius of 535.00 feet, to a set

8-64 five-eighth inch iron rod;

8-65 Thence, leaving the center of said road, South 31° 01' 52"

8-66 West, a distance of 374.23 feet to a set five-eighth inch iron rod;

8-67 Thence, South 03° 01' 09" East, a distance of 178.53 feet to a

8-68 set five-eighth inch iron rod;

8-69 Thence, South 86° 58' 51" West, a distance of 243.99 feet to

9-1 the point of beginning.

9-2 Said tract or parcel containing 5.57 acres of land.

9-3 TRACT 4 - 10.00 Acres

9-4 Fieldnotes for a survey of a 10.000 acre tract of land out of
9-5 the F. J. Smiley Survey, Abstract No. 345, Liberty County, Texas,
9-6 and being out of the northerly portion of an original called 26.341
9-7 acre tract out of the Doris Nelson 100 acre tract described in deed
9-8 recorded in Volume 515, Page 314 of the Deed Records of Liberty
9-9 County, Texas,, and the Doris Nelson 99.4 acre tract described in
9-10 Volume 529, Page 482 of said Deed Records, said 10.000 acre tract
9-11 being more particularly described by metes and bounds as follows:

9-12 BEGINNING at an axle found in the southeast right-of-way line
9-13 of County Road 2184, at the northeast corner of that certain called
9-14 480.66 acre tract described in deed recorded under Liberty County
9-15 Clerk's File No. 2016007160 , and also marking the northwest corner
9-16 and POINT OF BEGINNING of the herein described tract;

9-17 Thence N 60 deg. 59 min. 45 sec. E, 221.57 feet along said
9-18 southeast right-of-way line of County Road 2184 to its intersection
9-19 with the westerly right-of-way line of County Road 2189, for the
9-20 northeast corner of the herein described tract, from which a 3/8
9-21 inch iron rod bears N 21 deg. 12 min. 28 sec. W, 3.66 feet;

9-22 Thence along said westerly line right-of-way line of County
9-23 Road 2189 the following:

9-24 S 13 deg. 16 min. 09 sec. E, 676.67 feet;

9-25 S 12 deg. 47 min. 30 sec. E, 70.12 feet;

9-26 S 07 deg. 12 min. 30 sec. E, 105.45 feet;

9-27 S 02 deg. 49 min. 30 sec. W, 203.00 feet; and

9-28 S 01 deg. 07 min. 58 sec. W, 387.62 feet, to a point being the
9-29 northeast corner of that certain called 6.00 acre tract described
9-30 in deed recorded under said County Clerk's File No. 2006014900, and
9-31 also being the southeast corner of the herein described tract;

9-32 Thence S 89 deg. 05 min. 50 sec. W along the north line of said
9-33 called 6.00 acre tract, at 20.00 feet passing a found 3/8 inch iron
9-34 rod, and continuing for a total distance of 339.43 feet to a 5/8
9-35 inch iron rod set in the east line of said called 480.66 acre tract,
9-36 marking the northwest corner of said called 6.00 acre tract, and
9-37 southwest corner of the herein described tract;

9-38 Thence N 00 deg. 54 min. 10 sec. W, 1320.01 feet along the
9-39 east line of said called 480.66 acre tract to the POINT OF BEGINNING
9-40 of the herein described 10.000 acre (435,559 square feet) tract of
9-41 land, and being that same property described in deed recorded under
9-42 said County Clerk's File No. 2013019193.

9-43 SECTION 3. (a) The legal notice of the intention to
9-44 introduce this Act, setting forth the general substance of this
9-45 Act, has been published as provided by law, and the notice and a
9-46 copy of this Act have been furnished to all persons, agencies,
9-47 officials, or entities to which they are required to be furnished
9-48 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
9-49 Government Code.

9-50 (b) The governor, one of the required recipients, has
9-51 submitted the notice and Act to the Texas Commission on
9-52 Environmental Quality.

9-53 (c) The Texas Commission on Environmental Quality has filed
9-54 its recommendations relating to this Act with the governor, the
9-55 lieutenant governor, and the speaker of the house of
9-56 representatives within the required time.

9-57 (d) All requirements of the constitution and laws of this
9-58 state and the rules and procedures of the legislature with respect
9-59 to the notice, introduction, and passage of this Act are fulfilled
9-60 and accomplished.

9-61 SECTION 4. (a) If this Act does not receive a two-thirds
9-62 vote of all the members elected to each house, Subchapter C, Chapter
9-63 7977A, Special District Local Laws Code, as added by Section 1 of
9-64 this Act, is amended by adding Section 7977A.0307 to read as
9-65 follows:

9-66 Sec. 7977A.0307. NO EMINENT DOMAIN POWER. The district may
9-67 not exercise the power of eminent domain.

9-68 (b) This section is not intended to be an expression of a
9-69 legislative interpretation of the requirements of Section 17(c),

10-1 Article I, Texas Constitution.

10-2 SECTION 5. This Act takes effect immediately if it receives
10-3 a vote of two-thirds of all the members elected to each house, as
10-4 provided by Section 39, Article III, Texas Constitution. If this
10-5 Act does not receive the vote necessary for immediate effect, this
10-6 Act takes effect September 1, 2023.

10-7

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