(b) At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

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

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

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

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2009.

Passed by the House on May 5, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.


CHAPTER 421

H.B. No. 2031

AN ACT

relating to the definition of sight order for purposes of prosecuting certain criminal offenses.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 1.07(a), Penal Code, is amended by adding Subdivision (46-a) to read as follows:

(46-a) "Sight order" means a written or electronic instruction to pay money that is authorized by the person giving the instruction and that is payable on demand or at a definite time by the person being instructed to pay. The term includes a check, an electronic debit, or an automatic bank draft.

SECTION 2. This Act takes effect September 1, 2009.

Passed by the House on April 28, 2009: Yeas 149, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 422

H.B. No. 2035

AN ACT

relating to the creation of the Hood County Granbury Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting a limited power of eminent domain.
Be it enacted by the Legislature of the State of Texas:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8342 to read as follows:

CHAPTER 8342. HOOD COUNTY GRANBURY
MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8342.001. DEFINITIONS. In this chapter:
(1) “Board” means the district’s board of directors.
(2) “Director” means a board member.
(3) “District” means the Hood County Granbury Municipal Utility District No. 1.

Sec. 8342.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8342.003. CONFIRMATION AND DIRECTORS’ ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8342.004. CONSENT OF MUNICIPALITY AND DEVELOPMENT AGREEMENT REQUIRED. (a) The temporary directors may not hold an election under Section 8342.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has:
(1) consented by ordinance or resolution to the creation of the district; and
(2) entered into a development agreement with the majority owner of the assessed value of the real property in the district.
(b) If a development agreement required under Subsection (a)(2) has not been entered into before September 1, 2010:
(1) the district is dissolved September 1, 2010, except that:
(A) any debts incurred shall be paid;
(B) any assets that remain after the payment of debts shall be transferred to Hood County; and
(C) the organization of the district shall be maintained until all debts are paid and remaining assets are transferred, and
(2) this chapter expires September 1, 2013.

Sec. 8342.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a) The district is created to serve a public purpose and benefit.
(b) The district is created to accomplish the purposes of:
(1) a municipal utility district as provided by general law and Section 59, Article XVI, Texas Constitution;
(2) Section 52, Article III, Texas Constitution, that relate to the construction, acquisition, improvement, operation, or maintenance of macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 8342.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act creating this chapter.
(b) The boundaries and field notes contained in Section 2 of the Act creating this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district’s:
(1) organization, existence, or validity;
(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;
(3) right to impose a tax; or
Sec. 8342.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8342.052, directors serve staggered four-year terms.

Sec. 8342.052. TEMPORARY DIRECTORS. (a) The temporary board consists of:

(1) Jeffrey Krueger;
(2) William Bruce Schneider;
(3) Kevin Patton;
(4) Virgil R. Briscoe; and

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8342.003; or
(2) September 1, 2013.

(c) If permanent directors have not been elected under Section 8342.003 and the terms of the temporary directors have expired, successor temporary directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 8342.003; or
(2) the fourth anniversary of the date of the appointment or reappointment.

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

Sec. 8342.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8342.102. MUNICIPAL UTILITY DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution.

Sec. 8342.103. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, construct, finance, issue bonds for, improve, operate, maintain, and convey to this state, a county, or a municipality for operation and maintenance macadamized, graveled, or paved roads, or improvements, including storm drainage, in aid of those roads.

Sec. 8342.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road project must meet all applicable construction standards, zoning and subdivision requirements, and regulations of each municipality in whose corporate limits or extraterritorial jurisdiction the road project is located.

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

(c) If the state will maintain and operate the road, the Texas Transportation Commission must approve the plans and specifications of the road project.
Sec. 8342.105. COMPLIANCE WITH MUNICIPAL REGULATIONS. Any water, sanitary sewer, drainage, or other infrastructure or public facilities constructed, acquired, improved, maintained, or operated by the district shall comply with any subdivision or other applicable regulations of any municipality in whose corporate limits or extraterritorial jurisdiction the infrastructure or public facilities are located.

Sec. 8342.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165, Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

Sec. 8342.107. LIMITATION ON USE OF EMINENT DOMAIN. The district may not exercise the power of eminent domain outside the district to acquire a site or easement for:

1. a road project authorized by Section 8342.103; or
2. a recreational facility as defined by Section 49.462, Water Code.

Sec. 8342.108. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

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

(b) The division procedure is prescribed by Sections 53.030 through 53.041, Water Code.

(c) Any new district created by the division of the district has all the powers and duties of the district and is subject to all limitations and conditions provided by this chapter.

(d) A new district created by the division of the district may not, at the time the new district is created, contain land that is not contiguous to the area described by Section 2 of the Act creating this chapter.

(e) A division of the district may not occur until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has adopted a resolution consenting to the division.

Sec. 8342.109. LIMITATION ON DISSOLUTION OF DISTRICT. (a) Before the issuance of bonds, the district or any new district created by the division of the district may not be dissolved unless the dissolution is approved by:

1. the board;
2. the majority owner of the assessed value of the real property in the district or the new district, as applicable; and
3. the governing body of each municipality in whose corporate limits or extraterritorial jurisdiction the district or the new district is located.

(b) The district or any new district may not be dissolved if it has outstanding bonded debt unless:

1. all the property in the district or the new district is annexed by a municipality;
2. the dissolution is approved by the governing body of the municipality; and
3. the bonded debt and developer reimbursement obligations of the district or the new district are assumed by the municipality in whose corporate limits or extraterritorial jurisdiction the district or the new district is located or by another entity approved by the municipality.

(c) A dissolution subject to Subsection (b) is effective when all outstanding bonded debt and developer reimbursement obligations have been discharged.

Sec. 8342.110. DEDICATION OF AIRPORT PROPERTY. The district may dedicate, by fee or easement, property owned by the district for any purposes necessary or convenient for the operation, use, or expansion of a municipal airport.

[Sections 8342.111–8342.150 reserved for expansion]
SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8342.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The district may issue, without an election, bonds and other obligations secured by:

(1) revenue other than ad valorem taxes; or
(2) contract payments described by Section 8342.153.

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

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

Sec. 8342.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8342.151, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code.

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

Sec. 8342.153. CONTRACT TAXES. (a) In accordance with Section 49.108, Water Code, the district may impose a tax other than an operation and maintenance tax and use the revenue derived from the tax to make payments under a contract after the provisions of the contract have been approved by a majority of the district voters voting at an election held for that purpose.

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

[Sections 8342.154–8342.200 reserved for expansion]

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8342.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. 8342.202. TAXES FOR BONDS. At the time the district issues bonds payable wholly or partly from ad valorem taxes, the board shall provide for the annual imposition of a continuing direct ad valorem tax, without limit as to rate or amount, while all or part of the bonds are outstanding as required and in the manner provided by Sections 54.601 and 54.602, Water Code.

Sec. 8342.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. The Hood County Granbury Municipal Utility District No. 1 initially includes all the territory contained in the following area:

Parts of the MILAM COUNTY SCHOOL LAND SURVEY LOWER LEAGUE, the MILAM COUNTY SCHOOL LAND SURVEY UPPER LEAGUE, the JOHN DAVID CROW SURVEY, Abstract No. 110, the EBENEZER MILLICAN SURVEY, Abstract No. 414, the J. W. OWNSBY SURVEY, Abstract No. 814, the G. W. WILLIAMS SURVEY, Abstract No. 600, the JOSE MAYBARBO SURVEY, Abstract No. 749, the C. C. HARVICK SURVEY, Abstract No. 290, the E. T. GATLIN SURVEY, Abstract No. 211, the J. W. DAWSON SURVEY, Abstract No. 805 and the J. H. DAVIS SURVEY, Abstract No. 157 situated about 2–9/10 miles south 41 degrees–30 minutes west from the courthouse in Granbury the county seat for Hood County, Texas; embracing a portion of the 1924–31/100 acres tract described in the deed to The Ranch at Granbury, L.L.C. recorded in volume 1547, page 834 of the Real Records of Hood County, Texas and a portion of the 246–323/1000 acres...
tract described in the deed to The Ranch at Granbury, L.P. recorded in volume 1591, page 306 of the said Real Records and all of the SCOTTISH RITE VILLAGE SUBDIVISION UNIT ONE TRACT ONE, according to the plat thereof recorded in Slide A-348-B of the Plat Records of Hood County, Texas and described by metes and bounds as follows:

The bearings and coordinate positions are per the Texas Coordinate System North Central Zone NAD 83 (1993). The lengths shown hereon are horizontal ground lengths. To convert horizontal ground lengths to grid lengths multiply by 0.9998992309. All 5/8" capped irons set called for in this description are marked (BROOKES BAKER SURVEYORS).

Beginning at a 12" pine fence post found for the northeast corner of said 1924–31/1000 acres tract and a re-entrant corner of Parcel No. 1 the 6–17/100 acres tract described in the deed to Arlene McCraw recorded in volume 284, page 305 of the Deed Records of Hood County, Texas, said beginning corner having a grid coordinate value of X = 2,176,937.742 feet, Y = 6,841,025.644 feet.

Thence south 30 degrees–28 minutes–07 seconds east, along the west line of said 6–17/100 acres tract for the east line of said 1924–31/1000 acres tract, to and along the west line of the 2 acres tract described in the deed to Michael H. McCraw and wife, Paula N. McCraw recorded in volume 1040, page 295 of the said Real Records, 781–2/100 feet to a 3" pipe post for the southwest corner of said 2 acres tract and the northwest corner of the 47–373/1000 acres tract described in the deed to Swaim Composites, Inc. recorded in volume 1981, page 215 of the said Real Records.

Thence south 30 degrees–29 minutes–01 seconds east, along the west line of said 47–373/1000 acres tract for the east line of said 1924–31/1000 acres tract, 446–21/100 feet to a 10" cedar post found.

Thence south 30 degrees–22 minutes–43 seconds east, continuing along the west line of said 47–373/1000 acres tract for the east line of said 1924–31/1000 acres tract, 966–87/100 feet to a 1/2" iron found for the southwest corner of said 10 acres tract and the northwest corner of the 47–373/1000 acres tract described in the deed to Harris Composites, Inc. recorded in volume 356, page 734 of the said Deed Records.

Thence south 30 degrees–22 minutes–26 seconds east, continuing along the west line of said 47–373/1000 acres tract for the east line of said 1924–31/1000 acres tract, 916–49/100 feet to a 1/2" iron found for the southwest corner of said 10 acres tract and the northwest corner of the 12–51/100 acres tract described in the deed to James R. Walker and wife, Mary L. Walker recorded in volume 142, page 58 of the said Deed Records.

Thence south 30 degrees–23 minutes–23 seconds east, along the west line of said 12–51/100 acres tract for the east line of said 1924–31/1000 acres tract, 1129–98/100 feet to a square head bolt found for the southwest corner of said 12–51/100 acres tract and the northwest corner of the 3–32/100 acres tract described in the deed to Donald Trumble and Julie Trumble recorded in volume 1295, page 384 of the said Real Records.

Thence south 30 degrees–39 minutes–30 seconds east, along the west line of said 3–32/100 acres tract for the east line of said 1924–31/1000 acres tract, 284–36/100 feet to a 3/8" iron found for the southwest corner of said 1–24/100 acres tract and the northwest corner of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE.

Thence north 59 degrees–36 minutes–27 seconds east, along the north line of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE and the south line of said 1–24/100 acres tract, 182–81/100 feet to a 1/2" iron in concrete found for the most northerly northeast corner of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE and the northwest corner of the 2 acres tract described in the deed to The City of Granbury recorded in volume 1291, page 287 of the said Real Records.

Thence south 30 degrees–16 minutes–33 seconds east, along an easterly line of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE and the west line of said 2
acres tract, 132-65/100 feet to a 1/2" iron in concrete found for the southwest corner of said 2 acres tract.

Thence south 84 degrees–20 minutes–19 seconds east, along the north line of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE and the south line of said 2 acres tract, 282-34/100 feet to a 1/2" iron in concrete found for the northeast corner of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE and the southeast corner of said 2 acres tract in the west right-of-way of Paluxy Highway (Farm to Market Highway No. 51 South) in a curve to the left having a radius of 1004–93/100 feet.

Thence southerly, along the east line of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE and the west right-of-way of said Paluxy Highway, the following: along said curve to the left an arc length of 111–32/100 feet to a 1/2" iron in concrete found at its end, the long chord of said 111–32/100 feet arc is south 08 degrees–53 minutes–27 seconds west 111–26/100 feet; south 06 degrees–40 minutes–59 seconds west 250–10/100 feet to a 1/2" iron in concrete found for the northeast corner of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE and the southeast corner of said 2 acres tract described in the deed to Health Facilities Investment Group I L.P. recorded in Volume 1828, page 385 of the said Real Records and a easterly corner of said 1924–31/100 acres tract.

Thence northwesterly, southwesterly, along the north line of said 20–72/100 acres tract, the following: north 77 degrees–21 minutes–57 seconds west 351–87/100 feet to a 5" pine post found; south 63 degrees–47 minutes–28 seconds west 167–15/100 feet to a 1/2" iron found; south 53 degrees–47 minutes–18 seconds west 673–72/100 feet to a 5/8" capped iron set; south 66 degrees–55 minutes–40 seconds west 598–15/100 feet to a 1/2" iron found; south 63 degrees–47 minutes–28 seconds west 165–74/100 feet to a 1/2" iron found; south 53 degrees–52 minutes–00 seconds west 167–15/100 feet to a 1/2" iron found; south 47 degrees–17 minutes–55 seconds west 113–51/100 feet to a 1/2" iron found; south 45 degrees–18
minutes—29 seconds west 447-49/100 feet to a 5/8" capped iron set; south 58 degrees—02
minutes—29 seconds west 322-2/100 feet to a 5/8" capped iron set; south 59 degrees—52
minutes—29 seconds west 1613-19/100 feet to a 5/8" capped iron set to replace a 60 d nail
found; south 56 degrees—27 minutes—29 seconds west 378-90/100 feet to a 5/8" iron found
for the most southerly southwest corner of said 1924-31/100 acres tract and the southeast corner
of Lot 12 Block B MEADOW WOOD ESTATES, an addition to Hood County, Texas
according to the Revised plat thereof recorded in Slide A-289 of the said Plat Records.

Thence northwesterly, along the east line of said Block B MEADOW WOOD ESTATES
for a west line of said 1924-31/100 acres tract, the following: north 31 degrees—40 minutes—02
seconds west 796-16/100 feet to a 1/2" iron found for the common corner of Lots 7 and 8 in
said Block B; north 31 degrees—46 minutes—45 seconds west 1079-42/100 feet to a 5/8" iron
found for the common corner of Lots 3 and 4 in said Block B; north 31 degrees—57
minutes—22 seconds west 193-60/100 feet to a 1/2" iron found; north 27 degrees—56 min-
utes—15 seconds west 607-31/100 feet to a 5/8" iron found for the northeast corner of Lot 1 in
said Block B and a re-entrant corner of said 1924-31/100 acres tract.

Thence south 59 degrees—09 minutes—11 seconds west, along a south line of said
1924-31/100 acres tract and the north line of said Lot 1, 840-88/100 feet to a 5/8" capped iron
set for a southerly corner of said 1924-31/100 acres tract.

Thence north 30 degrees—21 minutes—01 seconds west, along a west line of said 1924-31/100
acres tract, 599-92/100 feet to a 1/2" iron found for the southwest corner of the 2 acres tract
described in the deed to The City of Granbury recorded in volume 1317, page 867 of the said
Real Records.

Thence north 59 degrees—07 minutes—35 seconds east, along the south line of said 2 acres
tract, 420–1/100 feet to a 1/2" iron found for the southeast corner of said 2 acres tract.

Thence north 30 degrees—52 minutes—06 seconds west, along the east line of said 2 acres
tract, 207–42/100 feet to a 1/2" iron found for its northeast corner.

Thence south 59 degrees—07 minutes—38 seconds west, along the north line of said 2 acres
tract, 420–3/100 feet to a 5/8" capped iron set for the northwest corner of said 2 acres tract for
a re-entrant corner of said 1924-31/100 acres tract.

Thence north 30 degrees—18 minutes—50 seconds west, along a westerly line of said
1924-31/100 acres tract, 1187–69/100 feet to a 5/8" capped iron set for a re-entrant corner of
said 1924-31/100 acres tract.

Thence south 58 degrees—36 minutes—47 seconds west, along the north line of said
35-113/1000 acres tract for the south line of said 246-323/1000 acres tract, 558–23/100 feet to a 6" pipe
corner post found for the northwest corner of said 35-113/1000 acres tract a re-entrant
corner of said 246-323/1000 acres tract.

Thence south 31 degrees—47 minutes—06 seconds east, along a east line of said 246-323/1000
acres tract and the west line of said 35-113/1000 acres tract, 744–69/100 feet to a 6" pipe
corner post found for the southeast corner of said 246-323/1000 acres tract and the northeast
corner of Parcel One the 35 acres tract described in the deed to Daniel C. and Carolyn Fauber recorded in volume 1729,
page 294 of the said Real Records.

Thence south 58 degrees—36 minutes—47 seconds west, along the south line of said
246-323/1000 acres tract crossing Meadow Wood Road, 44–49/100 feet to a 2–7/8" pipe post
found for the northeast corner of said 246-323/1000 acres tract.

Thence south 30 degrees—27 minutes—45 seconds east, along the east line of said
246-323/1000 acres tract, 2014–14/100 feet to a 1/2" iron found for the southeast corner of said
246-323/1000 acres tract and the west line of said 35-113/1000 acres tract described in the deed to Daniel C. and Carolyn Fauber recorded in volume 1729,
page 204 of the said Real Records.

Thence south 58 degrees—36 minutes—47 seconds west, along the south line of said
246-323/1000 acres tract and the north line of said Lot 1R, 1234–58/100 feet to a 1/2" iron
found for the northeast corner of said Lot 1R and the northeast corner of the 35-113/1000
acres tract described in the deed to Daniel C. and Carolyn Fauber recorded in volume 1729,
page 204 of the said Real Records.

Thence south 58 degrees—41 minutes—34 seconds west, along the north line of said
35–113/1000 acres tract for the south line of said 246–323/1000 acres tract, 558–23/100 feet to a 6" pipe
corner post found for the northwest corner of said 35–113/1000 acres tract a re-entrant
corner of said 246–323/1000 acres tract.

Thence south 31 degrees—47 minutes—06 seconds east, along a east line of said 246–323/1000
acres tract and the west line of said 35–113/1000 acres tract, 744–69/100 feet to a 6" pipe
corner post found for the southeast corner of said 246–323/1000 acres tract and the northeast
corner of Parcel One the 35 acres tract described in the deed to Lester J. Walker and wife,
Cleo Walker recorded in volume 1012, page 681 of the said Real Records.
Thence south 58 degrees-46 minutes-49 seconds west, along the south line of said 246-323/1000 acres tract and the north line of said 35 acres tract to and along the north line of the 103-239/1000 acres tract described in the deed to The Lester J. Walker and Willie C. Walker Revocable Trust recorded in volume 1554, page 484, 2341-51/100 feet to a 1/2" iron found for the southwest corner of said 246-323/1000 acres tract and the northwest corner of said 103-239/1000 acres tract.

Thence north 30 degrees-44 minutes-50 seconds west, along the west line of said 246-323/1000 acres tract 769-20/100 feet to a 3/8" iron found for the most westerly northwest corner of said 246-323/1000 acres tract in the south line of said 1924-31/100 acres tract.

Thence south 58 degrees-09 minutes-02 seconds west, along the south line of said 1924-31/100 acres tract and the north line of said 246-323/1000 acres tract 305-57/100 feet to a 8" cedar post found for the southwest corner of said 1924-31/100 acres tract and a re-entrant corner of Parcel One the 6 acres tract described in the deed to Wayne Howard and Brenda Howard recorded in volume 1722, page 785 of the said Real Records and to Brandon Dunlop Howard in volume 1713, page 519 of the said Real Records from which a 5/8" capped iron found marked RPLS # 6266 bears south 23 degrees-13 minutes-34 seconds to west 1-37/100 feet.

Thence north 30 degrees-12 minutes-00 seconds west, along the west line of said 1924-31/100 acres tract, and the east line of said Parcel One the 6 acres tract to and along the east line of the 23-76/1000 acres tract described in the deed to Michael Moffitt and Patricia G. Moffitt recorded in volume 1736, page 87 of the said Real Records, 1318-7/100 feet to a 3/8" iron found for a re-entrant corner of said 1924-31/100 acres tract in the east line of Knox Road as fenced.

Thence south 59 degrees-34 minutes-28 seconds west, along a south line of said 1924-31/100 acres tract and the north line of said 23-76/1000 acres tract, 305-57/100 feet to a 8" cedar post found for the most westerly southwest corner of said 23-76/1000 acres tract and the southeast corner of the 27-868/1000 acres tract described in the deed to Franklin Delano Wentworth recorded in volume 1414, page 827 of the said Real Records.

Thence northwesterly, along the west line of said 1924-31/100 acres tract and the east line of said 1924-31/100 acres tract, to and along the east line of the 7-353/1000 acres tract described in the deed to Michael Moffitt and Patricia G. Moffitt in volume 1414, page 827 of the said Real Records, the following: north 31 degrees-32 minutes-30 seconds west 350 feet to a 1/2" iron found; north 42 degrees-39 minutes-53 seconds west 2225-48/100 feet to a railroad spike set in Knox Road for the northwest corner of said 1924-31/100 acres tract.

Thence northeasterly, the south right-of-way of said U. S. Highway No. 377, the following: north 35 degrees-45 minutes-34 seconds east 118-91/100 feet to a concrete highway monument found; north 55 degrees-11 minutes-10 seconds east 3285-29/100 feet to a concrete highway monument found at the beginning of a curve to the right having a radius of 5729-58/100 feet; along said curve to the right and arc length of 730-88/100 feet to a concrete highway monument found at its end, the long chord of said 730-88/100 feet arc is north 58 degrees-52 minutes-49 seconds east 730-39/100 feet; north 62 degrees-20 minutes-41 seconds east 173-73/100 feet to a concrete highway monument found; north 65 degrees-03 minutes-28 seconds east 199-86/100 feet to a concrete highway monument found; north 62 degrees-52 minutes-36 seconds east 200 feet to a concrete highway monument found; north 62 degrees-02 minutes-52 seconds east 1054-91/100 feet to a concrete highway monument found north 62 degrees-33 minutes-02 seconds east 7021-48/100 feet to a 5/8" capped iron set for the most northerly northeast corner of said 1924-31/100 acres tract and the northwest corner of said 1013 acres tract.
corner of the 1-405/1000 acres tract described in the deed to Sandra Kay Hicks recorded in volume 1686, page 885 of the said Real Records.

Thence south 28 degrees-01 minutes-32 seconds east, along a east line of said 1924-31/100 acres tract and the west line of said 1-405/1000 acres tract, 63–80/100 feet to a 5/8" iron found for the southwest corner of said 1-405/1000 acres tract.

Thence north 66 degrees–39 minutes–14 seconds east, along the north line of said 1924–31/100 acres tract and the south line of said 1-405/1000 acres tract 685–13/100 feet to a 1/2" iron found for the southeastern corner of said 1–405/1000 acres tract.

Thence north 66 degrees–41 minutes–41 seconds east, continuing along the north line of said 1924–31/100 acres tract, 403–88/100 feet to a 5/8" iron found.

Thence north 03 degrees–03 minutes–49 seconds west 12–93/100 feet to a 60 d nail in post found for a north corner of said 1924–31/100 acres tract and the southwest corner of said 6–17/100 acres tract.

Thence north 66 degrees–55 minutes–34 seconds east, along the north line of said 1924–31/100 acres tract and the south line of said 6–17/100 acres tract, 218–89/100 feet to the place of beginning and containing 2114–146/1000 acres of which 4–478/1000 acres lies in County Road as fenced.

Surveyed on the ground March and April, 2004.

A part of the MILAM COUNTY SCHOOL LAND SURVEY LOWER LEAGUE, Abstract No. 903 and the E. HAMMACK SURVEY, Abstract No. 650 situated about 2–95/100 miles south 41 degrees–30 minutes west from the courthouse in Granbury the county seat for Hood County, Texas; embracing all of the 15–5/1000 acres tract described in the deed to The Ranch at Granbury, L.P. recorded in volume 1592, page 484 of the Real Records of Hood County, Texas and described by metes and bounds as follows:

The bearings and coordinate positions are per the Texas Coordinate System North Central Zone NAD 83 (1993). The lengths shown hereon are horizontal ground lengths. To convert horizontal ground lengths to grid lengths multiply by 0.999892309. All 5/8" capped irons set called for in this description are marked (BROOKES BAKER SURVEYORS).

Beginning at a 5/8" capped iron set for the northeast corner of said 15–5/1000 acres tract in the south line of the 1924–31/100 acres tract described in the deed to The Ranch at Granbury, L. L. C recorded in volume 1547, page 834 of the said Real Records, said beginning corner having a grid coordinate value of X = 2,178,188.928 feet, Y = 6,833,138.021 feet.

Thence south 40 degrees–17 minutes–26 seconds east, along the east line of said 15–5/1000 acres tract at 38 feet passing a 3/4" pipe found for the northwest corner of the 1 acre tract described in the deed to C. H. Huddleston and wife, Roberta Huddleston recorded in volume 338, page 759 of the Deed Records of Hood County, Texas in all, 354–40/100 feet to a 3/4" pipe found for the southeast corner of said 15–5/1000 acres tract and the southwest corner of said 1 acre tract in the northwesterly right-of-way of Paluxy Highway (Farm to Market Highway No. 51 south).

Thence south 33 degrees–31 minutes–11 seconds west, along the easterly line of said 15–5/1000 acres tract and the westerly right-of-way of said Paluxy Highway, 394–71/100 feet to a 1/2" iron found for the southeasterly corner of said 15–5/1000 acres tract.

Thence northwesterly, along the west line of said 15–5/1000 acres tract, the following: north 70 degrees–34 minutes–19 seconds west 199–49/100 feet to a 1/2" iron found; north 65 degrees–51 minutes–13 seconds west 135–11/100 feet to a 1/2" iron found; north 35 degrees–38 minutes–51 seconds west 547–37/100 feet to a 1/2" iron found for the northwest corner of said 15–5/1000 acres tract in the south line of said 1924–31/100 acres tract.

Thence northeasterly, along the north line of said 15–5/1000 acres tract and the south line of said 1624–31/100 acres tract, the following: north 47 degrees–17 minutes–55 seconds east 113–51/100 feet to a 1/2" iron found; north 53 degrees–52 minutes–00 seconds east 167–15/100 feet to a 1/2" iron found; north 63 degrees–47 minutes–28 seconds east 165–74/100 feet to a 1/2" iron found; north 66 degrees–55 minutes–40 seconds east 598–15/100 feet to the place of beginning and containing 653,712 square feet or 15–7/1000 acres.

Surveyed on the ground March and April, 2004.
SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

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

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

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

SECTION 4. This Act takes effect September 1, 2009.

Passed by the House on May 15, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 27, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

Effective September 1, 2009.

CHAPTER 423

H.B. No. 2039

AN ACT

relating to the transfer of certain state property from the Department of Aging and Disability Services to certain community mental health and mental retardation centers.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. (a) The Department of Aging and Disability Services may transfer to community centers described by Section 534.001(b)(3), Health and Safety Code, and as specifically designated in Section 2 of this Act, all or part of the real property as specified in Section 2 of this Act:

(1) including improvements to the property; and

(2) excluding the mineral interests in and under the property.

(b) Consideration for the transfers authorized by Subsection (a) of this section shall be in the form of an agreement between the Department of Aging and Disability Services and each community center that requires the community center to use the property in a manner that primarily promotes a public purpose of the state by using the property to provide community-based mental health or mental retardation services.

(c) If a community center fails to use the property in the manner described by an agreement under Subsection (b) of this section for more than 180 continuous days, ownership of the property automatically reverts to the Department of Aging and Disability Services.

(d) The Department of Aging and Disability Services shall transfer each property by a deed that:

(1) is without warranties regarding covenants of title; and

(2) includes a provision that:

(A) requires the community center to use the property in a manner that primarily promotes a public purpose of the state by using the property to provide community-based mental health and mental retardation services; and

(B) indicates that ownership of the property automatically reverts to the Department of Aging and Disability Services if the community center fails to use the property as described by Subsection (b) of this section for more than 180 continuous days.