ences between the two houses; the House adopted the conference committee report on H.B. No. 2649 on May 31, 2009: Yeas 143, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 27, 2009: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; the Senate adopted the conference committee report on H.B. No. 2649 on May 31, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 1143

H.B. No. 2668

AN ACT
relating to the creation of the Smith Road Water Control and Improvement District No. 1 of Jefferson County; providing authority to impose a tax and issue bonds; granting levee and flood hazard mitigation powers.

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

SECTION 1. Subtitle I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9031 to read as follows:

CHAPTER 9031. SMITH ROAD WATER CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF JEFFERSON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9031.001. DEFINITIONS. In this chapter:
(1) “Board” means the district’s board of directors.
(2) “Director” means a board member.
(3) “District” means the Smith Road Water Control and Improvement District No. 1 of Jefferson County.

Sec. 9031.002. NATURE OF DISTRICT. The district is a water control and improvement district in Jefferson County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 9031.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 9031.024 before September 1, 2013:
(1) the district is dissolved September 1, 2013, except that the district shall:
(A) pay any debts incurred;
(B) transfer to Jefferson County any assets that remain after the payment of debts; and
(C) maintain the organization of the district until all debts are paid and remaining assets are transferred; and
(2) this chapter expires September 1, 2016.

Sec. 9031.004. 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 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:
(1) the district’s organization, existence, or validity;
(2) the district’s right to impose taxes;
(3) the validity of the district's bonds, notes, or indebtedness; or
(4) the board's legality or operation.

[Sections 9031.005–9031.020 reserved for expansion]

SUBCHAPTER A–1. TEMPORARY PROVISIONS

Sec. 9031.021. TEMPORARY DIRECTORS. (a) On or after September 1, 2009, a person who owns land in the district may submit a petition to the Texas Commission on Environmental Quality requesting that the commission appoint as temporary directors the five persons named in the petition.

(b) The commission shall appoint as temporary directors the five persons named in the first petition the commission receives.

(c) If a temporary director fails to qualify for office, the commission shall appoint a person to fill the vacancy.

(d) Temporary directors serve until the earlier of:
   (1) the date directors are elected under Section 9031.024; or
   (2) the date this chapter expires under Section 9031.003.

Sec. 9031.022. ORGANIZATIONAL MEETING OF TEMPORARY DIRECTORS. As soon as practicable after all temporary directors qualify under Section 49.055, Water Code, the temporary directors shall meet at a location in the district agreeable to a majority of the directors. If a location cannot be agreed upon, the meeting shall be at the Jefferson County Courthouse. At their initial meeting the temporary directors shall elect officers from among the temporary directors and conduct any other district business.

Sec. 9031.023. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 9031.024 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located, if any, has adopted a resolution consenting to the district's creation.

Sec. 9031.024. CONFIRMATION AND INITIAL DIRECTORS' ELECTION. The temporary directors shall hold an election to confirm the district's creation and to elect five directors as provided by Section 49.102, Water Code.

Sec. 9031.025. INITIAL ELECTED DIRECTORS; TERMS. The directors elected under Section 9031.024 shall draw lots to determine which two shall serve until the first regularly scheduled election of directors under Section 9031.052 and which three shall serve until the second regularly scheduled election of directors.

Sec. 9031.026. EXPIRATION OF SUBCHAPTER. This subchapter expires September 1, 2016.

[Sections 9031.027–9031.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 9031.051. DIRECTORS; TERMS. (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms.

Sec. 9031.052. ELECTION OF DIRECTORS. On the uniform election date in May of each even-numbered year, the appropriate number of directors shall be elected.

[Sections 9031.053–9031.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 9031.101. WATER CONTROL AND IMPROVEMENT DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, 3571
applicable to water control and improvement districts created under Section 59, Article XVI, Texas Constitution, including Chapters 49 and 51, Water Code.

Sec. 9031.102. ROAD PROJECTS. (a) To the extent authorized by Section 52, Article III, Texas Constitution, the district may construct, acquire, improve, maintain, or operate macadamized, graveled, or paved roads, or improvements in aid of those roads, inside the district.

(b) A road project must meet or exceed all applicable construction standards, zoning and subdivision requirements, and regulatory ordinances of each municipality in whose corporate limits or extraterritorial jurisdiction the district is located. If the district is located outside the extraterritorial jurisdiction of a municipality, a road project must meet or exceed all applicable construction standards, zoning and subdivision requirements, and regulatory ordinances of each county in which the district is located.

(c) The district may not undertake a road project unless each municipality in whose corporate limits or extraterritorial jurisdiction the district is located consents by ordinance or resolution. If a district is located outside the extraterritorial jurisdiction of a municipality, the district may not undertake a road project unless each county in which the district is located consents by ordinance or resolution.

Sec. 9031.103. POTABLE WATER SUPPLIER. The district shall purchase potable water for the district from the West Jefferson County Municipal Water District or a successor to that supplier of potable water.

Sec. 9031.104. LEVEE AND FLOOD HAZARD MITIGATION POWERS. The district may purchase, construct, acquire, own, operate, maintain, improve, or extend, inside or outside the district, levees, dikes, flood hazard mitigation structures, and any other improvements or facilities necessary or convenient to accomplish the levee improvements and flood hazard mitigation purposes of the district under Chapter 57, Water Code, as authorized by Section 59, Article XVI, Texas Constitution.

Sec. 9031.105. DIVISION OF DISTRICT. (a) The district may be divided into two 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. Sections 51.748 through 51.753, Water Code, do not apply to the district.

(c) Any new district created by the division of the district has all the powers and duties of the district.

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

Sec. 9031.106. LIMITATION ON DISTRICT DISSOLUTION. (a) Notwithstanding Section 43.0751, Local Government Code, or any other general law, the district may not be dissolved before December 31, 2019, unless the dissolution is approved by:

(1) the board; and

(2) the governing body of each municipality in whose corporate limits or extraterritorial jurisdiction the district is located.

(b) This section expires December 31, 2019.

[Sections 9031.107–9031.150 reserved for expansion]

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 9031.151. TAX TO REPAY BONDS. The district may impose a tax to pay the principal of or interest on bonds issued under Section 9031.201.

[Sections 9031.152–9031.200 reserved for expansion]
SUBCHAPTER E. BONDS

Sec. 9031.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may issue bonds or other obligations as provided by Chapters 49, 51, and 57, Water Code, and to finance the construction, maintenance, or operation of projects under Sections 9031.101, 9031.102, and 9031.104.

(b) The district may not issue bonds to finance projects authorized by Section 9031.102 unless the issuance is approved by a vote of a two-thirds majority of district voters voting at an election called for that purpose.

(c) Bonds or other obligations issued or incurred to finance projects authorized by Section 9031.102 may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. The Smith Road Water Control and Improvement District No. 1 of Jefferson County initially includes all the territory contained in the following area:

EXHIBIT “A”

LEGAL DESCRIPTION OF LAND:
Tract I:

BEING a 21.104 acre tract of land, being out of and a part of that certain Louisiana Gas Development Corporation called 21.100 acre tract of land more fully described and recorded in Clerk File No. 2005028881 of the Official Public Records of Jefferson County, Texas. Said 21.104 acre tract being out of the T. & N. O. R. R. Co. Survey, Abstract No. 251, of said County and State, and is more particularly described as follows:

BEGINNING at a Concrete Monument found for the Easterly corner of said Louisiana Gas Development Corporation called 21.100 acre tract of land, same being the intersection of the Southwesterly right of way line of Smith Road a public right of way and the Northwesterly right of way line of Interstate Highway No. 10 a public right of way;

THENCE South 41 Deg. 37 Min. 00 Sec. West (Reference Bearing) along and with the Southeasterly line of said Louisiana Gas Development Corporation called 21.100 acre tract, same being the Northwesterly right of way line of said Interstate Highway No. 10, a distance of 1000.09 feet to a 5/8-inch iron rod marked “Leap Eng.” set for the Southerly corner of said Louisiana Gas Development Corporation called 21.100 acre tract, same being an East corner of that certain Louisiana Gas Development called residue of 501.76 acre tract of land, more fully described in Clerk File No. 2005028881 of the Official Public Records of said county and state;

THENCE North 50 Deg. 10 Min. 20 Sec. West along and with the Southwesterly line of said Louisiana Gas Development Corporation called 21.100 acre tract, same being an Northeasterly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 850.40 feet to a 1-inch iron rod found for the Westerly corner of said Louisiana Gas Development Corporation called 21.100 acre tract, same being an ell corner of said Louisiana Gas Development Corporation called residue of 501.76 acre tract;

THENCE North 41 Deg. 37 Min. 45 Sec. East along and with the Northwesterly line of said Louisiana Gas Development Corporation called 21.100 acre tract, same being a Southeast line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 1130.75 feet to a 1-inch iron rod found for the Northerly corner of said Louisiana Gas Development Corporation called 21.100 acre tract, same being the most Northwesterly East corner of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, same being in the Southwesterly right of way line of said Smith Road;

THENCE South 50 Deg. 12 Min. 03 Sec. East along and with the Northeast line of said Louisiana Gas Development Corporation called 21.100 acre tract, same being a Southeast line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 212.81 feet to a concrete monument found for an angle point of said Louisiana Gas Development Corporation called 21.100 acre tract, same being the Southwesterly right of way of Smith Road, a distance of 211.13 feet to a concrete monument found for an angle point of said Louisiana Gas Development Corporation called 21.100 acre tract, same being the Southwesterly
right of way line of said Smith Road, a distance of 648.25 feet to the PLACE OF BEGINNING, containing 21.104 acres of land, more or less.

Tract II:

BEING a 51.418 acre tract of land, being out of and a part of that certain Louisiana Gas Development Corporation called 231.743 acre tract of land more fully described and recorded in Clerk File No. 2005028881 of the Official Public Records of Jefferson County, Texas. Said 51.418 acre tract being out of the H. T. & N. O. R. R. Co. Survey, Abstract No. 143, of said County and State, and is more particularly described as follows:

BEGINNING at a 1-inch iron rod found for the Southerly corner of said Louisiana Gas Development Corporation called 231.743 acre tract, same being in the Northwesterly right of way line of said Interstate Highway No. 10, same being the Southeasterly corner of that certain Sherholders LP called 408.233 acre tract of land more fully described in Clerk File No. 2003026036 of the Official Public Records of said County and State, same being the Southerly corner of said Louisiana Gas Development Corporation called residue of 501.76 acre tract;

THENCE North 20 Deg. 41 Min. 25 Sec. East along and with the Westerly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being the Easterly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 2335.19 feet to a 1-inch iron rod found for an angle point in the Westerly line of said Louisiana Gas Development Corporation called 231.743 acre tract;

THENCE South 50 Deg. 10 Min. 15 Sec. East along and with a Northeasterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being a Southwesterly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 174.32 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development Corporation called 231.743 acre tract;

THENCE North 41 Deg. 37 Min. 05 Sec. East continuing along and with the Westerly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being the Easterly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 1999.86 feet to a 5/8-inch iron rod marked "Leap Eng." set for the Northerly corner of the herein described 51.418 acre tract, same being the Southerly corner of a 180.238 acre tract of land called tract III surveyed on the same date as the herein described;

THENCE South 50 Deg. 10 Min. 20 Sec. East along and with the Northeasterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being the Southwesterly right of way line of said Interstate Highway No. 10;

THENCE South 41 Deg. 37 Min. 00 Sec. West along and with the Southeasterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being the Northwesterly right of way line of said Interstate Highway No. 10, a distance of 4207.07 feet to the PLACE OF BEGINNING, containing 51.418 acres of land, more or less.

Tract III:


BEGINNING at a 1-inch iron rod found for a Easterly corner of said Louisiana Gas Development Corporation called 231.743 acre tract, same being in the Southwesterly right of way line of said Smith Road, same being in the Northerly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract;
THENCE South 41 Deg. 38 Min. 21 Sec. West along and with a Southeasterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being a Northeasterly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 2130.59 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development Corporation called 231.743 acre tract;

THENCE South 41 Deg. 37 Min. 06 Sec. West along and with a Southeasterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being a Northwesterly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 2130.59 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development Corporation called 231.743 acre tract;

THENCE South 41 Deg. 35 Min. 30 Sec. West along and with a Northeasterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being a Westerly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 2130.59 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development Corporation called 231.743 acre tract;

THENCE South 41 Deg. 33 Min. 20 Sec. West along and with a Westerly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 2130.59 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development Corporation called 231.743 acre tract;
corner marking a Southwesterly corner of said Louisiana Gas Development Corporation called 231.743 acre tract, same being the Northwesterly corner of said Sherholders LP called 408.233 acre tract, same being in the Easterly line of that certain Sherholders LP called 126.010 acre tract of land more fully described in Clerks File No. 2003026036 of the Official Public Records of said County and State;

THENCE North 00 Deg. 14 Min. 37 Sec. West along and with a Westerly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being the Easterly line of said Sherholders LP called 126.010 acre tract, a distance of 535.85 feet to a 5/8-inch iron rod marked “Leap Eng.” set for a Northwesterly corner of said Louisiana Gas Development Corporation called 231.743 acre tract, same being a Southwesterly corner of said Louisiana Gas Development Corporation called residue of 501.76 acre tract;

THENCE North 89 Deg. 41 Min. 36 Sec. East along and with a Northerly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being the Southerly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 3114.90 feet to a 1-inch iron rod found for an angle point of said Louisiana Gas Development Corporation called 231.743 acre tract;

THENCE North 41 Deg. 36 Min. 48 Sec. East along and with a Northwesterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being a Southeasterly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 2215.26 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development Corporation called 231.743 acre tract;

THENCE North 50 Deg. 10 Min. 15 Sec. West along and with a Southwesterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being a Northeasterly line of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, a distance of 829.98 feet to a 1-inch iron rod found a Westerly corner of said Louisiana Gas Development Corporation called 231.743 acre tract, same being a Northerly corner of said Louisiana Gas Development Corporation called residue of 501.76 acre tract, same being in the Southeasterly line of that certain D & R Properties called 150.08 acre tract of land more fully described in Clerk File No. 2005027161 of the Official Public Records of said County and State;

THENCE South 50 Deg. 12 Min. 03 Sec. East along and with a Northeasterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being the Southwesterly line of said Smith Road, a distance of 1057.06 feet to the PLACE OF BEGINNING, containing 180.238 acres of land, more or less.

Attachment “B”

Surveyor’s Field Note Description: 251.685 Acres

Tract I:

BEING a 101.623 acre tract of land, being out of and a part of that certain Louisiana Gas Development Corporation called 248.917 acre tract of land more fully described and recorded in Clerk File No. 2005028881 of the Official Public Records of Jefferson County, Texas. Said 101.623 acre tract being out of the T. & N. O. R. R. Co. Survey, Abstract No. 261, George W. Kidd Survey, Abstract No. 761, George W. Kidd Survey, Abstract No. 795, George W. Kidd Survey, Abstract No. 737, and the S.D. Decordova Survey, Abstract No. 851, of said County and State, and is more particularly described as follows:

BEGINNING at a 5/8-inch iron rod marked “Leap Eng.” set for an Easterly corner of said Louisiana Gas Development Corporation called 248.917 acre tract, same being the Southerly corner of that certain Louisiana Gas Development Corporation called 21.100 acre tract of land

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more fully described in Clerk File No. 2005028881 of the Official Public Records of said County and State, same being in the Northwesterly right of way line if Interstate Highway No. 10 a public right of way;

THENCE South 41 Deg. 37 Min. 00 Sec. West (Reference Bearing) along and with the Southeasterly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being the Northwesterly right of way line of said Interstate Highway No. 10, a distance of 2999.90 feet to a 1-inch iron rod found for the Southerly corner of said Louisiana Gas Development Corporation called 248.917 acre tract, same being an Easterly corner of that certain Louisiana Gas Development Corporation called 231.743 acre tract of land more fully described in Clerk File No. 2005028881 of the Official Public Records of said County and State;

THENCE North 50 Deg. 10 Min. 20 Sec. West along and with the Southwesterly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being a Northeasterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, a distance of 660.00 feet to a 5/8-inch iron rod marked “Leap Eng.” set for a Westerly corner of the herein described 101.623 acre tract, same being an Easterly corner of a 72.960 acre tract of land called tract II surveyed on the same date as the herein described;

THENCE North 41 Deg. 37 Min. 05 Sec. East along and with a Northwesterly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being a southeasterly line of said Louisiana Gas Development Corporation called 248.917 acre tract, a distance of 1751.90 feet to a 1-inch iron rod found for the PC of a non tangent curve to the left;

THENCE along and with the curve to the left an arc distance of 272.42 feet with a radius of 363.39 feet with a chord bearing of North 20 Deg. 10 Min. 36 Sec. East with a chord distance of 266.09 feet to a 5/8-inch iron rod marked “Leap Eng.” set for an angle point of said Louisiana Gas Development Corporation called 248.917 acre tract;

THENCE North 50 Deg. 19 Min. 12 Sec. West along and with a Southwesterly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being a Northeasterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, a distance of 1150.80 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development Corporation called 248.917 acre tract;

THENCE North 41 Deg. 36 Min. 48 Sec. East along and with a Northwesterly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being a Southwesterly line of said Louisiana Gas Development Corporation called 248.917 acre tract, a distance of 2130.59 feet to a 1-inch iron rod found for the Northerly corner of a said Louisiana Gas Development Corporation called 248.917 acre tract, same being an Easterly corner of said Louisiana Gas Development Corporation called 231.743 acre tract, same being in the Southwesterly right of way of Smith Road a public right of way;

THENCE South 50 Deg. 12 Min. 03 Sec. East along and with a Northeasterly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being in the Southwesterly right of way line of said Smith Road, a distance of 1056.98 feet to a 1-inch iron rod found for an Easterly corner of said Louisiana Gas Development Corporation called 248.917 acre tract same being the Northerly corner of said Louisiana Gas Development Corporation called 21.100 acre tract;

THENCE South 41 Deg. 37 Min. 45 Sec. West along and with a Southeasterly line of said Louisiana Gas Development Corporation called 248.917 acre tract same being the Northwesterly line of said Louisiana Gas Development Corporation called 21.100 acre tract, a distance of 1130.75 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development Corporation called 248.917 acre tract, same being the Westerly corner of said Louisiana Gas Development Corporation called 21.100 acre tract;

THENCE South 50 Deg. 10 Min. 20 Sec. East along and with a Northeastery line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being the Southwesterly line of said Louisiana Gas Development Corporation called 21.100 acre tract, a distance of 850.40 feet to the PLACE OF BEGINNING, containing 101.623 acre of land, more or less. Tract II

BEING a 72.960 acre tract of land, being out of and a part of that certain Louisiana Gas Development Corporation called 248.917 acre tract of land more fully described and recorded

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in Clerk File No. 2005028881 of the Official Public Records of Jefferson County, Texas. Said
72.960 acre tract being out of the H. T. & N. O. R. R. Co. Survey, Abstract No. 143, of said
County and State, and is more particularly described as follows:
BEGINNING at a 1-inch iron rod found for the Southerly corner of said Louisiana Gas
Development Corporation called 248.917 acre tract, same being the Southerly corner of said
Louisiana Gas Development Corporation called 231.743 acre tract, same being in the
Northwesterly right of way line of said Interstate Highway No. 10, same being an easterly
corner of that certain Sherholders LP called 408.233 acre tract of land more fully described in
Clerk File No. 2003026036 of the Official Public Records of said County and State;
THENCE North 00 Deg. 14 Min. 54 Sec. West along and with a Westerly line of said
Louisiana Gas Development Corporation called 248.917 acre tract, same being a Easterly line
of said Sherholders LP called 408.233 acre tract, a distance of 2722.72 feet to a 5/8-inch iron
rod marked “Leap Eng.” set for a Westerly corner of said Louisiana Gas Development
Corporation called 248.917 acre tract, same being a Southwesterly corner of said Louisiana
Gas Development Corporation called 231.743 acre tract;
THENCE North 89 Deg. 37 Min. 40 Sec. East along and with a Northerly line of said
Louisiana Gas Development Corporation called 248.917 acre tract, same being a Easterly line
of said Louisiana Gas Development Corporation called 231.743 acre tract, a distance of
571.97 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development
Corporation called 248.917 acre tract;
THENCE North 00 Deg. 15 Min. 31 Sec. West along and with a Westerly line of said
Louisiana Gas Development Corporation called 248.917 acre tract, same being a Southerly line
of said Louisiana Gas Development Corporation called 248.917 acre tract, a distance of
1074.17 feet to a 5/8-inch iron rod marked “Leap Eng.” set for an ell corner of said Louisiana
Gas Development Corporation called 248.917 acre tract;
THENCE North 89 Deg. 57 Min. 09 Sec. East along and with a Northerly line of said
Louisiana Gas Development Corporation called 248.917 acre tract, same being a Southerly line
of said Louisiana Gas Development Corporation called 231.743 acre tract, a distance of
1077.16 feet to a 5/8-inch iron rod marked “Leap Eng.” set for an angle point in said
Louisiana Gas Development Corporation called 248.917 acre tract;
THENCE North 41 Deg. 35 Min. 30 Sec. East along and with a Northwesterly line of said
Louisiana Gas Development Corporation called 248.917 acre tract, same being a Southeasterly
line of said Louisiana Gas Development Corporation called 248.917 acre tract, a distance of
239.63 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development
Corporation called 248.917 acre tract;
THENCE South 50 Deg. 10 Min. 20 Sec. East along and with a Southwesterly line of said
Louisiana Gas Development Corporation called 248.917 acre tract, same being a Southwesterly
line of said Louisiana Gas Development Corporation called 248.917 acre tract, a distance of
644.41 feet to a 5/8-inch iron rod marked “Leap Eng.” set for an Easterly corner of the
herein described 72.960 acre tract, same being a Westerly corner of a 101.623 acre tract of
land called Tract I surveyed on the same date as the herein described;
THENCE South 41 Deg. 37 Min. 05 Sec. West along and with a Southwesterly line of said
Louisiana Gas Development Corporation called 248.917 acre tract, same being a Northwesterly
line of said Louisiana Gas Development Corporation called 248.917 acre tract, a distance of
1999.86 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development
Corporation called 248.917 acre tract;
THENCE South 20 Deg. 41 Min. 25 Sec. West along and with an Easterly line of said
Louisiana Gas Development Corporation called 248.917 acre tract, same being a Westerly line
of said Louisiana Gas Development Corporation called 231.743 acre tract, a distance of
2335.19 feet to the PLACE OF BEGINNING, containing 72.960 acres of land, more or less.

Tract III

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BEING a 77.049 acre tract of land, being out of and a part of that certain Louisiana Gas Development Corporation called 248.917 acre tract of land more fully described and recorded in Clerk File No. 2005026881 of the Official Public Records of Jefferson County, Texas. Said 77.049 acre tract being out of the T. & N. O. R. Co. Survey, Abstract No. 260, George W. Kidd Survey, Abstract No. 755, George W. Kidd Survey, Abstract No. 737, and the S.D. Decordova Survey, Abstract No. 851, of said County and State, and is more particularly described as follows:

BEGINNING at a 1-inch iron rod found for Northerly corner of said Louisiana Gas Development Corporation called 248.917 acre tract, same being in the Southeasterly line of that certain D & R Properties called 150.80 acre tract of land more fully described in Clerk File No. 2005027161 of the Official Public Records of said County and State, same being a Westerly corner of said Louisiana Gas Development Corporation called 231.743 acre tract;

THENCE South 50 Deg. 10 Min. 15 Sec. East along and with a Northeasterly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being a Southwesterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, a distance of 829.98 feet to a 1-inch iron rod found for an ell corner of said Louisiana Gas Development Corporation called 248.917 acre tract;

THENCE South 41 Deg. 36 Min. 48 Sec. West along and with a Southeasterly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being a Northeasterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, a distance of 2215.29 feet to a 1-inch iron rod found for an ell corner in said Louisiana Gas Development Corporation called 248.917 acre tract;

THENCE South 89 Deg. 41 Min. 36 Sec. West along and with a Southerly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being a Northwesterly line of said Louisiana Gas Development Corporation called 231.743 acre tract, same being in a Easterly line of that certain Sherholders LP called 126.010 acre tract of land more fully described in Clerk File No. 2003029396 of the Official Public Records of said County and State;

THENCE North 00 Deg. 14 Min. 37 Sec. West along and with a Westerly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being a Easterly line of said Sherholders LP called 126.010 acre tract, a distance of 551.55 feet to a 5/8-inch iron rod marked “Leap Eng.” set for a Southwesterly corner of said Louisiana Gas Development Corporation called 248.917 acre tract, same being a Southwesterly corner of that certain Will Crenshaw called 207.49 acre tract of land more fully described in Clerk File No. 2006021640 of the Official Public Records of said County and State;

THENCE South 89 Deg. 59 Min. 38 Sec. East along and with a Northerly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being a Southerly line of said Will Crenshaw called 207.49 acre tract and that certain Louisiana Gas Development Corporation called 11.449 acre tract of land more fully described in Clerk File No. 2000015005 of the Official Public Records of said County and State, a distance of 2480.80 feet to a 5/8-inch iron rod marked “Leap Eng.” set for an angle point in said Louisiana Gas Development Corporation called 248.917 acre tract;

THENCE North 41 Deg. 36 Min. 48 Sec. East along and with a Northwesterly line of said Louisiana Gas Development Corporation called 248.917 acre tract, same being a Southwesterly line of said Louisiana Gas Development Corporation called 11.449 acre tract and said D & R Properties called 150.80 acre tract, a distance of 2213.74 feet to the PLACE OF BEGINNING, containing 77.049 acres of land, more or less.

Tract IV

BEING a 11.435 acre tract of land consisting of that certain Louisiana Gas Development Corporation called 11.449 acre tract of land more fully described in Clerk File No. 2000015005 of the Official Public Records of Jefferson County, Texas. Said 11.435 acre tract being out of the T. & N. O. R. Co. Survey, Abstract No. 260 and the George W. Kidd Survey, Abstract No. 737 of said County and State, and is more particularly described as follows:

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BEGINNING at a 5/8-inch iron rod marked “Leap Eng.” set for the Northwest corner of said Louisiana Gas Development Corporation called 11.449 acre tract, same being a Southerly corner of said Will Crenshaw called 207.49 acre tract, same being in the centerline of that certain 125 foot wide Drainage Easement more fully described in Film Coded No. 102-77-1073 of the Official Public Records of said County and State;

THENCE North 89 Deg. 36 Min. 28 Sec. East along and with the Northerly line of said Louisiana Gas Development Corporation called 11.449 acre tract, same being a Southerly line of said Will Crenshaw called 207.49 acre tract, a distance of 940.86 feet to a 1/2-inch iron rod found for the Northeast corner of said Louisiana Gas Development Corporation called 11.449 acre tract, same being a Southerly Corner of said Will Crenshaw called 207.49 acre tract;

THENCE South 00 Deg. 19 Min. 45 Sec. East along and with the Easterly line of said Louisiana Gas Development Corporation called 11.449 acre tract, same being a Westernly line of said Will Crenshaw called 207.49 acre tract, a distance of 487.58 feet to a 1/2-inch iron rod found for the Southeast Corner of said Louisiana Gas Development Corporation called 11.449 acre tract, same being an interior corner of said Will Crenshaw called 207.49 acre tract, same being in a Northerly line of said Louisiana Gas Development Corporation called 248.917 acre tract;

THENCE South 41 Deg. 36 Min. 48 Sec. West along and with a Southeasterly line of said Louisiana Gas Development Corporation called 11.449 acre tract, same being a Northerly line of said Louisiana Gas Development Corporation called 248.917 acre tract, a distance of 273.14 feet to a 1/2-inch iron rod found for the most Southerly Southeast corner of said Louisiana Gas Development Corporation called 11.449 acre tract, same being an angle point of said Louisiana Gas Development Corporation called 248.917 acre tract,

THENCE North 35 Deg. 41 Min. 44 Sec. West a distance of 45.19 feet to a point for corner;

THENCE North 25 Deg. 16 Min. 34 Sec. West a distance of 172.86 feet to a point for corner;

THENCE North 00 Deg. 19 Min. 34 Sec. West a distance of 133.04 feet to a point for corner;

THENCE North 27 Deg. 08 Min. 27 Sec. West a distance of 215.90 feet to a point for corner;

THENCE North 41 Deg. 50 Min. 08 Sec. West a distance of 162.98 feet to a point for corner;

THENCE North 31 Deg. 44 Min. 51 Sec. West a distance of 53.37 feet to a point for corner, to the PLACE OF BEGINNING, containing 11.435 acre tract of land, more or less.

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 143, Nays 1, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 2668 on May 29, 2009: Yeas 145, Nays 0, 1 present, not voting; passed by the Senate, with amendments, on May 26, 2009: Yeas 31, Nays 0.
Approved June 19, 2009.
Effective September 1, 2009.

CHAPTER 1144

H.B. No. 2682

AN ACT
relating to the authority of municipalities to alter speed limits.

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

SECTION 1. Section 545.356, Transportation Code, is amended by amending Subsections (b-1) and (b-2) and adding Subsection (d) to read as follows:

(b-1) The governing body of a municipality, for a highway or a part of a highway in [an urban district in] the municipality that is not an officially designated or marked highway or road of the state highway system, [is 35 feet or less in width, and along which vehicular parking is not prohibited on one or both sides of the highway] may declare a lower speed limit of not less than 25 miles per hour, if the governing body determines that the prima facie speed limit on the highway is unreasonable or unsafe.

(b-2) Subsection (b-1) applies only (does not apply) to a two-lane, undivided highway or part of a highway [that has four or more lanes used for vehicular travel].

(d) The governing body of a municipality that declares a lower speed limit on a highway or part of a highway under Subsection (b-1), not later than February 1 of each year, shall publish on its Internet website and submit to the department a report that compares for each of the two previous calendar years:

1. the number of traffic citations issued by peace officers of the municipality and the alleged speed of the vehicles, for speed limit violations on the highway or part of the highway;

2. the number of warning citations issued by peace officers of the municipality on the highway or part of the highway; and

3. the number of vehicular accidents that resulted in injury or death and were attributable to speed limit violations on the highway or part of the highway.

SECTION 2. The reporting and publication requirements prescribed by Section 545.356(d), Transportation Code, as added by this Act, apply only to a municipality that alters a speed limit under Section 545.356, Transportation Code, as amended by this Act, on or after the effective date of this Act.

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 7, 2009: Yeas 146, Nays 0, 1 present, not voting; that the House refused to concur in Senate amendments to H.B. No. 2682 on May 29, 2009, and requested the appointment of a conference committee to consider the differences between the two houses; the House adopted the conference committee report on H.B. No. 2682 on May 31, 2009: Yeas 141, Nays 1, 1 present, not voting; passed by the Senate, with amendments, on May 27, 2009: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the