SECTION 2. 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 21, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.

CHAPTER 1058

H.B. No. 4698

AN ACT
relating to the creation of the Lake Weatherford Municipal Utility Districts Nos. 1 and 2; 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 Chapters 8324 and 8325 to read as follows:

CHAPTER 8324. LAKE WEATHERFORD MUNICIPAL UTILITY DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8324.001. DEFINITIONS. In this chapter:
(1) "Board" means the district's board of directors.
(2) "Director" means a board member.
(3) "District" means the Lake Weatherford Municipal Utility District No. 1.

Sec. 8324.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8324.003. 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. 8324.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8324.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 8324.005. 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; and
(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. 8324.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2(a) of the Act creating this chapter.

(b) The boundaries and field notes contained in Section 2(a) 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
(4) legality or operation.

[Sections 8324.007–8324.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8324.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.
(b) Except as provided by Section 8324.052, directors serve staggered four-year terms.

Sec. 8324.052. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act creating this chapter, the owner or owners of a majority of the assessed value of the real property 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. The commission shall appoint as temporary directors the five persons named in the petition.
(b) Temporary directors serve until the earlier of:
(1) the date permanent directors are elected under Section 8324.003; or
(2) the fourth anniversary of the effective date of the Act creating this chapter.
(c) If permanent directors have not been elected under Section 8324.003 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 8324.003; 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.

[Sections 8324.053–8324.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8324.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8324.102. 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. 8324.103. 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. 8324.104. 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. 8324.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted before the effective date of the Act creating this chapter 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. 8324.106. SELECTION OF EXTRATERRITORIAL JURISDICTION. The board may not select the municipality that may exercise authority in the district as provided by Section 54.0163, Water Code, unless the City of Weatherford provides written consent to that selection.

Sec. 8324.107. LIMITATION ON ANNEXATION OF LAND BY DISTRICT. Notwithstanding Section 54.016(d), Water Code, the district may not annex land that is located in the extraterritorial jurisdiction of a municipality unless the City of Weatherford provides written consent to that annexation.

Sec. 8324.108. EFFECT OF ANNEXATION BY CITY OF WEATHERFORD. (a) The City of Weatherford may annex part of the territory of the district into its corporate limits without annexing all of the territory of the district under an agreement entered into before the effective date of the Act creating this chapter between the City of Weatherford and the landowners of the land being annexed. The district continues in existence following annexation of part of the territory of the district as described by this subsection.

(b) The district shall be dissolved and its debts and obligations assumed by the City of Weatherford in accordance with Chapter 43, Local Government Code, including Sections 43.075 and 43.0715, on annexation of all of the territory of the district by the City of Weatherford, provided that:

(1) water, sanitary sewer, and drainage improvements, and roads have been constructed to serve at least 95 percent of the territory of the district; or

(2) the board adopts a resolution consenting to the dissolution of the district.

(c) If all of the territory of the district is annexed by the City of Weatherford but the conditions under Subsection (b) have not been met, the City of Weatherford may dissolve the district by resolution only on or after the 20th anniversary of the effective date of the Act creating this chapter.

(d) Notwithstanding Section 54.016(f)(2), Water Code, a contract (“Allocation Agreement”) between the City of Weatherford and the district that provides for the allocation of the taxes or revenues of the district and the city following the date of inclusion of all the district’s territory in the corporate limits of the city, may provide that the total annual ad valorem taxes collected by the city and the district from taxable property in the district may exceed the city’s ad valorem tax on the property.

Sec. 8324.109. 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 8324.103; or

(2) a recreational facility as defined by Section 49.462, Water Code.

Sec. 8324.110. 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) This chapter applies to any new district created by the division of the district, and a new district has all the powers and duties of the district.

(c) Any new district created by the division of the district may not, at the time the new district is created:

(1) contain any land outside the area described by Section 2(a) of the Act creating this chapter; or

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(2) contain less than 200 or more than 600 acres of land without the prior consent of any municipality in whose extraterritorial jurisdiction the district is located.

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

(e) The board may adopt an order dividing the district before or after the date the board holds an election under Section 8324.003 to confirm the district's creation.

(f) An order dividing the district shall:

1. name each new district;
2. include the metes and bounds description of the territory of each new district;
3. appoint temporary directors for each new district; and
4. provide for the division of assets and liabilities between or among the new districts.

(g) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order with the Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

(h) Any new district created by the division of the district shall hold a confirmation and directors' election as required by Section 8324.003.

(i) Except as provided by Subsection (c), municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 8324.004 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

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

[Sections 8324.111–8324.150 reserved for expansion]

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8324.151. 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 8324.153.

(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. 8324.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8324.151, 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. 8324.153. 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 8324.154–8324.200 reserved for expansion]
SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8324.201. 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. 8324.202. 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. 8324.203. 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.

CHAPTER 8325. LAKE WEATHERFORD MUNICIPAL UTILITY DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8325.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Lake Weatherford Municipal Utility District No. 2.

Sec. 8325.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8325.003. 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. 8325.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 8325.003 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

Sec. 8325.005. 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; and

(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. 8325.006. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2(b) of the Act creating this chapter.

(b) The boundaries and field notes contained in Section 2(b) 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

(4) legality or operation.

[Sections 8325.007-8325.050 reserved for expansion]
SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 8325.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 8325.052, directors serve staggered four-year terms.

Sec. 8325.052. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act creating this chapter, the owner or owners of a majority of the assessed value of the real property 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. The commission shall appoint as temporary directors the five persons named in the petition.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section 8325.003; or

(2) the fourth anniversary of the effective date of the Act creating this chapter.

(c) If permanent directors have not been elected under Section 8325.003 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 8325.003; 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.

[Sections 8325.053–8325.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 8325.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 8325.102. 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. 8325.103. 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. 8325.104. 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. 8325.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted before the effective date of the Act creating this chapter under 2700
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. 8325.106. SELECTION OF EXTRATERRITORIAL JURISDICTION. The board may not select the municipality that may exercise authority in the district as provided by Section 54.0163, Water Code, unless the City of Weatherford provides written consent to that selection.

Sec. 8325.107. LIMITATION ON ANNEXATION OF LAND BY DISTRICT. Notwithstanding Section 54.016(d), Water Code, the district may not annex land that is located in the extraterritorial jurisdiction of a municipality unless the City of Weatherford provides written consent to that annexation.

Sec. 8325.108. EFFECT OF ANNEXATION BY CITY OF WEATHERFORD. (a) The City of Weatherford may annex part of the territory of the district into its corporate limits without annexing all of the territory of the district under an agreement entered into before the effective date of the Act creating this chapter between the City of Weatherford and the landowners of the land being annexed. The district continues in existence following annexation of part of the territory of the district as described by this subsection.

(b) The district shall be dissolved and its debts and obligations assumed by the City of Weatherford in accordance with Chapter 43, Local Government Code, including Sections 43.075 and 43.0715, on annexation of all of the territory of the district by the City of Weatherford, provided that:

(1) water, sanitary sewer, and drainage improvements, and roads have been constructed to serve at least 95 percent of the territory of the district; or
(2) the board adopts a resolution consenting to the dissolution of the district.

(c) If all of the territory of the district is annexed by the City of Weatherford but the conditions under Subsection (b) have not been met, the City of Weatherford may dissolve the district by resolution only on or after the 20th anniversary of the effective date of the Act creating this chapter.

(d) Notwithstanding Section 54.016(f)(2), Water Code, a contract ("Allocation Agreement") between the City of Weatherford and the district that provides for the allocation of the taxes or revenues of the district and the city following the date of inclusion of all of the district's territory in the corporate limits of the city, may provide that the total annual ad valorem taxes collected by the city and the district from taxable property in the district may exceed the city's ad valorem tax on the property.

Sec. 8325.109. 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 8325.103, or
(2) a recreational facility as defined by Section 49.462, Water Code.

Sec. 8325.110. 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) This chapter applies to any new district created by the division of the district, and a new district has all the powers and duties of the district.

(c) Any new district created by the division of the district may not, at the time the new district is created:

(1) contain any land outside the area described by Section 2(b) of the Act creating this chapter; or
(2) contain less than 200 or more than 600 acres of land without the prior consent of any municipality in whose extraterritorial jurisdiction the district is located.

(d) The board, on its own motion or on receipt of a petition signed by the owner or owners of a majority of the assessed value of the real property in the district, may adopt an order dividing the district.
(e) The board may adopt an order dividing the district before or after the date the board holds an election under Section 8325.003 to confirm the district’s creation.

(f) An order dividing the district shall:

(1) name each new district;
(2) include the metes and bounds description of the territory of each new district;
(3) appoint temporary directors for each new district; and
(4) provide for the division of assets and liabilities between or among the new districts.

(g) On or before the 30th day after the date of adoption of an order dividing the district, the district shall file the order with the Texas Commission on Environmental Quality and record the order in the real property records of each county in which the district is located.

(h) Any new district created by the division of the district shall hold a confirmation and directors’ election as required by Section 8325.003.

(i) Except as provided by Subsection (c), municipal consent to the creation of the district and to the inclusion of land in the district granted under Section 8325.004 acts as municipal consent to the creation of any new district created by the division of the district and to the inclusion of land in the new district.

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

[Sections 8325.111–8325.150 reserved for expansion]

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8325.151. 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 8325.153.

(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. 8325.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 8325.151, 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. 8325.153. 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 8325.154–8325.200 reserved for expansion]

SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 8325.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. The district may issue bonds or other obligations payable wholly or partly from ad valorem taxes.
Sec. 8325.202. 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. 8325.203. 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. (a) The Lake Weatherford Municipal Utility District No. 1 initially includes all the territory contained in the following area:


BEGINNING at the called southeast corner of the Wm. Baker Survey, Abstract Number 183 and the called southwest corner of said Hagood Survey, in the north line of said Isaac Gorman Survey;

THENCE N 00°11'41"E, 2216.98 feet;
THENCE N 88°25'44"E, 138.81 feet;
THENCE S 89°14'47"E, 661.20 feet;
THENCE S 04°15'38"W, 2175.04 feet;
THENCE S 82°18'44"E, 2400.79 feet;
THENCE S 00°23'36"W, 3763.79 feet;
THENCE N 88°14'09"W, 4888.60 feet;
THENCE N 00°09'53"W, 2443.55 feet;
THENCE S 88°04'56"W, 799.57 feet;
THENCE S 88°01'30"W, 488.50 feet;
THENCE S 01°07'00"W, 486.25 feet;
THENCE S 89°43'21"W, 387.20 feet;
THENCE N 03°46'53"W, 121.69 feet;
THENCE N 07°10'51"W, 145.28 feet;
THENCE N 81°39'17"E, 174.81 feet;
THENCE N 23°54'32"E, 78.61 feet;
THENCE N 63°50'34"W, 154.00 feet;
THENCE N 03°01'01"W, 96.53 feet;
THENCE N 07°56'40"E, 105.94 feet;
THENCE N 05°00'18"W, 136.66 feet;
THENCE N 30°18'41"E, 267.48 feet;
THENCE N 63°35'30"E, 109.95 feet;
THENCE N 09°33'01"E, 169.92 feet;
THENCE S 89°28'39"W, 1312.94 feet;
THENCE S 00°15'09"W, 774.18 feet;
THENCE N 89°46'20"W, 655.16 feet;
THENCE N 36°02'15"W, 1018.93 feet;
THENCE N 62°02'04"W, 698.36 feet;
THENCE N 11°37'15"W, 1181.55 feet;
THENCE S 89°13'30"W, 61.78 feet;
THENCE N 01°30'01"E, 3319.85 feet;
THENCE N 89°56'20"E, 2313.70 feet;
THENCE S 00°23'43"W, 2343.60 feet;
THENCE S 89°54'10"E, 1171.93 feet;
THENCE S 00°24'27"W, 520.13 feet;
THENCE S 89°44'53"E, 2654.23 feet;
THENCE N 00°26'35"W, 528.34 feet;
THENCE S 89°07'19"E, 1609.98 feet to the Point of Beginning and containing 45,910,099 square feet or 1054 acres of land more or less; \textit{SAVE AND EXCEPT}

BEING a tract of land situated in the Isaac Gorman Survey, Abstract Number 532, I. and G. N. R. R. Company Survey, Abstract Number 2007, C. Meyer Survey, Abstract Number 2032, J. P. Feld Survey, Abstract Number 487, Parker County, Texas, and being the same as described in deed to Therylene Knox Helm, Exhibit A-1 recorded in Book 1502, Page 750 of Deed Records, Parker County, Texas and being more particularly described by metes and bounds as follows;

BEGINNING at the southeast corner of said Helm tract, and the southwest corner of tract to Therylene Knox Helm, Exhibit A-1 of said deed;
THENCE N 88°14'09"W, 4488.37 with said south line;
THENCE N 00°10'05"W, 918.41 feet to a non-tangent curve to the right;
THENCE with said non-tangent curve to the right, an arc distance of 4146.90 feet, through a central angle of 90°00'00", having a radius of 2640.00 feet, the long chord of which bears N 45°06'41"E, 3733.52 feet;
THENCE S 89°53'19"E, 1869.10 feet to a point in said east line;
THENCE S 00°23'36"W, 3687.90 feet with said east line to the Point of Beginning and containing 14,806,722 square feet or 340 acres of land more or less.

(b) The Lake Weatherford Municipal Utility District No. 2 initially includes all the territory contained in the following area:

\textit{TRACT /}


COMMENCE at an iron found at the occupied Northwest corner of the R. K. Hagood Survey, Abstract No. 677, above referenced, thence N. 88°–25′–44″ E. 138.81 feet with the general course of a fence line to an iron to be set in concrete in the Southerly line of a road for the \textit{POINT OF BEGINNING} of the herein described tract;
THENCE N. 0°–55′–13″ E. 3986.73 feet with the general course of a fence line to a fence corner post;
THENCE N. 88°–00′–51″ W. 112.57 feet with the general course of a fence line to a fence corner post;

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THENCE N. 0°-32'-15" E. 816.08 feet with the general course of a fence line to an iron to be set in concrete, said point being at the Southerly terminus of the centerline of an easement as described in a Grant of Easement and Right of Way, of record in Volume 1191, Page 1250, Deed Records, Parker County, Texas;

THENCE S. 88°-51'-28" E. 2389.16 feet to an iron to be set in concrete for corner;

THENCE S. 47°-29'-58" E. 1196.65 feet to an iron to be set in concrete for corner;

THENCE S. 15°-00'-00" E. 800.0 feet to an iron to be set in concrete for corner;

THENCE S. 89°-59'-06" E. to and along a fence line 5753.38 feet to an iron to be set in concrete for corner;

THENCE S. 31°-38'-21" E. 1134.23 feet to an iron to be set in concrete for corner;

THENCE S. 69°-08'-44" E. 1123.61 feet to an iron to be set in concrete for corner;

THENCE N. 85°-01'-49" E. 1154.34 feet to an iron to be set in concrete for corner;

THENCE S. 18°-26'-06" W. 1264.91 feet to an iron to be set in concrete for corner;

THENCE S. 19°-42'-58" E. 579.60 feet to an iron to be set in concrete for corner;

THENCE N. 89°-44'-56" W. 6013.94 feet to an iron to be set in concrete in a road for corner;

THENCE S. 0°-15'-04" W. 4782.22 feet with the Easterly line of said road to an iron to be set in concrete for corner;

THENCE N. 89°-53'-19" W. 2707.47 feet to a concrete corner post for corner;

THENCE S. 0°-11'-54" W. 2958.55 feet;

THENCE S. 89°-53'-19" W. 2707.47 feet to an iron to be set in concrete for corner;

THENCE S. 0°-07'-17" E. 316.07 feet to a concrete monument found for corner;

THENCE N. 43°-54'-25" E. 298.44 feet to an iron found at fence corner;

THENCE S. 0°-11'-54" W. 363.0 feet to an iron for corner;

THENCE N. 88°-14'-09" W. to and along White Settlement Road 1220.50 feet to a point in same and from which said point an iron to be set in concrete in the Northerly fence line of said White Settlement Road bears N. 0°-23'-36" E. 48.47 feet;

THENCE N. 0°-23'-36" W. 3763.79 feet to an iron to be set in concrete for corner;

THENCE N. 32°-18'-44" W. 2400.79 feet to an iron to be set in concrete;

THENCE N. 40°-15'-38" E. 2175.04 feet to an iron to be set in concrete in the Southerly fence line of a road;

THENCE N. 88°-14'-47" W. 661.20 feet to the POINT OF BEGINNING and containing 1471.809 acres.

SAVE AND EXCEPT:

BEING a tract of land situated in the Isaac Gorman Survey, Abstract Number 532, I. & G. N. R. Co. Survey, Abstract Number 2007, H. T. & B. R. R. Co. Survey, No. 15, Abstract Number 650, Parker County, Texas, and being the same as described in deed to Therylene Knox Helm, Exhibit A-2 recorded in Book 1502, Page 750 of Deed Records, Parker County, Texas and being more particularly described by metes and bounds as follows;

BEGINNING at the southwest corner of said Helm tract, and the southeast corner of tract to Therylene Knox Helm, Exhibit A-1 of said deed;

THENCE N. 00°23'36"E, 3687.90 feet;

THENCE S. 89°53'19"E, 3915.24 feet;

THENCE S. 00°15'04"W, 300.00 feet;

THENCE N. 89°53'19"W, 2707.47 feet;

THENCE S. 00°11'54"W, 2958.55 feet;

THENCE S. 89°52'30"W, 207.99 feet;
THENCE S 00°07'17"E, 316.07 feet;
THENCE N 43°54'25"E, 298.44 feet;
THENCE S 00°11'54"W, 363.00 feet;
THENCE N 88°14'09"W, 1220.50 feet to the Point of Beginning and containing 5,266,636 square feet or 121 acres of land more or less.

TRACT II

77.10 Acres situated in and being a portion of the John Snyder Survey, Abstract No. 1169, Parker County, Texas and being all that certain 77.10 Acre Lot, Tract or Parcel of land conveyed to M.L.W. DEVELOPMENT, LLC by deed recorded in Volume 2099, Page 1279, Deed Records, Parker County, Texas and being more particularly described by metes and bounds as follows:

BEGINNING at an iron rod found in Ragle Road at the southeast corner of a tract of land conveyed to Clear Fork Baptist Church by deed recorded in Volume 60, Page 18, Deed Records, Parker County, Texas, said iron being called by deed to be South, 415.0 feet from the northeast corner of said John Snyder Survey;

THENCE South 01 degrees 11 minutes 00 seconds West, with said Ragle Road, 1252.65 feet to an iron rod set;

THENCE North 89 degrees 25 minutes 00 seconds West, 2086.73 feet to an iron rod set in a dry ravine;

THENCE with the meanders of said dry ravine the following courses and distances;

North 00 degrees 02 minutes 25 seconds West 405.97 feet to a point;
North 05 degrees 43 minutes 25 seconds West 787.30 feet to a point;
North 17 degrees 49 minutes 35 seconds West 325.59 feet to an iron rod set in said ravine and the south right of way line of Farm to Market Highway No. 730 in a non-tangent curve to the right with a radius of 1859.86 feet and whose chord bears North 79 degrees 09 minutes 23 seconds East, 726.34 feet;

THENCE with the south right of way line of said Farm to Market Highway No. 730 and said curve to the right through a central angle of 22 degrees 31 minutes 14 seconds and a distance of 731.03 feet to an iron rod found;

THENCE South 89 degrees 35 minutes 00 seconds East, continuing with the south right of way line of said Farm to Market Highway No. 730, 1175.17 feet to an iron rod found at the northwest corner of said Clear Fork Baptist Church;

THENCE South 00 degrees 24 minutes 30 seconds West, on or about a fence line and the west line of said Clear Fork Baptist Church, 393.33 feet to an iron rod found;

THENCE South 89 degrees 35 minutes 00 seconds East, on or about a fence line and the south line of said Clear Fork Baptist Church, 405.27 feet to the POINT OF BEGINNING and containing 77.10 acres.

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 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.
this Act does not receive the vote necessary for immediate effect, 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.


CHAPTER 1059

H.B. No. 4700

AN ACT

relating to the operation of the Bexar County Juvenile Board.

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

SECTION 1. Section 152.0211, Human Resources Code, is amended by adding Subsection (i) to read as follows:

(i) The board may apply for, accept, hold in trust, spend, and otherwise use a gift, grant, or donation of land or money or other personal property from a governmental entity, corporation, individual, or other source for the benefit of the juvenile justice system.

SECTION 2. 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 April 30, 2009: Yeas 144, Nays 0, 1 present, not voting; passed by the Senate on May 26, 2009: Yeas 31, Nays 0.

Approved June 19, 2009.


CHAPTER 1060

H.B. No. 4704

AN ACT

relating to the Starr County Hospital District.

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

SECTION 1. Chapter 118, Acts of the 63rd Legislature, Regular Session, 1973, is amended by adding Section 5B to read as follows:

Sec. 5B. (a) The board may borrow money at a rate not to exceed the maximum annual percentage rate allowed by law for district obligations at the time the loan is made.

(b) To secure a loan, the board may pledge:

(1) district revenue that is not pledged to pay the district’s bonded indebtedness;

(2) a district tax to be imposed by the district during the 12-month period following the date of the pledge that is not pledged to pay the principal of or interest on district bonds; or

(3) a district bond that has been authorized but not sold.

(c) A loan for which taxes or bonds are pledged must mature not later than the first anniversary of the date the loan is made. A loan for which district revenue is pledged must mature not later than the fifth anniversary of the date the loan is made.