

By: _____

____. B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Rock Prairie Management District No. 2; providing authority to levy an assessment, impose a tax, and issue bonds.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 38__ to read as follows:

CHAPTER 38__. ROCK PRAIRIE MANAGEMENT DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 38__.001. DEFINITIONS. In this chapter:

- (1) "Board" means the district's board of directors.
- (2) "City" means the City of College Station, Texas;
- (3) "County" means Brazos County, Texas;
- (4) "Director" means a board member.
- (5) "District" means Rock Prairie Management District

No. 2.

Sec. 38__ .002. NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 38__ .003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the city, the county, and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

(b) The creation of the district is necessary to promote, develop, encourage, and maintain employment, commerce, transportation, housing, tourism, recreation, the arts, entertainment, economic development, safety, and the public welfare in the district.

(c) This chapter and the creation of the district may not be interpreted to relieve the city and the county from providing the level of services provided as of the effective date of the Act enacting this chapter to the area in the district. The district is created to supplement and not to supplant city or county services provided in the district.

Sec. 38__ .004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

(a) The district is created to serve a public use and benefit.

(b) All land and other property included in the district will benefit from the improvements and services to be provided by the district under powers conferred by Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other powers granted under this chapter.

(c) The creation of the district is in the public interest and is essential to further the public purposes of:

(1) developing and diversifying the economy of the state;

(2) eliminating unemployment and underemployment; and

(3) developing or expanding transportation and commerce.

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a community and business center; and

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by

landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty; and

(4) provide for water, wastewater, drainage, road and recreational facilities for the district.

(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, parking, and street art objects are parts of and necessary components of a street and are considered to be a street or road improvement.

(f) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Sec. 38 .005. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act enacting this chapter.

(b) The boundaries and field notes contained in Section 2 of the Act enacting this chapter form a closure. A mistake 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 bonds for the purposes for which the district is created or to pay the principal of and interest on the bonds;

(3) right to impose or collect an assessment or tax;

or

(4) legality or operation.

Sec. 38__.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

All or any part of the area of the district is eligible to be included in:

(1) a tax increment reinvestment zone created under Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code;

(3) an enterprise zone created under Chapter 2303, Government Code; or

(4) an industrial district created under Chapter 42, Local Government Code.

Sec. 38__.007. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 38__.008. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

[Sections 38__.009 - 38__.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 38___.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of 5 voting directors who serve staggered terms of four years, with 2 or 3 directors' terms expiring June 1 of each odd-numbered year.

(b) The Board by resolution may change the number of voting directors on the board, but only if the Board determines that the change is in the best interest of the District and such change is approved by the city. The board may not consist of fewer than 5 or more than 15 voting directors.

Sec. 38___.052. APPOINTMENT OF VOTING DIRECTORS. The mayor and members of the governing body of the city shall appoint voting directors from persons recommended by the board. A person is appointed if a majority of the members of the governing body, including the mayor, of the city vote to appoint that person.

Sec. 38___.053. INITIAL VOTING DIRECTORS. (a) The initial board consists of the following voting directors:

<u>Pos. No.</u>	<u>Name of Director</u>
1	_____
2	_____
3	_____
4	_____
5	_____

(b) Of the initial directors, the terms of directors appointed for positions 1 through 3 expire June 1, 2013, and the terms of directors appointed for positions 4 and 5 expire June 1, 2015.

(c) Section 38__.052 does not apply to the appointment of directors under this section.

Sec. 38__.054. NONVOTING DIRECTORS. The board may appoint nonvoting directors to serve at the pleasure of the voting directors.

Sec. 38__.055. QUORUM. For purposes of determining the requirements for a quorum of the board, the following are not counted:

(1) a board position vacant for any reason, including death, resignation, or disqualification;

(2) a director who is abstaining from participation in a vote because of a conflict of interest; or

(3) a nonvoting director.

[Sections 38__.056 - 38__.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 38__.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 38__.102. IMPROVEMENT PROJECTS AND SERVICES. The district may provide, design, construct, acquire, improve,

relocate, operate, maintain, or finance an improvement project or service using any money available to the district, or contract with a governmental or private entity to provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 38___.103. DEVELOPMENT CORPORATION POWERS. The district, using money available to the district, may exercise the powers given to a development corporation under Chapter 505, Local Government Code, including the power to own, operate, acquire, construct, lease, improve, or maintain a project under that chapter.

Sec. 38___.104. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

(1) has each power of and is considered to be a local government corporation created under Subchapter D, Chapter 431, Transportation Code; and

(2) may implement any project and provide any service authorized by this chapter.

(c) The board shall appoint the board of directors of the nonprofit corporation. The board of directors of the nonprofit corporation shall consist of some or all of the directors. Upon approval by the City, the board may appoint other people to the board of directors of the nonprofit corporation if in the best interest of the district. The board of directors of the nonprofit corporation shall serve in the same manner as the board of directors of a local government corporation created under Subchapter D, Chapter 431, Transportation Code, except that a board member is not required to reside in the district.

Sec. 38__ .105. AGREEMENTS; GRANTS. (a) As provided by Chapter 375, Local Government Code, the district may make an agreement with or accept a gift, grant, or loan from any person.

(b) The implementation of a project is a governmental function or service for the purposes of Chapter 791, Government Code.

Sec. 38__ .106. LAW ENFORCEMENT SERVICES. To protect the public interest, the district may contract with a qualified party, including the county or the city, to provide law enforcement services in the district for a fee.

Sec. 38__ .107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. 38__108. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district may engage in activities that accomplish the economic development purposes of the district.

(b) The district may establish and provide for the administration of one or more programs to promote state or local economic development and to stimulate business and commercial activity in the district, including programs to:

- (1) make loans and grants of public money; and
- (2) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers provided to municipalities by:

- (1) Chapter 380, Local Government Code; and
- (2) Subchapter A, Chapter 1509, Government Code.

Sec. 38__109. PARKING FACILITIES. (a) The district may acquire, lease as lessor or lessee, construct, develop, own, operate, and maintain parking facilities or a system of parking facilities, including lots, garages, parking terminals, or other structures or accommodations for parking motor vehicles off the streets and related appurtenances.

(b) The district's parking facilities serve the public purposes of the district and are owned, used, and held for a public purpose even if leased or operated by a private entity for a term of years.

(c) The district's parking facilities are parts of and necessary components of a street and are considered to be a street or road improvement. The development and operation of the district's parking facilities may be considered an economic development program.

Sec. 38__ .110. ANNEXATION OF LAND. The district may annex land as provided by Subchapter J, Chapter 49, Water Code.

Sec. 38__ .111. APPROVAL BY THE CITY. (a) Except as provided by Subsection (c), the district must obtain the approval of the city for:

(1) the issuance of bonds;

(2) the plans and specifications of an improvement project financed by bonds; and

(3) the plans and specifications of an improvement project related to the use of land owned by the city, an easement granted by the city or a right-of-way of a street, road or highway.

(b) The approval contained under subsection (a)(1) must be a resolution or ordinance of the governing body of the city. The approval obtained under Subsection (a)(2) or (3) may be by an administrative process that does not involve the city's governing body.

(c) If the district obtains the approval of the city's governing body of a capital improvements budget for a period not

to exceed ten years, the district may finance the capital improvements and issue bonds specified in the budget without further approval from the city.

Sec. 38___.112. NO EMINENT DOMAIN. The district may not exercise the power of eminent domain.

[Sections 38___.113 - 38___.150 reserved for expansion]

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 38___.151. TAX AND ASSESSMENT ABATEMENTS. The district may designate reinvestment zones and may grant abatements of district taxes or assessments on property within such zones.

Sec. 38___.152. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of district money.

Sec. 38___.153. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain any improvement or service authorized under this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. 38___.154. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under

this chapter unless a written petition requesting that service or improvement has been filed with the board.

(b) A petition filed under Subsection (a) must be signed by the owners of a majority of the assessed value of real property in the district subject to assessment according to the most recent certified tax appraisal roll for the county.

Sec. 38__ .155. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed;

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal ad valorem taxes; and

(3) are the personal liability of and a charge against the owners of the property even if the owners are not named in the assessment proceedings.

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that the board may enforce an ad valorem tax lien against real property.

(d) The board may make a correction to or deletion from the assessment roll that does not increase the amount of assessment of any parcel of land without providing notice and holding a hearing in the manner required for additional assessments.

Sec. 38-156. EXEMPTIONS. Organizations exempt from federal income tax under Section 501(c)(3), Internal Revenue Code of 1986, are not exempt from the payment assessments, and Section 375.162, Local Government Code, does not apply to such organizations.

[Sections 38__.157 - 38__.200 reserved for expansion]

SUBCHAPTER E. TAXES AND BONDS

Sec. 38__.201. ELECTIONS REGARDING TAXES AND BONDS. (a) The district may issue, without an election, bonds, notes, and other obligations secured by:

- (1) revenue other than ad valorem taxes; or
- (2) contract payments described by Section 38__.203.

(b) The district must hold an election in the manner provided by Subchapter L, Chapter 375, Local Government Code, to

obtain voter approval before the district may impose an ad valorem tax or issue bonds payable from ad valorem taxes.

(c) Section 375.243, Local Government Code, does not apply to the district.

(d) All or any part of any facilities or improvements that may be acquired by a district by the issuance of its bonds may be submitted as a single proposition or as several propositions to be voted on at the election.

Sec. 38__.202. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election held in accordance with Section 38__.201, the district may impose an operation and maintenance tax on taxable property in the district in accordance with Section 49.107, Water Code, for any district purpose, including to:

- (1) maintain and operate the district;
- (2) construct or acquire improvements; or
- (3) provide a service.

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

Sec. 38__.203. 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.

Sec. 38__.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms as determined by the board.

(b) The district may issue bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, assessments, impact fees, revenue, contract payments, grants, or other district money, or any combination of those sources of money, to pay for any authorized district purpose.

Sec. 38__.205. 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 annual ad valorem tax, without limit as to rate or amount, for each year that 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. 38__.206. CITY NOT REQUIRED TO PAY DISTRICT OBLIGATIONS. Except as provided by Section 375.263, Local Government Code, the city is not required to pay a bond, note, or other obligation of the district.

SECTION 2. Rock Prairie Management District No. 2 initially includes all territory contained in the following area:

All that certain tract or parcel of land lying and being situated in the Thomas Caruthers league (abstract no. 9) and Robert Stevenson league (abstract no. 54) in College Station, Brazos County, Texas, generally being the area between State Highway no. 6 and Rock Prairie Road East, from Medical Avenue to William D. Fitch Parkway, save and except all of Lot 1, Rock Prairie Baptist Church (vol. 7312, pg. 207) lying south of the south right-of-way of Rock Prairie Road East, and the boundary being more particularly described as follows:

Beginning at the intersection of the south right-of-way line of Rock Prairie Road East (60 feet south of surveyed centerline) and the east boundary of Block 7 of the Scott & White Healthcare Subdivision (vol. 10179, pg. 50), being the northeast corner of Lot 1, Block 7 of said subdivision, and from where City of College Station GPS control monument no. 9 bears S 82° 02' 35" E - 7016.5 feet.

Thence N 2 ° 42' 34" W - 120.04 feet along an extension of the said east boundary line of Block 7, to a point in the north right-of-way line of Rock Prairie Road East;

Thence along the north right-of-way lines of Rock Prairie Road East (59.0 feet north of the surveyed centerline) as follows:

S 86° 27' 34" E - 1771.13 feet, S 85° 02' 05" E - 1228.54 feet and S 84° 23' 02" E - 10.29 feet to a right-of-way offset point in the common line of the Dale and Reba Conrad 26.25 acre tract (vol. 460, pg. 505) and the Flying Ace Ranch, Ltd. 26.245 acre tract (vol. 3767, pg. 237);

Thence S 24° 22' 52" W - 1.58 feet along said common tract line to another offset point in the north right-of-way line of Rock Prairie Road East;

Thence along the north right-of-way lines of Rock Prairie Road East (57.5 feet north of the surveyed centerline) as follows:

S 84° 23' 02" E - 606.93 feet, S 82° 02' 02" E - 1453.40 feet, S 77° 01' 02" E - 1052.59 feet, S 76° 28' 02" E - 2876.58 feet, S 69° 53' 32" E - 2812.30 feet to the beginning of a tangent curve to the right with a radius of 1057.50 feet, along said curve through a central angle of 11° 43' 34" to a point in the old northeast prescriptive right-of-way fenceline, and S 69° 17' 50" E - 269.35 feet along said fenceline to the southeast line of the Hartzell Elkins 35.37 acre tract (vol. 1920, pg. 323) and northwest line of William D. Fitch Parkway;

Thence across Rock Prairie Road East as follows:

S 42° 32' 30" W - 32.00 feet to the south corner of said Elkins tract, called to be in the centerline of the road, S 19° 52' 04" W - 36.01 feet to the east corner of the College Station Independent School District 44.535 acre tract (vol. 8413, pg. 291) at the old right-of-way fence corner post, and S 41° 51' 48" W - 170.08 feet along the southeast line of said C.S.I.S.D. tract and northwest line of Fitch Parkway to its intersection with the south right-of-way chamfer of Rock Prairie Road East;

Thence along the south right-of-way lines of Rock Prairie Road East (57.5 feet south of the surveyed centerline) as follows:

N 5° 38' 11" W - 67.56 feet, N 53° 08' 10" W - 112.88 feet to the beginning of a tangent curve to the left with a radius of 942.50 feet, along said curve through a central angle of 16° 45' 22" to the point of tangency, and N 69° 53' 32" W - 551.37 feet to the common line of said C.S.I.S.D. tract and the Brazos Valley Solid Waste Management Agency, Inc. 76.00 acre Tract II (vol. 9857, pg. 186);

Thence S 41° 51' 48" W - 1842.68 feet along said common tract line to its southwest end in a northeast line of the B.V.S.W.M.A. 179.99 acre Tract I;

Thence S 48° 05' 47" E - 941.57 feet, along the common line of said Tract I and the C.S.I.S.D. tract to their common corner in the northwest right-of-way of William D. Fitch Parkway;

Thence S 41° 51' 48" W - 1425.30 feet, along said northwest right-of-way line, to the south corner of the said B.V.S.W.M.A. Tract I;

Thence S 41° 51' 48" W - 1066.80 feet, continuing along said northwest right-of-way line of William D. Fitch Parkway, to the east common corner of the City of College Station 140.29 acre Tract One (vol. 3900, pg. 188) and Spring Meadows Phase I (vol. 5106, pg. 284);

Thence along the southern boundaries of multiple City of College Station tracts (vol. 3900, pgs. 188 & 223, vol. 5056, pg. 43) as follows:

N 73° 00' 00" W - 496.40 feet, S 51° 00' 00" W - 175.05 feet, N 76° 00' 00" W - 200.00 feet, S 41° 51' 44" W - 51.88 feet, N 70° 46' 00" W - 157.10 feet, S 41° 51' 44" W - 262.67 feet, N 82° 55' 43" W - 700.87 feet, S 41° 52' 26" W - 650.00, N 48° 08' 02" W - 412.47 feet, S 66° 47' 54" W - 827.57 feet, N 47° 45' 25" W - 129.90 feet, S 28° 59' 29" W - 2.01 feet, S 41° 48' 43" W - 336.13 feet, S 48° 45' 08" E - 440.00 feet and S 53° 00' 00" W - 1304.90 feet to the northeast right-of-way line of State Highway no. 6;

Thence along the northeast right-of-way lines of said highway as follows:

N 49° 25' 00" W - 438.00 feet, N 55° 07' 38" W - 201.00 feet, N 49° 25' 00" W - 751.78 feet to the west corner of the City of College Station 36.9 acre tract (vol. 4329, pg. 134), and N 49° 25' 00" W - 1025.93 feet to the south corner of Barron Park Subdivision (vol. 939, pg. 209);

Thence along the southeast, northeast and northwest lines of Lots 1 and 2 of said Barron Park Subdivision as follows:

S 41° 09' 46" E - 1353.16 feet, N 49° 12' 46" W - 88.68 feet to the south corner of the City of College Station 100.64 acre tract (vol. 6927, pg. 226), N 54° 07' 24" W - 291.11 feet, N 64° 27' 21" W - 117.03 feet, N 54° 53' 54" W - 24.95 feet, N 53° 19' 32" W - 113.87 feet, N 49° 26' 59" W - 190.11 feet and S 41° 09' 38" W - 1286.04 feet to the common corner of said Lot 2 and Lot 3 in the northeast right-of-way line of State Highway no. 6;

Thence along the said northeast right-of-way lines of said highway as follows:

N 47° 46' 18" W - 537.86 feet to the southwest common corner of Lot 3 of said Barron Park Subdivision and that City of College Station 46.60 acre tract (vol. 3310, pg. 321), N 47° 46' 48" W - 65.34 feet, N 55° 07' 37" W - 201.00 feet, N 49° 25' 00" W - 600.00 feet and N 44° 08' 33" W - 147.79 feet to the

southwest common corner of said 46.60 acre tract and the Barker Subdivision (vol. 5101, pg. 182);

Thence N 38° 51' 07" E - 279.95 feet along the southeast line of said Barker Subdivision to its east corner;

Thence N 47° 42' 16" W - 1053.70 feet along the northeast line of said Barker Subdivision and continuing along the northeast line of Cooper's Subdivision (vol. 4708, pg. 230) to its north corner, also being the east corner of the Harley Subdivision (vol. 3961, pg. 236) and the south corner of that IHD Properties, LLC 2.77 acre Tract One (vol. 10144, pg. 203);

Thence along the south, east and north lines of said IHD Properties tract as follows:

N 42° 17' 04" E - 175.00 feet, N 47° 42' 56" W - 638.83 feet and S 72° 19' 02" W - 202.14 feet to the northeast line of said Harley Subdivision and a southwest line of that M.D. Wheeler, Ltd. 71.52 acre Tract Two (vol. 3007, pg. 341);

Thence along the southwest lines of said Wheeler Tract Two and continuing along the southeast lines of the Wheeler 10.01 acre Tract One as follows:

N 47° 42' 33" W - 177.08 feet, N 46° 46' 09" W - 304.24 feet, S 21° 27' 46" W - 145.09 feet and S 41° 43' 32" W - 194.25 feet, returning to the northeast right-of-way line of State Highway no. 6;

Thence along the said highway northeast right-of-way lines as follows:

N 42° 27' 25" W - 105.18 feet, N 36° 45' 17" W - 383.87 feet, N 27° 43' 31" W - 192.30 feet and N 34° 27' 26" W - 55.00 feet to the southeast line of Block 4 of the said Scott & White Healthcare Subdivision;

Thence along the east boundary lines of said Scott & White subdivision as follows:

N 41° 15' 39" E - 1224.44 feet, N 47° 37' 11" W - 128.13 feet, N 50° 49' 32" E - 930.60 feet and N 2° 42' 34" W - 1023.83 feet to the Point of Beginning and containing 1308.51 acres of land more or less.

SAVE and EXCEPT the following tract:

Beginning at the intersection of the south right-of-way line of Rock Prairie Road East (57.5 feet south of the surveyed centerline) and the west line of Lot 1 of Rock Prairie Baptist Church (vol. 7312, pg. 207), from where City of College Station GPS control monument no. 9 bears S 78° 01' 24" E - 3240.0 feet.

Thence S 82° 02' 02" E - 414.05 feet along said south right-of-way line, parallel and 7.50 feet south of the north line of said Lot 1, to its intersection with the east line of said Lot 1;

Thence S 20° 22' 54" E - 600.82 feet along the east line of Lot 1 to its southeast corner;

Thence N 82° 02' 02" W - 699.33 feet along the south line of Lot 1 to its southwest corner;

Thence N 7° 57' 58" E - 528.77 feet along the west line of Lot 1 to the Point of Beginning and containing 6.76 acres of land more or less.

Leaving a net acreage for this described tract of 1301.76 acres 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, lieutenant governor, and speaker of the house of representatives within the required time.

(d) The general law relating to consent by political subdivisions to the creation of districts with conservation,

reclamation, and road powers and the inclusion of land in those districts has been complied with.

(e) 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 have been 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. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.