## Chapter 891

$$
\text { H.B. No. } 4204
$$

## AN ACT

relating to the creation of the Williamson County Municipal Utility District No. 33; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes. BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS: SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 7959 to read as follows: CHAPTER 7959. WILLIAMSON COUNTY MUNICIPAL UTILITY DISTRICT NO. 33 SUBCHAPTER A. GENERAL PROVISIONS Sec. 7959.001. DEFINITIONS. In this chapter:
(1) "Board" means the district's board of directors.
(2) "Commission" means the Texas Commission on

Environmental Quality.
(3) "Director" means a boardmember.
(4) "District" means the Williamson County Municipal Utility District No. 33.

Sec. 7959.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 7959.003. 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. 7959.004. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 7959.003 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. 7959.005. 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. 7959.006. 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 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. SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 7959.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.
(b) Except as provided by Section 7959.052, directors serve staggered four-year terms.

Sec. 7959.052. TEMPORARY DIRECTORS. (a) On or after the effective date of the Act enacting 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 commission 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 7959.003; or
(2) the fourth anniversary of the effective date of the Act enacting this chapter.
(c) If permanent directors have not been elected under Section 7959.003 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 7959.003; or
(2) the fourth anniversary of the date of the appointment or reappointment. 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.
(d) If Subsection (c) applies, the owner or owners of a

SUBCHAPTER C. POWERS AND DUTIES
Sec. 7959.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 7959.102. 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. 7959.103. 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. 7959.104. 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.

3 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.
(d) The district shall convey the public roads constructed by or on behalf of the district under Section 7959.103 to Williamson County for ownership, operation, and maintenance by the county. After the 12 th anniversary of the date the county accepts conveyance of the roads, the district shall maintain the public roads located in the district, except that the county shall maintain the east-west arterial roadway located in the district north of the San Gabriel River and south of State Highway 29. The district's obligation to maintain the public roads located in the district ceases if all of the territory of the district is annexed by a municipality.

Sec. 7959.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE OR RESOLUTION. The district shall comply with all applicable requirements of any ordinance or resolution that is adopted under Section 54.016 or 54.0165 , Water Code, and that consents to the creation of the district or to the inclusion of land in the district.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS
Sec. 7959.151. 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 7959.153.
(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. 7959.152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section 7959.151 , 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. 7959.153. 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.

## SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

Sec. 7959.201. 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. 7959.202. 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. 7959.203. BONDS FOR ROAD PROJECTS. At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. The Williamson County Municipal Utility District No. 33 initially includes all the territory contained in the following area:

TRACT 1:
BEING 103.78 ACRES OF LAND OUT OF THE HENRY GARMES SURVEY, ABSTRACT NO. 269, IN WILLIAMSON COUNTY, TEXAS, AND BEING COMPRISED OF TWO TRACTS: TRACT ONE BEING ALL OF A 25.32 ACRE TRACT, AND TRACT TWO BEING A PORTION OF A 217. 19 ACRE TRACT, BOTH CONVEYED TO LANCE ERIC CAUGHFIELD, TRUSTEE OF THE CAUGHFIELD FAMILY TRUST BY

CORRECTION GENERAL WARRANTY DEED OF RECORD IN DOC. NO. 2013046424 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, THEREIN DESIGNATED AS "TRACT 3B, AND "TRACT 6" RESPECTIVELY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a $1 / 2^{\prime \prime}$ rebar found for an angle point in the easterly line of said 217.19 acre tract, being the southwest corner of a 5.00 acre tract of land conveyed to Victor E. Landig, Jr. and Cathy Jayne Landig by instrument of record in Doc. No. 2006029147 of the Official Public. Records of Williamson County, from which a $1 / 2 "$ rebar found for the northwest corner of said 5.00 acre tract and the southwest corner of a remainder of a 76.97 tract of land conveyed to Alice Catherine Alexander by deed of record in Volume 611, Page 699 of the Deed Records of Williamson County, Texas, bears North $22^{\circ} 03^{\prime 2} 8^{\prime \prime}$ West a distance of 560.54 feet (record - North $22^{\circ} 03^{\prime \prime} 22^{\prime \prime}$ West a distance of 560.34 feet); [Point of Beginning Coordinates: Northing=10,199,823.40; Easting=3,079,831.80];

THENCE North 6833'37" East (record - North 68³3'32" East), along the easterly line of the 217.19 acre tract and the south line of the 5.00 acre tract, a distance of 438.82 feet (record - 438.82 feet) to a $1 / 2$ " rebar set with plastic cap which reads "Baseline Inc" for the southeast corner of the 5.00 acre tract and the southwest corner of a 5.865 acre tract of land conveyed to April D. Goldston by instrument of record in Doc. No. 2010062124 of the Official Public. Records of Williamson County;

THENCE along the easterly line of the 217.19 acre tract and the south line of said 5.865 acre tract, the following two (2) courses:

2 North 68³5'54" East a distance of 463.32 feet) to a 1/2" rebar found;
2. North 6842'39" East a distance of 623.44 feet (record North $68^{\circ} 41^{\prime \prime} 15^{\prime \prime}$ East a distance of 623.24 feet) to a $1 / 2^{\prime \prime}$ rebar found for the southeast corner of the 5.865 acre tract, being an angle point in the easterly line of the 217.19 acre tract, and being in the west right-of-way line of County Road 267
(R.O.W. varies);

THENCE along the easterly line of the 217.19 acre tract and the west right-of-way line of said County Road 267 , the following six (6) courses:

1. South $16^{\circ} 04^{\prime} 02^{\prime \prime}$ West a distance of 826.82 feet (record South $16^{\circ} 03^{\prime 2} 22^{\prime \prime}$ West a distance of 826.66 feet) to a 1/2" rebar found;
2. South 17³5'30' West a distance of 373.19 feet (record South 17³4'53" West a distance of 373.41 feet) to a $1 / 2^{\prime \prime}$ rebar found;
3. South $17^{\circ} 40^{\prime} 03^{\prime \prime}$ West a distance of 516.92 feet (record South $17^{\circ} 40^{\prime} 17^{\prime \prime}$ West a distance of 516.79 feet) to a $1 / 2^{\prime \prime}$ rebar found;
4. South $17^{\circ} 45^{\prime} 01^{\prime \prime}$ West a distance of 365.35 feet (record South $17^{\circ} 44^{\prime 2} 0^{\prime \prime}$ West a distance of 365.35 feet) to a $1 / 2^{\prime \prime}$ rebar found;
5. South $16^{\circ} 35^{\prime} 03^{\prime \prime}$ West a distance of 191.68 feet (record South $16^{\circ} 33^{\prime} 50^{\prime \prime}$ West a distance of 191.67 feet) to an iron pipe found;
6. South $14^{\circ} 36^{\prime} 17^{\prime \prime}$ West a distance of 170.36 feet (record South $14^{\circ} 37^{\prime 2} 23^{\prime \prime}$ West a distance of 170.49 feet) to a $1 / 2^{\prime \prime}$ rebar found for the southeast corner of the 217.19 acre tract, the northeast corner of said 25.32 acre tract, and also being the northeast corner of a 10.00 acre tract of land conveyed to A.S. Event Center by instrument of record in Doc. No. 2003090619 of the Official Public. Records of Williamson County;

THENCE along the easterly line of the 25.32 acre tract and the north, west and south lines of said 10.00 acre tract, the following three (3) courses:

1. South 66²7'07" West a distance of 852.12 feet (record South $66^{\circ} 28^{\prime} 39^{\prime \prime}$ West a distance of 852.23 feet) to a $1 / 2^{\prime \prime}$ rebar found for the northwest corner of the 10.00 acre tract;
2. South $05^{\circ} 44^{\prime} 14^{\prime \prime}$ West a distance of 604.88 feet (record South $05^{\circ} 43^{\prime} 19 "$ West a distance of 605.96 feet) to a $1 / 2^{\prime \prime}$ rebar found for the southwest corner of the 10.00 acre tract;
3. North $87^{\circ} 19^{\prime} 10^{\prime \prime}$ East a distance of 465.08 feet (record North $87^{\circ} 18^{\prime} 08^{\prime \prime}$ East a distance of 465.08 feet) to a $1 / 2^{\prime \prime}$ rebar found for the southeast corner of the 10.00 acre tract in the west right-of-way line of County Road 267;

THENCE South 17³1'00" West (record - South 17²8'56" West), along the easterly line of the 25.32 acre tract and the west right-of-way line of County Road 267, a distance of 335.09 feet (record - 335.09 feet) to a 60d nail found in a fence post for the southeast corner of the 25.32 acre tract, and being the point of intersection of the west right-of-way line of County Road 267 and the northerly right-of-way line of County Road 266 (R.O.W. varies);

THENCE along the southerly line of the 25.32 acre tract and the northerly right-of-way line of said County Road 266 , the following seven (7) courses:

1. South 5144'53" West a distance of 55.21 feet (record South 5146'03" West a distance of 55.18 feet) to a 60d nail found in the base of a tree;
2. South $80^{\circ} 09^{\prime} 00^{\prime \prime}$ West a distance of 44.98 feet (record South 7958'15" West a distance of 44.18 feet) to a 60d nail found in the base of a tree;
3. North $82^{\circ} 18^{\prime} 12^{\prime \prime}$ West a distance of 179.19 feet (record North $82^{\circ} 22^{\prime \prime} 43^{\prime \prime}$ West a distance of 179.96 feet) to a $1 / 2^{\prime \prime}$ rebar found;
4. North $82^{\circ} 07^{\prime \prime} 47^{\prime \prime}$ West a distance of 341.84 feet (record North $82^{\circ} 06^{\prime 2} 3^{\prime \prime}$ West a distance of 341.86 feet) to a $1 / 2^{\prime \prime}$ rebar found;
5. North 76²0'42" West a distance of 83.65 feet (record North $73^{\circ} 27^{\prime} 42^{\prime \prime}$ West a distance of 83.69 feet) to a 60d nail found in the base of a tree;
6. North $74^{\circ} 46^{\prime} 28^{\prime \prime}$ West a distance of 70.00 feet (record North 7447'12" West a distance of 69.92 feet) to a $1 / 2$ " rebar found;
7. North 7356'43" West a distance of 113.46 feet (record North $74^{\circ} 00$ '03" West a distance of 113.52 feet) to a $1 / 2^{\prime \prime}$ rebar found for the southwest corner of the 25.32 acre tract;

THENCE along the westerly line of the 25.32 acre tract and the easterly right-of-way line of County Road 266 , the following seven (7) courses:

1. North $24^{\circ} 25^{\prime} 5^{\prime \prime}$ West a distance of 93.03 feet (record -

North $24^{\circ} 30^{\prime} 30^{\prime \prime}$ West a distance of 92.81 feet) to a 60d nail found in the base of a tree;
2. North $17^{\circ} 11^{\prime} 25^{\prime \prime}$ West a distance of 443.82 feet (record North $17^{\circ} 10^{\prime} 08^{\prime \prime}$ West a distance of 444.10 feet) to a $1 / 2^{\prime \prime}$ rebar found;
3. North $14^{\circ} 23^{\prime} 15^{\prime \prime}$ West a distance of 103.26 feet (record North $14^{\circ} 20^{\prime} 12^{\prime \prime}$ West a distance of 103.28 feet) to a $1 / 2^{\prime \prime}$ rebar found;
4. North 08037'57" West a distance of 75.27 feet (record North $08^{\circ} 31^{\prime} 48^{\prime \prime}$ west a distance of 75.28 feet) to a 60 d nail found in the base of a tree;
5. North $08^{\circ} 13^{\prime} 20^{\prime \prime}$ West a distance of 152.73 feet (record North 08020'03" West a distance of 152.64 feet) to a $1 / 2^{\prime \prime}$ rebar found;
6. North $03^{\circ} 21^{\prime} 57^{\prime \prime}$ East a distance of 152.83 feet (record North $03^{\circ} 21^{\prime} 04^{\prime \prime}$ East a distance of 152.82 feet) to a 60d nail found in the base of a tree;
7. North 0309'03' East a distance of 177.62 feet (record North $03^{\circ} 08^{\prime} 01^{\prime \prime}$ East a distance of 177.62 feet) to a $1 / 2^{\prime \prime}$ rebar found for the northwest corner of the 25.32 acre tract and the southwest corner of the 217.19 acre tract;

THENCE along the westerly line of the 217.19 acre tract and the easterly right-of-way line of county Road 266, the following thirty thirteen (13) courses:

1. North 030 ${ }^{\prime} 58^{\prime \prime}$ East a distance of 127.35 feet (record North $03^{\circ} 12^{\prime} 4^{\prime \prime}$ East a distance of 127.22 feet) to a 60d nail found;
2. North $00^{\circ} 48^{\prime} 25^{\prime \prime}$ East a distance of 132.62 feet (record -

North $00^{\circ} 48^{\prime 2} 7^{\prime \prime}$ East a distance of 132.67 feet) to a $1 / 2^{\prime \prime}$ rebar found;
3. North $70^{\circ} 13^{\prime} 23^{\prime \prime}$ West a distance of 14.05 feet (record North $70^{\circ} 23^{\prime \prime} 56^{\prime \prime}$ West a distance of 14.03 feet) to a $1 / 2^{\prime \prime}$ rebar found;
4. North 03² ${ }^{\prime} 12^{\prime \prime}$ East a distance of 45.34 feet (record North $03^{\circ} 26^{\prime} 17^{\prime \prime}$ East a distance of 45.34 feet) to a $1 / 2^{\prime \prime}$ rebar found;
5. North $03^{\circ} 58^{\prime} 46^{\circ}$ East a distance of 154.32 feet (record North 0358'14" East a distance of 154.28 feet) to a 1/2" rebar found;
6. North $04^{\circ} 18^{\prime} 06^{\prime \prime}$ East a distance of 59.61 feet (record North $04^{\circ} 18^{\prime} 41^{\prime \prime}$ East a distance of 59.67 feet) to a $1 / 2^{\prime \prime}$ rebar found;
7. North 0903'35" East a distance of 325.14 feet (record North $09^{\circ} 02^{\prime} 50^{\prime \prime}$ East a distance of 325.07 feet) to a $1 / 2^{\prime \prime}$ rebar found;
8. North 0904'57" East a distance of 84.09 feet (record North $09^{\circ} 05^{\prime} 17^{\prime \prime}$ East a distance of 84.06 feet) to a $1 / 2^{\prime \prime}$ rebar found;
9. North $00^{\circ} 25^{\prime} 19^{\prime}$ East a distance of 51.00 feet (record North $00^{\circ} 16^{\prime} 21^{\prime \prime}$ East a distance of 51.03 feet) to a $1 / 2^{\prime \prime}$ rebar found;
10. North 03¹2'51" West a distance of 41.32 feet (record North 02055'40' West a distance of 41.25 feet) to a 60d nail found;
11. North 0852'38" West a distance of 59.36 feet (record North 0859'25" West a distance of 59.42 feet) to a $1 / 2^{\prime \prime}$ rebar found;
12. North $21^{\circ} 53^{\prime} 31^{\prime \prime}$ West a distance of 108.62 feet (record North $21^{\circ} 49^{\prime} 14^{\prime \prime}$ West a distance of 108.75 feet) to a $1 / 2^{\prime \prime}$ rebar found;
13. North 2955'12" West (record - North 2951'30" West) a distance of 243.38 feet to a calculated point, from which a 1/2"
rebar found for an angle point in the westerly line of the 217.19
acre tract and the easterly right-of-way line of County Road 266,
bears North 2955'12" West (record - North 2951'30" West) a distance
of 20.03 feet;

THENCE crossing through the 217.19 acre tract the following two (2) courses:

1. North 670 ${ }^{\prime} 21^{\prime \prime}$ East a distance of 357.92 feet to a calculated point;
2. North $68^{\circ} 51^{\prime} 37^{\prime \prime}$ East a distance of 844.71 feet to the POINT OF BEGINNING, and containing 103.78 acres of land, more or less, out of the Henry Garmes Survey, Abstract no. 269, in Williamson County, Texas.

TRACT 2:
BEING 80.17 ACRES OF LAND OUT OF THE HENRY GARMES SURVEY, ABSTRACT NO. 269, IN WILLIAMSON COUNTY, TEXAS, AND BEING COMPRISED OF TWO TRACTS: TRACT ONE BEING A PORTION OF AN 86.67 ACRE TRACT, AND TRACT TWO BEING ALL OF A 61.35 ACRE TRACT, BOTH CONVEYED TO LANCE ERIC CAUGHFIELD, TRUSTEE OF THE CAUGHFIELD FAMILY TRUST BY CORRECTION GENERAL WARRANTY DEED OF RECORD IN DOC. NO. 2013046424 OF THE OFFICIAL PUBLIC RECORDS OF WILLIAMSON COUNTY, TEXAS, THEREIN DESIGNATED AS "TRACT 2" AND "TRACT 3A' RESPECTIVELY, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 60d nail found in the base of a tree in the easterly line of said 61.35 acre tract and the westerly right-of-way line of County Road 266 (R.O.W. varies) [Point of Beginning Coordinates: Northing=10,196,888.73; Easting= 3,078,918.32];

THENCE South 2951'22" West (record - South 2953'52" West), along the easterly line of the 61.35 acre tract and the westerly right-of-way line of said County Road 266, passing at a distance of 84.99 feet (record - 84.97 feet) a $1 / 2^{\prime \prime}$ rebar found, and continuing for a total distance of 200.88 feet (record - 200.88 feet) to a calculated point in the approximate centerline of the South San Gabriel River, for the southeast corner of the 61.35 acre tract, and being in the north line of Lot 47 , South San Gabriel Ranches, a subdivision of record in Volume B, Pages 86-87 of the Plat Records of Williamson County, Texas;

THENCE along the southwesterly line of the 61.35 acre tract, the northerly line of said South San Gabriel Ranches, and along the approximate centerline of said South San Gabriel River the following two (2) courses:

1. North 61¹8'12" West a distance of 210.89 (record - North 61¹7'50" West a distance of 210.89) to a calculated point;
2. North $60^{\circ} 47^{\prime} 01$ " West a distance of 184.01 (record - North 6046'39" West a distance of 184.01 ) to a calculated point in the north line of Lot 1, South San Gabriel Ranches;

THENCE North 5857'38" West (record - North 5858'11" West), along the southwesterly line of the 61.35 acre tract, the northerly line of South San Gabriel Ranches, along the northerly line of High Gabriel East, Section 1, a subdivision of record in Volume B, Pages 254-255 of the Plat Records of Williamson County, Texas, and also along the approximate centerline of the South San Gabriel River a distance of 1141.31 (record -1141.01 feet) to a calculated point in the north line of Lot 9, of said High Gabriel East, Section 1;

THENCE North 53²3'04" West (record - North 53²2'42" West), along the southwesterly line of the 61.35 acre tract, the north line of High Gabriel East, Section 1, along the northerly line of High Gabriel East, Section 2, a subdivision of record in Volume B, Pages 296-298 of the Plat Records of Williamson County, Texas, and also along the approximate centerline of the South San Gabriel River a distance of 520.13 (record - 520.13 feet) to a calculated point in the north line of Lot 1, of said High Gabriel East, Section 2;

THENCE North 60²1'43" West (record - North 60²1'21" West), along the southwesterly line of the 61.35 acre tract, the westerly line of the 86.67 acre tract, the northerly line of High Gabriel East, Section 2, and along the approximate centerline of the South San Gabriel River, a distance of 991.15 feet (record - 991.15 feet) to a calculated point in the north line of Lot 6 , of said High Gabriel East, Section 2;

THENCE North 7306'31" West (record - North 7306'09" West), along the westerly line of the 86.67 acre tract, the northerly line of High Gabriel East, Section 2, and along the approximate centerline of the South San Gabriel River, a distance of 169.18 feet (record - 169.18 feet) to a calculated point for the southeast corner of a 6.669 acre tract of land conveyed to Emogene M. Champion by instrument of record in Doc. No. 2008083903 of the Official Public Records of Williamson County, Texas, and being in the northerly line of Lot 7, of High Gabriel East, Section 2;

THENCE crossing through the 86.67 acre tract the following three (3) courses:

1. North $86^{\circ} 26^{\prime} 35^{\prime \prime}$ East a distance of 317.04 feet to a
calculated point;
2. North 66³0'58" East a distance of 2337.55 feet to a calculated point;
3. North 6700'21" East a distance of 269.04 feet to a calculated point in the east line of the 86.67 acre tract and the westerly right-of-way line of County Road 266, from which a 60d nail found in the base of a tree for an angle point in the east line of the 86.67 acre tract and the westerly right-of-way line of county Road 266, bears North $32^{\circ} 09^{\prime} 56^{\prime \prime}$ West (record - North $32^{\circ} 04^{\prime \prime} 55^{\prime \prime}$ West) a distance of 125.54 feet;

THENCE along the east line of the 86.67 acre tract and the westerly right-of-way line of County Road 266, the following four (4) courses:

1. South $32^{\circ} 09^{\prime} 56^{\prime \prime}$ East (record - South $32^{\circ} 04^{\prime} 55^{\prime \prime}$ East) a distance of 172.79 feet to a $1 / 2^{\prime \prime}$ rebar found;
2. South $24^{\circ} 39^{\prime} 36^{\prime \prime}$ East a distance of 130.90 feet (record South $24^{\circ} 40^{\prime} 25^{\prime \prime}$ East a distance of 130.83 feet) to a 60d nail found in the base of a tree;
3. South $18^{\circ} 45^{\prime} 47^{\prime \prime}$ East a distance of 48.38 feet (record South $18^{\circ} 51^{\prime} 04^{\prime \prime}$ East a distance of 48.40 feet) to a 60 d nail found in the base of a tree;
4. South $12^{\circ} 11^{\prime} 02^{\prime \prime}$ East a distance of 25.73 feet (record South $12^{\circ} 06^{\prime} 15^{\prime \prime}$ East a distance of 25.85 feet) to a $1 / 2^{\prime \prime}$ rebar found for the southeast corner of the 86.67 acre tract and the northeast corner of said 61.35 acre tract;

THENCE along the easterly line of the 61.35 acre tract and the westerly right-of-way line of County Road 266 the following
thirteen (13) courses:

1. South $12^{\circ} 10^{\prime} 36^{\prime \prime}$ East a distance of 37.58 feet (record South $12^{\circ} 06^{\prime} 15^{\prime \prime}$ East a distance of 37.46 feet) to a 60d nail found in the base of a tree;
2. South 040 ${ }^{\circ}{ }^{\prime} 37^{\prime \prime}$ East a distance of 39.38 feet (record South 040'ㄴ́" East a distance of 39.37 feet) to a 60 d nail found in the base of a tree;
3. South 08051'22" West a distance of 377.06 feet (record South 0850'15" West a distance of 376.99 feet) to a 60d nail found in the base of a tree;
4. South 6758'02" West a distance of 11.20 feet (record South 67040'51" West a distance of 11.11 feet) to a 60d nail found in the base of a tree;
5. South $02^{\circ} 40^{\prime} 01^{\prime \prime}$ West a distance of 280.55 feet (record South $02^{\circ} 42^{\prime} 46^{\prime \prime}$ West a distance of 280.54 feet) to a 60d nail found in the base of a tree;
6. South $00^{\circ} 33^{\prime} 19^{\prime \prime}$ West a distance of 242.63 feet (record South $00^{\circ} 31^{\prime \prime} 17$ " West a distance of 242.70 feet) to a $1 / 2^{\prime \prime}$ rebar found;
7. South 02ำ'45" West a distance of 378.35 feet (record South 02019'20" West a distance of 378.31 feet) to a 60d nail found in the base of a tree;
8. South 0107'22" East a distance of 173.37 feet (record South 01¹4'59" East a distance of 173.37 feet) to a $1 / 2^{\prime \prime}$ rebar found;
9. South $20^{\circ} 38^{\prime} 34^{\prime \prime}$ East a distance of 141.41 feet (record South $20^{\circ} 38^{\prime} 50^{\prime \prime}$ East a distance of 141.39 feet) to a $1 / 2^{\prime \prime}$ rebar
10. South $14^{\circ} 23^{\prime} 21^{\prime \prime}$ East a distance of 158.55 feet (record South $14^{\circ} 20^{\prime} 44^{\prime \prime}$ East a distance of 158.60 feet) to a 60d nail found in the base of a tree;
11. South $10^{\circ} 38^{\prime \prime} 15^{\prime \prime}$ East a distance of 12.99 feet (record South $10^{\circ} 39^{\prime} 10^{\prime \prime}$ East a distance of 12.99 feet) to a $1 / 2$ " rebar found;
12. South $14^{\circ} 47^{\prime} 56^{\prime \prime}$ East a distance of 32.45 feet (record South $14^{\circ} 48^{\prime} 48^{\prime \prime}$ East a distance of 32.47 feet) to a $1 / 2^{\prime \prime}$ rebar found;
13. South $13^{\circ} 14^{\prime} 54$ " East a distance of 286.23 feet (record South $13^{\circ} 15^{\prime} 49^{\prime \prime}$ East a distance of 286.23 feet) to the POINT OF BEGINNING, and containing 80.17 acres of land, more or less, out of the Henry Garmes Survey, Abstract no. 269, in Williamson County, Texas.

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. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 7959, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 7959.106 to read as follows:

Sec. 7959.106. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.
(b) This section is not intended to be an expression of a legislative interpretation of the requirements of Section 17(c), Article I, Texas Constitution.

SECTION 5. 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, 2015.


I certify that H.B. No. 4204 was passed by the House on May 19, 2015, by the following vote: Yeas 146, Nays 0, 2 present, not voting.


I certify that H.B. No. 4204 was passed by the Senate on May 27, 2015, by the following vote:


APPROVED:
Date

Governor

# LEGISLATIVE BUDGET BOARD <br> Austin, Texas <br> FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION 

May 24, 2015
TO: Honorable Kelly Hancock, Chair, Senate Committee on Administration
FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4204 by Farney (Relating to the creation of the Williamson County Municipal Utility District No. 33; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), As Engrossed

No fiscal implication to the State is anticipated.

## Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

## Source Agencies: <br> LBB Staff: UP, KK, KVe, EK

## LEGISLATIVE BUDGET BOARD

## Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 1, 2015

TO: Honorable Doug Miller, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4204 by Farney (Relating to the creation of the Williamson County Municipal Utility District No. 33; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), As Introduced

No fiscal implication to the State is anticipated.

## Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

## Source Agencies: <br> LBB Staff: UP, KVe, EK

# LEGISLATIVE BUDGET BOARD <br> Austin, Texas <br> WATER DEVELOPMENT POLICY IMPACT STATEMENT <br> 84TH LEGISLATIVE REGULAR SESSION 

May 5, 2015

TO: Honorable Doug Miller, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB4204 by Farney (Relating to the creation of the Williamson County Municipal Utility District No. 33; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), As Introduced

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

The bill creates the Williamson County Municipal Utility District No. 33 (the "District") with the powers and duties of a standard municipal utility district under Water Code, Chapters 49 and 54.

Population - The very specific description of the proposed boundaries does not allow staff to develop precise population estimates. Based on the Original Texas Land Surveys mentioned in HB 4204 , the population estimate for the district is 46 .

Population growth in the specific area since the 2010 census is unknown. The 2010 population estimate for areas of Williamson County served by small systems or private wells (County-Other) is 39,689 . The Williamson County-Other population projections approved for the 2016 Region $G$ Water Plan projects the population to grow to 71,170 in 2020, 88,710 in 2030 and 111,606 in 2040.

Location - The Proposed districts initial boundaries are described with a combination of Original Texas Land Surveys, Official Public Records of Williamson County and metes and bounds. Due to the complexity of these boundaries for the various sub areas of the district, staff is able to determine only the general location of the proposed district.

The proposed district's area is approximately 0.16 square miles in Southwest Williamson County. The proposed district is located directly north of Leander City, and south of Liberty Hill. The proposed district is adjacent to, and directly south of, the South San Gabriel River. The proposed district is appears to overlap an existing Certificate of Convenience and Necessity (CCN) of Chisholm Trail SUD, which is in the process of being transferred to the City of Georgetown, and possibly the CCN boundary of the City of Leander as well.

Comments on Powers/Duties Different from Similar Types of Districts: The bill grants the District road powers; and if the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

Overlapping Services: TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

TCEQ's Supervision: As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

Water Use - HB 4204 specifies that "the district has the powers and duties provided by the general law of the state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution".

Within Williamson County, 24 percent of the total water use was groundwater (Trinity Aquifer and Edwards BFZ Aquifer) in 2012. Ninety-two percent of all the groundwater pumping was for municipal use. The water source of the proposed district might pursue is unknown.

## Source Agencies: 582 Commission on Environmental Quality, 580 Water Development Board

LBB Staff: UP, SZ

Bryan W. Shaw, Ph.D., P.E., Chairman
Toby Baker, Commissioner
Yak Covar, Commissioner
Richard A. Hyde, P.E., Executive Director

## TeXas Commission on Environmental Quality

## Protecting Texas by Reducing and Preventing Pollution

May 8, 2015

The Honorable Joe Straus
Texas House of Representatives
Capitol Station
PO Box 2910
Austin, Texas 78768-2910
Re: Responsibility of the Texas Commission on Environmental Quality (TCEQ) Pursuant to Article XVI, Section 59(d), Texas Constitution

House Bill (HB) 4204, as Filed by Representative Marsha Farney - Relating to the creation of the Williamson County Municipal Utility District No. 33; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes

Dear Speaker Straus:
The following comments are provided pursuant to the Constitutional requirements referenced above. Under those requirements, the TCEQ must submit, to the Governor, Lieutenant Governor and Speaker of the House of Representatives, the TCEQ's recommendations on specific legislation affecting water districts. We recommend that these comments be considered in the evaluation of the proposed legislation.

Sincerely,
(2)

Linda Brooking, Director
Water Supply Division

Enclosure
cc: Honorable Doug Miller, Chairman, House Committee on Special Purpose Districts Representative Marsha Farney, Texas House of Representatives

## HB 4204, as Filed by Representative Marsha Farney Texas Commission on Environmental Quality's Comments

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

The bill creates the Williamson County Municipal Utility District No. 33 (the "District") with the powers and duties of a standard municipal utility district under Water Code, Chapters 49 and 54.

Comments on Powers/Duties Different from Similar Types of Districts: The bill grants the District road powers; and if the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

Overlapping Services: TCEQ does not have mapping information for water and/or wastewater providers because this function was transferred from the TCEQ to the Public Utility Commission on September 1, 2014. As a result, TCEQ is unaware of possible overlapping service providers.

TCEQ's Supervision: As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

| LETTER OF TRANSMITTAL |
| :--- |
| HOUSE OF REPRESENTATIVES |
| STATE OF TEXAS |
| HB 4204 |
| Bill Number |
| Governor of Texas |
| a a Conservation and Reclamation District |

$\begin{array}{ll}\text { TO: } & \text { The Honorable Governor of Texas } \\ \text { SUBJECT: } & \text { A Bill Relating to a Conservation and Reclamation District }\end{array}$

This is to transmit to you and the Texas Commission on Environmental Quality copies of a bill relating to a conservation and reclamation district and copies of the notice of intention to introduce the bill. One copy is for your files and one for you to forward to the Texas Commission on Environmental Quality, under Section 59(d), Article XVI, Constitution of the State of Texas.

4/22/2015
Date transmilted to
Governor's Office


TO:
Texas Commission on Environmental Quality
SUBJECT: A Bill Relating to a Conservation and Reclamation District

This is to forward to you a copy of a bill relating to conservation and reclamation district and a copy of the notice of intention to introduce the bill.

April 23, 2015
Date transmitted to


Texas Commission on Environmental Ouality

SUBJECT: A Bill Relating to a Couservation and Reclamation District
Attached are recommendations of the Texas Commission on Environmental Quality in compliance with Section S9(d), Article XVI, Constitution of the State of Texas.


Texas Commission on Environmental Quality

# PUBLISHERS AFFIDAVIT <br> Hill Courrir News 

## State of Texas <br> County of Williamson

BEFORE ME, THE UNDERSIGNED AUTHORITY, this day personally appeared Donna Stanley and after being by me duly sworn, says that she is the Publisher of the Hill Country News, a newspaper published in Williamson \& Travis Counties, Texas, and that the Notice, a copy of which is hereto attached, was published in said newspaper on the following dates:

March 19
ADD. 2015


SUBSCRIBED \& SWORN TO before me, this the $23^{\text {rd }}$ day of March A.D. 2015


wheram apexn wa uhy Skilled tersona Millions P Gllents. Call 247. 800 4314568 .

## SUPPORT our ser

 vico members, veterans And their families In their time of need. For more intormation Vist the Fisher House website at wuw fighe houseorg.Cot Knee Patit Back Got Knoer Pain Eack Gain? Shoulder Pain? brace - manyelieving orace - bitte or NO cost to you: Medicare Patients Call Heahh Hotine Nowl $1-800$ 491-6053.

## 944718

SOCIAL SECURITY DISABILITY BENE FITS. Unable to work? Denied beneftrs? We Can HelpI WIN or Pay Nothingl Contact Bll Gordon \& Associates at $1+800-290-8921$ to start your application todayt

D'Angelica, Stromberg. And Gibson Mandolins/ Banjos. 1-800-4010440. $\quad 1$ Wanted To Buy
Cash for umexpita
Cash for umoxpfred. BIAEENC TEST STRIPSI Frea. Ship ping, Best Pices \& 24 He payment Cal 1855-440-4001 wWW TestStripSearch.com.


Whevericuracices.

## PUBLIC NOTICE

This is to. give notice of the intention to introduce, in the 84th Legislature, Regular Session, a bill to be entitled "An Act relat Ing to the ereation of the Williamson County Muntcipal Utility District No. 33 , granting a limited power of eminent domain providing authority to issue bonds; providing authority to impose assessments, fees, and taxes". The proposed law would provide for the creation of Williamson County Municipal Utility District No. 33 upon approximately 183.95 acres of land located In the extraterrliorial jurisdiction of the Clty of Leander located in Williamson County, Texas. The proposed district would gener ally have the powers and authority of a municipal utility district provided by the generallaw of this State, including Chapters 49 ard 54, Texas Water Code, and certain powers to construct operate, maintain, and finance roads under Section 52, Article III, Texas Constitution.

## PUBLIC NOTICE

The Clty of Leander Planning and Zoning Commission will meet on Thursday April 9, 2015 at 7:00 p.m. at Pat Bryson Municipal Hall, 201 North Brushy, Leander, Texas, to hold a public hearing to consider the following:

## AND

The Clty of Leander City Council will meet on Thursday, Apri 16, 2015 at 7:00 p.m. at Pat Bryson Municipal Hall, 201 North Brushy, Leander, Texas, to hold a publio hearing to consider the following:
Comprehensive Plan Amendment Case $\# 15-\mathrm{CPA}-001$ : Hold a public heaŕing and consider aotion on a comprefiensive plan amendment requesting a change to the Transportation Plan. The applicant is proposing the relocation of San Gabriel Pkwy generally located between N Bagdad $\mathrm{Rd} / \mathrm{CR} 279$ and the future extension of Lakeline Blvd, Leander, Willamson County, Texas. Applicant Steven Crauford on behalf of Sixth Street Capital lnvestors, LP and Devine Land Investments

Comprehensive Plan Amendment Case \#15-CPA-002: Hold a public hearing and consider action on a comprehensive plan amendment requesting a change to a community center node located and a neighborhood center node shown on the Future Land Use Plan. The applicant is proposing to remove the portions of the cormmilty center node located at the future intersection of the Lakeline Blvd and San Gabriel Pkwy and the neighborhood center node located at the future intersection of Lakelline Blvd and CR 280 that are located within their subdiviston boundarles, Leander, Willamson County, Texas.
Comprehensive Plan Amendment Case \#15-CPA-003: Hold a public hearing and considet action on a comprehensfive plan amendment requesting a change to the Transportation Plan. The appticant is proposing the relocation of the Lakellne Blyd and San Gabriel Pkwy intersection, Leander, Williamson County Texas.
Tom Yantis, AICP, Development Services Director 512-528-2750

