

AGENDA PLACEMENT FORM

(Submission Deadline – Tuesday, 12:00 PM before Regular Court Meetings)

Date: 03/21/2023

COMMISSIONERS COURT

Meeting Date: 03/27/2023

MAR 27 2023

Submitted By: CJO

Department/Office: CJO

No Action

Signature of Director/Official: _____

Agenda Title:

Consideration of Letter of Non-Opposition for Creation of the Cottonwood Creek Municipality Utility District (MUD)

Public Description (Description should be 2-4 sentences explaining to the Court and the public what action is recommended and why it is necessary):

(May attach additional sheets if necessary)

Person to Present: Judge Boedeker

(Presenter must be present for the item unless the item is on the Consent Agenda)

Supporting Documentation: (check one) PUBLIC CONFIDENTIAL

(PUBLIC documentation may be made available to the public prior to the Meeting)

Estimated Length of Presentation: 5 minutes

Session Requested: Action (Action Item, Workshop, Consent, Executive)

Check All Departments Requiring Notification:

County Attorney IT Purchasing Auditor

Personnel Public Works Facilities Management

Other Department/Official (list) Public Works

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By: _____

_____.B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Cottonwood Creek Municipal Utility District of Johnson County; 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 _____ to read as follows:

CHAPTER . COTTONWOOD CREEK MUNICIPAL UTILITY DISTRICT OF

JOHNSON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. .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 board member.

(4) "District" means the Cottonwood Creek Municipal Utility District of Johnson County.

Sec. .002. NATURE OF DISTRICT. The district is a

municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. .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. .004. 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. .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 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. .051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section .052, directors serve staggered four-year terms.

Sec. .052. TEMPORARY DIRECTORS. (a) The temporary board consists of:

(1) Rob Couture;

(2) Rusty Trenary;

(3) Ted Case;

(4) Brad Robinson; and

(5) Al Poppino.

(b) Temporary directors serve until the earlier of:

(1) the date permanent directors are elected under Section .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 .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 .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.

SUBCHAPTER C. POWERS AND DUTIES

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

Sec. .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. .103. AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may design, acquire, develop, 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. .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. .105. ADDITIONAL AUTHORITY. (a) Subject to compliance with the general law of the state, the district may

plan, lay out, purchase, construct, acquire, develop, own, operate, maintain, repair, and improve, inside or outside its boundaries, works, improvements, facilities, plants, equipment, and appliances, including, without limitation, any administrative buildings, properties, and facilities, property rights, and any levees, drains, waterways, lakes, reservoirs, channels, conduits, sewers, dams, storm water detention facilities, or other similar facilities and improvements, and may acquire any permits, franchises, licenses, or contract or property rights whether for municipal, industrial, agricultural, recreational, landfill, sprinkling, irrigation, conservation, reclamation, or flood control purposes, that are necessary, helpful, or incidental to the exercise of any right, power, privilege, authority, or function provided by this Act.

(b) If the district acquires land, easements, or rights-of-way for the construction of macadamized, graveled, or paved roads and turnpikes, or works, facilities, or improvements in aid of those roads and turnpikes, inside or outside the district, to the extent authorized by Article III, Section 52, of the Texas Constitution, the district may pay full market value for the land, easements, or rights-of-way, or may negotiate the value in good faith with the owner of the land, easements, or rights-of-way.

(c) The district may create an industrial development corporation as provided by Section 501, Local Government Code.

(d) Notwithstanding other law, the district may contract with a rapid transit authority, municipality, political subdivision, or other governmental entity to construct, maintain, and operate a mass transit facility and issue bonds for such purposes.

Sec. . 106. WATER AND SEWER CONTRACTS. The district may, without limitation, enter into, execute, perform, and carry out contracts it may consider appropriate and mutually advantageous under Section 552.014, Local Government Code. Those contracts may provide for the district's acquisition of all or any designated portions of any of the works, facilities, improvements, equipment, appliances, properties, and contract rights as provided by Section 552.014, Local Government Code, that the district is authorized by this Act to purchase, acquire, develop, construct, own, or improve or may become authorized to purchase, acquire, develop, construct, own, or improve in its own name or behalf.

Sec. .107. WATER CONSERVATION. The district shall adopt and implement a program of water conservation consistent with rules and criteria adopted and enforceable by the commission for similarly situated districts in the region. A program of water conservation means the practices, techniques, and technologies

that will reduce the consumption of water, reduce the loss or waste of water, improve efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

Sec. .108. DIVISION OF DISTRICT. (a) The district may be divided into two or more new districts only if the district:

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

(b) 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, contain any land outside the area described by Section 2 of the Act enacting this chapter.

(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) An order dividing the district must:

- (1) name each new district;
- (2) include the metes and bounds description of the territory of each new district;

(3) appoint initial directors for each new district;

and

(4) provide for the division of assets and liabilities between or among the new districts.

(f) 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 commission and record the order in the real property records of each county in which the district is located.

(g) 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.

Sec .109. DISSOLUTION OF DISTRICT. Notwithstanding Chapter 128, Acts of the 50th Legislature, Regular Session, 1947 (Article 1182c-1, Vernon's Texas Civil Statutes), or any other general law, the district may be dissolved on approval of a two-thirds vote of the governing body of all counties or cities extraterritorial jurisdiction in which the district is located, a two-thirds vote of the incumbent members of the board, and the two-thirds vote of the incumbent members of the board of any other districts that the district has contracted for the receipt or provision of regional or areawide water supply, wastewater disposal service, or any other service contract or agreement for

a term in excess of 20 years.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. .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 .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. .152. OPERATION AND MAINTENANCE TAX. (a) If authorized at an election held under Section .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. .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. .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, assessments, revenue, contract payments, grants, or other district money, or any combination of those sources, to pay for any authorized district purpose.

Sec. .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. .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 Cottonwood Creek Municipal Utility District of Johnson County initially includes all the territory contained in the following area:

BEING a 0.5608 Acre (24,430 Sq. Ft.) tract of land situated in the A. Onstott Survey, Abstract No. 669 and the William F. Ming Survey, Abstract No. 585, Johnson County, Texas; being all of that called 0.58 acre tract conveyed to Harper Cattle, L.L.C., by deed of record in Volume 2018, Page 11741, Deed Records, Johnson County, Texas, (D.R.J.C.T.) and more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod found in the east right-of-way (R.O.W.) line of Farm to Market (F.M.) Road No. 1807 marking a southwest corner of a called 503.95 acre tract conveyed to Harper Cattle, LLC of record in Volume 2305, Page 40, D.R.J.C.T. and marking the beginning of a curve to the right;

THENCE, 333.19 feet along the arc of said curve to the right having a radius of 914.45 feet, a central angle of 20°52'35", and a chord bearing North 26°02'58" West, 331.35 feet to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set in the east R.O.W. line of said F.M. Road No. 1807;

THENCE, South 85°20'53" East, 147.99 feet with a south line of said 503.95 acres tract to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set marking the northeast corner of the herein described tract;

THENCE, South 00°23'54" West, 285.70 feet with the west line of that said 503.95 acre tract to the POINT OF BEGINNING and CONTAINING 0.5608 Acre (24,430 Sq. Ft.) of land.

BEING a 29.09 Acres (1,257,303 Sq. Ft.) tract of land situated in the A. Onstott Survey, Abstract No. 669, Johnson County, Texas; being all of that called 29.625 acres tract conveyed to Harper Cattle, L.L.C., by deed of record in Volume 2305, Page 40, Deed Records, Johnson County, Texas, (D.R.J.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8-inch iron rod found in the south line of that called 49.51 acres tract conveyed to James Z. Hughes and Glenda Hughes by deed of record in Volume 2014, Page 1892, D.R.J.C.T. and a northeast corner of that called 503.95 acres tract conveyed to Harper Cattle, LLC in Volume 2305, Page 40 marking a northwest corner of the herein described tract;

THENCE, North 85°39'21" East, 237.49 feet to a 3/8-inch iron rod found marking the southeast corner of that said 49.51 acres tract marking an interior of the herein described tract;

THENCE, with the east line of that said 49.51 acres tract the following three (3) courses:

1. North 03°28'19" East, 306.57 feet to a 3/8-inch iron rod found;

2. North 01°22'08" West, 360.38 feet to a 3/8-inch iron rod found;

3. North 06°29'19" East, 54.65 feet to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set marking the southeast corner of that called 1,473 acres tract conveyed to James Z. Hughes by deed of record in Volume 1852, Page 413, D.R.J.C.T.;

THENCE, North 06°42'15" East, 374.81 feet with the east line of said 1.473 acres tract to a 3/8-inch iron rod found marking a southeast corner of the aforementioned 49.51 acres tract;

THENCE, North 06°28'25" East, 522.50 feet with the east line of said 1.473 acres tract to a 1/2-inch iron rod found in the south of that called 44.49 acres tract conveyed to Donald Webb England by deed of record in Volume 2016, Page 31831, D.R.J.C.T., and marking the northwest corner of the herein described tract;

THENCE, South 88°50'31" East, 141.20 feet with the south line of said 44.49 acres tract to a 1-inch iron pipe found marking a northwest corner of that called 23.29 acres tract conveyed to

Donald Webb England and Julie Gale Bain by deed of record in Volume 2016, Page 31835, D.R.J.C.T. and marking the northeast corner of the herein described tract;

THENCE, South 02°01'49" West, 356.45 feet with the west line of said 23.29 acres tract to a 1/2-inch iron rod found marking the northwest corner of that aforementioned 503.95 acres tract;

THENCE, South 00°38'22" West, 2,094.11 feet with a west line of said 503.95 acres tract to a 3/8-inch iron rod found marking an interior corner of the herein described tract;

THENCE, South 64°31'37" East, 311.26 feet with a south line of said 503.95 acres tract to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set marking an interior corner of the herein described tract;

THENCE, South 89°36'08" East, 129.43 feet continuing with a south line of said 503.95 acres tract to a 3/4-inch iron rod found marking the northwest corner of that called 11.35 acres tract conveyed to Harper Cattle, LLC by deed of record in Volume 350, Page 383, D.R.J.C.T., marking a northeast corner of the herein described tract;

THENCE, South 10°44'12" West, 287.00 feet with the west line of said 11.35 acres tract to a 1/2-inch iron rod with cap stamped

"APEX LAND SURVEYING" set marking the northeast corner of that called 0.96 acres tract conveyed to Cynthia Tranquilli by deed of record in Volume 1964, Page 119, D.R.J.C.T. and marking a southeast corner of the herein described tract;

THENCE, South 89°25'12" West, 128.00 feet with the north line of said 0.96 acres tract to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set and marking an interior corner of the herein described tract;

THENCE, South 02°36'12" West, 322.18 feet with the west line of said 0.96 acres tract to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set in the centerline of County Road 108D (width varies) marking the southeast corner of the herein described tract;

THENCE, North 89°26'49" West, 697.47 feet with the centerline of said County Road 108D to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set marking the southwest corner of the herein described tract;

THENCE, North 00°49'19" East, 1,556.39 feet with a east line of aforementioned 503.95 acres tract to the POINT OF BEGINNING and CONTAINING 29.09 Acres (1,267,303 Sq. Ft.) of land.

BEING a 503.3 Acres (21,923,764 Sq. Ft.) tract of land situated in the A. Onstott Survey, Abstract No. 669, the Henry Rawlings Survey,

Abstract No. 745, the Meredith Tyree Survey, Abstract Number 837 and the Philip B. Barnes Survey, Abstract Number 25, Johnson County, Texas; being all to that 503.95 Acres conveyed to Harper Cattle, LLC, by deed of record in Volume 2305, Page 40, Deed Records, Johnson County, Texas, (D.R.J.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set in the intersection of the north right-of-way (R.O.W.) line of F.M. Road No. 1807 (100 foot wide) with the centerline of Boggy Branch Creek and marking the southwest corner of that called 21.6 acres tract conveyed to Cannon Brothers, LLC by deed of record in Document No. 2020, Page 27550, D.R.J.C.T. and marking the southeast corner of the herein described tract; from which a 5/8-inch iron rod found marking the southeast corner of said 21.6 acres tract bears South 75°18'25" East, 718.67 feet;

THENCE, with the north R.O.W. line of said F.M. No. 1807 the following eight (8) courses:

1. South 89°45'30" West, 2,292.12 feet to a 5/8-inch iron rod found marking the beginning of a curve to the left;
2. 283.45 feet with the arc of said curve to the left having a radius of 11,499.99 feet, a central angle of 01°24'44", and a chord that bears bearing of South 89°17'36" West, 283.44 feet to a 1/2-

inch iron rod with cap stamped "APEX LAND SURVEYING" set marking a corner;

3. North $46^{\circ}36'21''$ West, 70.80 feet to a 1/2-inch iron rod found marking a corner in of C.R. 108D (width varies);

4. South $88^{\circ}12'49''$ West, 50.23 feet to a 1/2-inch iron rod with cap stamped "RPS 3935" found marking a corner of said C.R. 108D;

5. South $43^{\circ}01'58''$ West, 70.80 feet to a 1/2-inch iron rod with cap stamped "RPS 3935" marking the beginning of a non-tangent curve to the left;

6. 24.81 feet with the arc of said curve to the left having a radius of 11,499.99 feet, a central angle of $00^{\circ}07'25''$, and a chord that bears South $87^{\circ}46'02''$ West, 24.81 feet to a 5/8-inch iron rod found marking the end of curve;

7. South $87^{\circ}42'58''$ West, 294.24 feet to a 5/8-inch iron rod found and marking the beginning of a curve to the right;

8. 190.58 feet with the arc of said curve to the right having a radius of 10,604.66 feet, a central angle of $01^{\circ}01'47''$, and a chord that bears South $88^{\circ}06'14''$ West, 24.81 feet to a 5/8-inch iron rod found marking the southeast corner of that called 1 acre tract conveyed to Willow Springs Baptist Church by deed of record in Document No. 1893-308540, D.R.J.C.T.;

THENCE, North $01^{\circ}16'25''$ West, 211.49 feet with the east line of said 1 acre tract to a 5/8-inch iron rod found marking an interior corner of the herein described tract;

THENCE, South $89^{\circ}59'58''$ West, 192.10 feet with the north line of said 1 acre tract to a 1/2-inch iron rod with cap found and marking an interior corner of the herein described tract;

THENCE, South $01^{\circ}16'25''$ East, 214.38 feet with the west line of said 1 acre tract to a 1/2-inch iron rod with cap stamped "RPS 3935" found in the north line of aforementioned F.M. Road 1807 marking the beginning of a curve to the right;

THENCE, 189.10 feet with the north R.O.W. line of said F.M. Road 1807 and with the arc of said curve to the right having a radius of 10,604.66 feet, a central angle of $01^{\circ}01'18''$, and a chord that bears North $89^{\circ}49'58''$ West, 189.10 feet to a 5/8-inch iron rod found marking end of curve;

THENCE, North $89^{\circ}25'58''$ West, 1,143.20 feet continuing with the north R.O.W. line of said F.M. Road 1807 to a 5/8-inch iron rod found marking the beginning of a curve to the right;

THENCE, 846.11 feet continuing with the R.O.W. line of said F.M. Road 1807 and with the arc of said curve to the right having a radius of 914.45 feet, a central angle of $53^{\circ}00'50''$, and a chord

that bears North 62°59'40" West, 816.25 feet to a 1/2-inch iron rod found marking the southeast corner of that called 0.58 acre tract conveyed to Harper Cattle, LLC by deed of record in Volume 2018, Page 11741, D.R.J.C.T.;

THENCE, North 00°23'54" East, 285.70 feet with the east line of said 0.58 acre tract to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set marking an interior corner of the herein described tract;

THENCE, North 85°20'53" West, 147.99 feet with the north line of said 0.58 acre tract to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set in the east R.O.W. line of aforementioned F.M. Road No. 1807 marking the beginning of a curve to the right;

THENCE, with the east R.O.W. line of F.M. Road No. 1807 the following seven (7) courses:

1. 261.12 feet with the arc of said curve to the right having a radius of 914.45 feet, a central angle of 16°21'38", and a chord that bears North 07°25'52" West, 260.23 feet 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set marking the end of curve;

2. North 00°51'16" East, 325.40 feet to a 5/8-inch iron rod found marking a corner;

3. North 43°53'57'' East, 72.11 feet to a 1/2-inch iron rod with cap stamped "RPS 3936" found marking the corner in C.R. 108D (width varies);

4. North 00°52'18" East, 50.00 feet 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set marking a corner of said C.R. 108D;

5. North 44°15'33" West, 70.59 feet 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set marking a corner;

6. North 00°52'18" East, 140.05 feet 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set marking the beginning of a curve to the left;

7. 185.72 feet with the arc of said curve to the left having a radius of 994.93 feet, a delta angle of 10°41'42", and a chord that bears North 04°28'39" West, 185.45 feet to a 1/2-inch iron rod found marking a corner;

THENCE, North 00°39'02" East, 1,153.46 feet to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set in the centerline of Nike North Parkway (width varies) and the center of a road easement of record in Volume 1852, Page 413, D.R.J.C.T. and marking the southwest corner of that called 10.799 acres tract conveyed to James Z. Hughes by deed of record in Volume 1852, Page 413,

D.R.J.C.T., and marking a northwest corner of the herein described tract;

THENCE South 89°34'25" East, 1,376.62 feet with the south line of said 10.799 acres tract and that called 49.51 acres tract conveyed to James Z. Hughes and Glenda Hughes by deed of record in Volume 2014, Page 1892, D.R.J.C.T. to a 3/8-inch iron rod found marking a corner of that called 29.625 acres tract conveyed to Harper Cattle, LLV by deed or record in Volume 2305, Page 40 marking a northeast corner of the herein described tract;

THENCE, South 00°49'19" West, 1,556.39 feet with the west line of said 29.625 acres tract to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set in the centerline of aforementioned County Road (C.R.) 108D marking the southwest corner of said 29.625 acres tract and an interior corner of the herein described tract;

THENCE, South 89°26'49" East, 825.36 feet with the centerline of said C. R. Road 108D to a 3/8-inch iron rod found marking the southwest corner of that called 11.35 acres tract conveyed to Harper Cattle LLC by deed of record in Volume 350, Page 383, D.R.J.C.T.;

THENCE, South 89°29'38" East, 825.36 feet with the centerline of said C. R. Road 108D to a 3/8-inch iron rod found marking the

southeast corner of that said 11.35 acres tract and marking an interior corner of the herein described tract;

THENCE, North 00°12'36" East, 608.40 feet to a 3/8-inch iron rod found marking the northeast corner of said 11.35 acres tract and an interior corner of the herein described tract;

THENCE, North 89°36'08" West, 898.23 feet to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set marking an interior corner of the aforementioned 29.625 acres tract and marking a corner of the herein described tract;

THENCE, North 64°31'37" West, 311.26 feet continuing with the east line of said 29.625 acres tract to a 3/8-inch iron rod marking a corner of the herein described tract;

THENCE, North 00°38'22" East, 2,094.11 feet continuing with east line of said 29.625 acres tract to a 1/2-inch iron rod found marking the southwest corner of that called 23.29 acres tract conveyed to Donald Webb England and Julie Gale Bain by deed of record in Volume 2016, Page 31835, D.R.J.C.T. and marking a northwest corner of the herein described tract;

THENCE, North 89°27'10" East, 2,914.88 feet with the south line of said 23.29 acres tract to a 5/8-inch iron rod found in the centerline of Boggy Branch Creek and marking the southeast corner

of that called 44.492 acres tract conveyed to Donald Webb and Julie Gale Bain by deed of record in Volume 2016, Page 31822, D.R.J.C.T.;

THENCE, with the centerline of said Boggy Branch Creek the following six (6) courses:

1. North 05°56'54" East, 108.42 feet;
2. South 88°49'19" East, 63.57 feet;
3. North 40°44'54" East, 66.77 feet;
4. North 27°23'04" West, 48.15 feet;
5. North 03°54'21" East, 89.00 feet;
6. North 45°09'54" East, 141.69 feet;

THENCE, North 14°28'51" West, 159.48 feet to a 1-inch iron rod found marking the southwest corner of that called 37.912 acres tract conveyed to David L. Ramey by deed of record in Volume 2952, Page 847, D.R.J.C.T. and marking a northwest corner of the herein described tract;

THENCE, North 69°24'21" East, 2,520.38 feet with the south line of said 37.912 acres tract to a 1-inch iron rod found marking an interior corner of that called 23.317 acres tract conveyed to Steven Hoyt Ramey by deed of record in Volume 3569, Page 24, D.R.J.C.T. and marking a northeast corner of the herein described tract;

THENCE, South 29°07'24" East, 411.90 with the southwest line of that said 23.317 acres tract to a 1-inch iron rod found marking an interior corner of the herein described tract;

THENCE, North 53°24'30" East, 562.29 feet with the south line of said 23.317 acres tract to a 1-inch iron rod found in the west line of that called 471.134 acres tract conveyed to Matthews Martin Trust by deed of record in Volume 1299, Page 172, D.R.J.C.T., marking the northeast corner of the herein described tract;

THENCE, South 30°53'02" East, 950.31 feet to the west line of said 471.134 acres tract to a 5/8-inch iron rod marking a southeast corner of the herein described tract;

THENCE, South 67°13'07" West, 3,331.18 feet with the north line of said 471.134 acres tract to a 1-inch iron rod found marking the northeast corner of called 12.008 acres tract conveyed to Francisco J. Lujano Benitez and Leticia Manzo-Lujano by deed of record in Document No. 2014-11816, D.R.J.C.T. and marking an interior corner of the herein described tract;

THENCE, South 68°09'54" West, 392.94 with the north line of said 12.008 acres tract to the centerline of Boggy Creek;

THENCE, with the centerline of said Boggy Branch Creek the follow sixty (60) courses;

1. South 33°55'39" East, 80.00 feet;
2. South 55°09'35" East, 50.98 feet;
3. North 52°56'26" East, 47.62 feet;
4. South 56°56'47" East, 35.40 feet;
5. South 14°30'03" West, 126.16 feet;
6. South 02°08'33" West, 55.03 feet;
7. South 65°00'53" West, 38.38 feet;
8. South 40°08'20" East, 50.90 feet;
9. South 01°31'08" West, 79.27 feet;
10. South 41°31'44" East, 101.64 feet;
11. South 34°09'09" East, 77.41 feet;
12. South 16°34'44" West, 230.49 feet;
13. South 27°31'08" East, 87.79 feet;
14. South 02°16'40" East, 61.01 feet;
15. South 47°16'02" West, 110.41 feet;
16. South 20°29'07" West, 137.13 feet;
17. South 07°34'49" East, 69.04 feet;
18. South 37°52'47" East, 79.10 feet;
19. South 82°35'35" East, 52.08 feet;
20. South 57°15'56" East, 67.26 feet;
21. South 10°58'43" East, 141.22 feet;
22. South 00°36'40" West, 64.40 feet;
23. South 40°17'43" East, 29.65 feet;

24. South 04°36'49" West, 41.64 feet;
25. South 41°07'45" West, 68.45 feet;
26. South 25°19'00" West, 76.52 feet;
27. South 04°33'42" East, 83.77 feet;
28. South 10°56'07" West, 77.04 feet;
29. South 22°11'16" East, 154.07 feet;
30. South 35°08'59" East, 69.13 feet;
31. South 73°37'05" East, 36.68 feet;
32. South 16°46'59" East, 51.15 feet;
33. South 09°25'54" West, 95.89 feet;
34. South 01°49'41" West, 94.32 feet;
35. South 23°01'46" West, 64.19 feet;
36. South 37°31'30" East, 49.90 feet;
37. South 26°22'46" East, 43.52 feet;
38. South 04°33'20" East, 92.11 feet;
39. South 27°32'05" West, 38.95 feet;
40. North 55°21'20" West, 24.41 feet;
41. South 26°46'44" West, 13.89 feet;
42. South 14°24'24" East, 94.88 feet;
43. South 08°43'15" East, 65.58 feet;
44. South 00°47'53" West, 44.51 feet;
45. South 66°15'43" East, 71.17 feet;
46. South 17°06'38" West, 50.88 feet;

47. South 44°12'43'' West, 41.95 feet;
48. South 06°12'27'' East, 51.55 feet;
49. South 02°10'42" West, 54.12 feet;
50. South 77°11'40" East, 42.09 feet;
51. North 72°22'13" East, 46.76 feet;
52. North 12°02'02" East, 49.45 feet;
53. North 51°31'47" East, 87.45 feet;
54. South 48°16'15" East, 35.73 feet;
55. South 17°15'46" East, 58.91 feet;
56. South 14°06'33" West, 95.71 feet;
57. South 03°37'00" West, 67.26 feet;
58. South 36°54'20" East, 77.23 feet;
59. South 10°54'27" East, 104.85 feet;
60. South 35°55'09" West, 77.03 feet to the POINT OF BEGINNING
and CONTAINING 503.03 Acres (21,923,764 Sq. Ft.) of land.

BEING a 11.34 Acres (493,793 Sq. Ft.) tract of land situated in the AN Onstott Survey, Abstract No. 669, Johnson County, Texas; being all of that 11.35 acres tract conveyed to Harper Cattle, L.L.C., of record in volume 2305, Page 40, Deed Records, Johnson County, Texas, (D.R.J.C.T.) and being more particularly described by metes and bounds as follows:

BEGINNING at a 3/8-inch iron rod found in the south line of that called 503.95 acres tract conveyed to Harper Cattle, LLC by deed

or record in Volume 2305, Page 40, D.R.J.C.T., marking the northeast corner of that called 29.625 acres tract conveyed to Harper Cattle, LLC by deed of record in Volume 2305, Page 40, D.R.J.C.T., and marking the northwest corner of the herein described tract;

THENCE, South 89°36'08" East, 768.80 feet with the south line of said 503.95 acres tract to a 3/8-inch iron rod marking the northeast corner of the herein described tract;

THENCE, South 00°12'36" West, 608.40 feet with the west line of said 503.95 acres tract to a 3/8-inch iron rod found near the centerline intersection of County Road 108D marking the southeast corner of the herein described tract;

THENCE, North 89°29'38" West, 834.80 feet to a 3/8-inch iron rod found in the centerline of County Road 108D marking the southeast corner of that called 0.96 acre tract conveyed to Cynthia Tranquilli by deed of record in Volume 1964, Pages 119-123 marking the southwest corner of the herein described tract;

THENCE, North 02°36'12" East, 324.72 feet with the east side of said 0.96 acre tract to a 1/2-inch iron rod with cap stamped "APEX LAND SURVEYING" set and marking a corner of a called 29.625 acres tract conveyed to Harper Cattle, LLC by deed of record in Volume

2305. Page 40, D.R.J.C.T., and marking an interior corner of the herein described tract;

THENCE, North 10°44'12" East, 287.00 feet to the POINT OF BEGINNING and CONTAINING 11.34 Acres (493,793 Sq. Ft.) of land.

Being the same property conveyed in that Warranty Deed dated 4/28/22 from Harper Cattle LLC to 67213 LLC, recorded as Document No. 2022-14995 in the Official Records of Johnson County, Texas and CONTAINING 544.0208 Acres (23,709,290 Sq. Ft.) of land.

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.

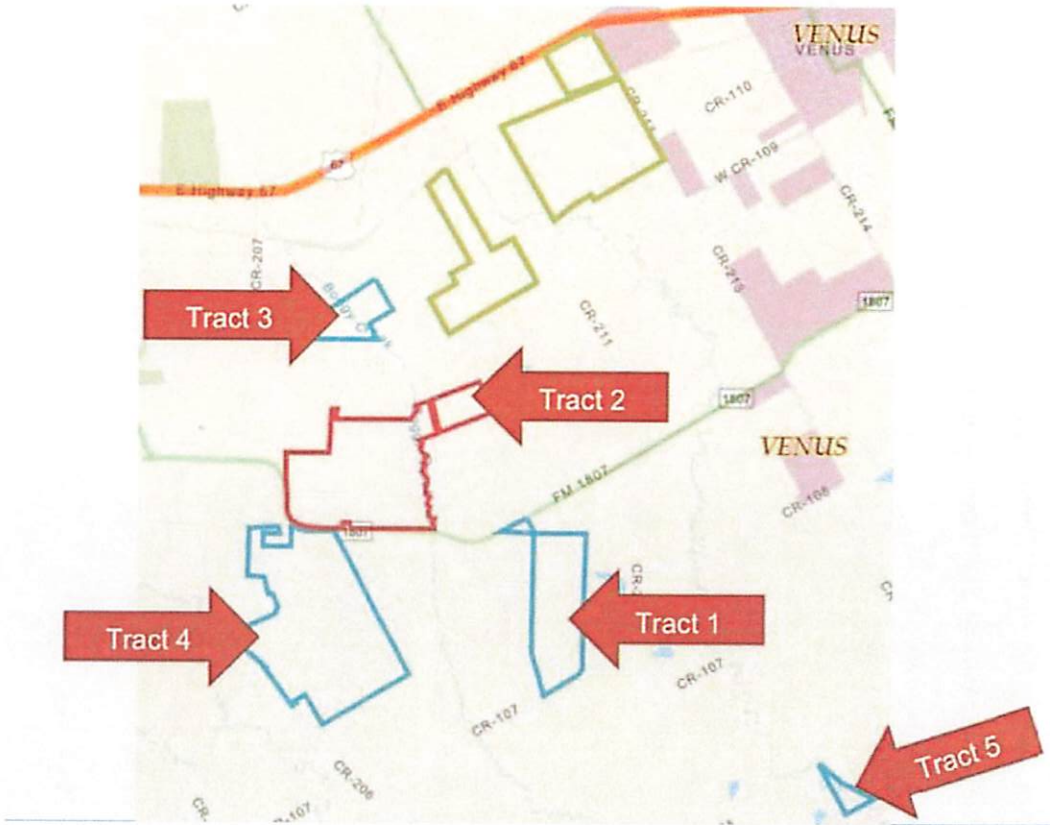
(d) All requirements of the constitution and laws of this state and the rules and procedures of the legislature with respect to the notice, introduction, and passage of this Act are fulfilled and accomplished.

SECTION 4. (a) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter ____, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section ____ .106 to read as follows:

Sec. .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, 2023.



The Johnson County Commissioners Court has reviewed the proposed legislation related the Cottonwood Creek Municipal Utility District located in Johnson County, Texas. We do not currently oppose the introduction and passage of legislation during the 88th Texas Legislature creating the District, but would want to weigh in if the legislation is changed.

This letter does not constitute consent to the creation of this conservation and reclamation District, and the County specifically reserves the right to approve or deny the District in the future as law permits



142 N. Ohio Drive • Celina, Texas 75009 • Phone 972.382.2682 • Fax 972.382.3736

03/14/2017

To whom it may concern,

This letter shall serve as the City of Celina's support as it relates to amending the Old Celina Municipal Management District No. 1 board of directors from an appointed board to an elected board.

Sincerely,

Mayor Sean Terry
City of Celina

CITY OF FORNEY, TEXAS

RESOLUTION NO. 17-04

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, IN SUPPORT OF COMMITTEE SUBSTITUTES TO HOUSE BILLS 1207 AND 1208 RELATED TO THE KAUFMAN COUNTY FRESH WATER SUPPLY DISTRICT 1-A AND 1-D, PROVIDING AUTHORITY TO ISSUE BONDS, IMPOSE A TAX, AND LEVY ASSESSMENTS.

WHEREAS, the Kaufman County Fresh Water Supply Districts 1-A, 1-B, 1-C, and 1-D have been previously created as special districts adjacent to the city limits of the City of Forney, Texas, with the authority to issue bonds payable by ad valorem taxes; and

WHEREAS, the City Council of the City of Forney, Texas has been requested to consider offering support for House Bills 1207 and 1208 filed during the 85th Legislative Session of the State of Texas, amending the authority of the Kaufman County Fresh Water Supply Districts 1-A and 1-D; and

WHEREAS, the City Council finds it to be in the best interest of the City of Forney, Texas to support amending the authority of Districts 1-A and 1-D to levy assessments and limit the authority to issue bonds payable by ad valorem taxes except for joint projects by agreement with the neighboring Districts 1-B and 1-C; and

WHEREAS, the City Council cannot support House Bill 1207 and 1208 in their current form as filed on January 23, 2017, but could support a Committee Substitute effectively limiting the taxable authority of District 1-A and 1-D and proposed in Exhibit A attached herein.

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, THAT:

Section 1. The recitals set forth in the WHEREAS clauses of this Resolution are true and correct and constitute findings and determinations by the City Council acting in its legislative capacity.

Section 2. The City Council of the City of Forney, Texas is in support of a Committee substitute to House Bills 1207 and 1208 filed in the 85th Legislative Session of the State of Texas creating assessment authority for the Kaufman County Fresh Water Supply Districts 1-A and 1-D and restricting each District's authority as it relates to issuing bonds payable by ad valorem taxes.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FORNEY, TEXAS, this 4 day of April, 2017.


Rick Wilson, Mayor

ATTEST:


Dorothy Brooks, TRMC, CMC, City Secretary





Office of County Judge
Tim O'Hare

March 1, 2023

The Honorable David Cook
Texas House of Representatives
Room E1.402
P.O. Box 2910
Austin, TX 78768

Re: Tarrant County Municipal District No. 2

Dear Representative Cook:

My office has reviewed the proposed legislation related to the Tarrant County Municipal Utility District No. 2 (the "District"), which is located within Tarrant County, Texas. I do not currently oppose the introduction and passage of legislation during the 88th Texas Legislature creating the District, but would want to weigh in if the legislation is changed.

This letter does not constitute formal consent to the creation of this conservation and reclamation district, and the County specifically reserves the right to approve or deny the District in the future as law permits.

Should you have any questions, please contact me.

Sincerely, 1

A handwritten signature in black ink that reads "Tim O'Hare". The signature is written in a cursive style with a large, sweeping initial "T".

Tim O'Hare
County Judge