(b) If this Act does not receive a two-thirds vote of all the members elected to each house, Subchapter C, Chapter 8878, Special District Local Laws Code, as added by Section 1 of this Act, is amended by adding Section 8878.118 to read as follows:

Sec. 8878.118. NO EMINENT DOMAIN POWER. The authority may not exercise the power of eminent domain.

(c) This section is not intended to be an expression of a legislative interpretation of the requirements of Subsection (c), Section 17, Article I, Texas Constitution.

SECTION 6. Except as provided by Section 5 of this Act:

(1) 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; and

(2) if this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

Passed the Senate on April 24, 2013: Yeas 29, Nays 1; passed the House on May 20, 2013: Yeas 147, Nays 0, two present not voting.

Approved June 14, 2013.

Effective June 14, 2013.

CHAPTER 830

S.B. No. 1872

AN ACT
relating to the creation of Onion Creek Metro Park District; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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 3924 to read as follows:

CHAPTER 3924. ONION CREEK METRO PARK DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3924.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Austin.

(3) "County" means Travis County.

(4) "Director" means a board member.

(5) "District" means the Onion Creek Metro Park District.

Sec. 3924.002. NATURE OF DISTRICT. The Onion Creek Metro Park District is a special district created under Section 50, Article XVI, Texas Constitution.

Sec. 3924.003. 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 or the county from providing the level of services provided as of the effective date of the Act.
enacting this chapter. The district is created to supplement and not to supplant city or county services provided in the district.

Sec. 3924.004. CONFIRMATION ELECTION REQUIRED. The initial directors shall hold an election to confirm the creation of the district as provided by Section 49.102, Water Code.

Sec. 3924.005. CONSENT OF MUNICIPALITY REQUIRED. (a) The initial directors may not hold an election under Section 3924.004 until the city has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

(b) If the city does not consent to the creation of the district and to the inclusion of land in the district before September 1, 2014:

(1) the district is dissolved September 1, 2014, except that:
   (A) any debts incurred shall be paid;
   (B) any assets that remain after the payment of debts shall be transferred to the city or another local governmental entity to be used for a public purpose; and
   (C) the organization of the district shall be maintained until all debts are paid and remaining assets are transferred; and

(2) this chapter, including Section 3924.055, expires September 1, 2014.

(c) In addition to the requirements prescribed by Subsection (a), the ordinance or resolution described by Subsection (a):

(1) must specify the qualifications for persons to be eligible to serve as permanent directors; and

(2) may limit the number of terms a director may serve.

Sec. 3924.006. 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;

(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. 3924.007. 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. 3924.008. 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 abatement reinvestment zone created under Chapter 312, Tax Code; or
2. an enterprise zone created under Chapter 2303, Government Code.

Sec. 3924.009. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3924.010. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3924.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of seven voting directors who serve staggered terms of four years, with three or four directors' terms expiring June 1 of each odd-numbered year.

(b) The qualifications of the permanent directors must comply with those established in the ordinance or resolution under Section 3924.005(c)(1).

(c) The board by resolution may change the number of voting directors on the board if the board determines that the change is in the best interest of the district and the city approves the change. The board may not consist of fewer than 7 or more than 15 voting directors.

Sec. 3924.052. APPOINTMENT OF VOTING DIRECTORS. The governing body of the city shall appoint the voting directors. A person is appointed if a majority of the members of the governing body vote to appoint that person.

Sec. 3924.053. 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; or
2. a director who is abstaining from participation in a vote because of a conflict of interest.

Sec. 3924.054. COMPENSATION. A director is entitled to receive fees of office and reimbursement for actual expenses as provided by Section 49.069, Water Code. Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

Sec. 3924.055. INITIAL VOTING DIRECTORS. (a) The initial board consists of the following voting directors:

<table>
<thead>
<tr>
<th>Pos. No.</th>
<th>Name of Director</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Sara Partridge</td>
</tr>
<tr>
<td>2</td>
<td>Tyler Zickert</td>
</tr>
<tr>
<td>3</td>
<td>Ross Rathgeber</td>
</tr>
<tr>
<td>4</td>
<td>George Cofer</td>
</tr>
<tr>
<td>5</td>
<td>Andrea Rado Hamilton</td>
</tr>
<tr>
<td>6</td>
<td>Cile Montgomery</td>
</tr>
<tr>
<td>7</td>
<td>Philip Koske</td>
</tr>
</tbody>
</table>

(b) Of the initial directors, the terms of directors appointed for positions one, three, five, and seven expire June 1, 2015, and the terms of directors appointed for positions two, four, and six expire June 1, 2017.
(c) Section 3924.052 does not apply to this section.
(d) This section expires September 1, 2017.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3924.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3924.102. 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. 3924.103. LOCATION OF IMPROVEMENT PROJECT. An improvement project described by Section 3924.102 may be located:
(1) in the district; or
(2) in an area outside the district if the board determines that the project benefits the district.

Sec. 3924.104. 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. 3924.105. 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 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. 3924.106. 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. 3924.107. 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 for a fee.

Sec. 3924.108. 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. 3924.109. ECONOMIC DEVELOPMENT. (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, 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:

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Sec. 3924.110. 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.

(d) The development and operation of the district's parking facilities may be considered an economic development program.

Sec. 3924.111. APPROVAL BY 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 annexation of land in the city or the extraterritorial jurisdiction of the city;

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

(4) 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 district may not issue bonds or annex land in the city or extraterritorial jurisdiction of the city until the governing body of the city adopts a resolution or ordinance authorizing the issuance of the bonds or the annexation of the land.

(c) If the district obtains the approval of the city's governing body of a capital improvements budget for a period not to exceed 10 years, the district may finance the capital improvements and issue bonds specified in the budget without further approval from the city.

(d) The governing body of the city:

(1) is not required to adopt a resolution or ordinance to approve plans and specifications described by Subsection (a); and

(2) may establish an administrative process to approve plans and specifications described by Subsection (a) without the involvement of the governing body.

Sec. 3924.112. COMPLIANCE WITH MUNICIPAL CONSENT AGREEMENT, ORDINANCE, OR RESOLUTION; ENFORCEABILITY OF AGREEMENT. (a) The district shall comply with all applicable requirements of an ordinance or resolution adopted by the city that consents to the creation of the district or to the inclusion of land in the district.

(b) Any agreement between the district and the city related to the city's consent to the creation of the district is valid and enforceable.

(c) On the issuance of bonds by the district, the district is considered to have waived sovereign immunity to suit by the city for the purpose of adjudicating a claim for breach of an agreement described by this section.

Sec. 3924.113. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; TAX AND ASSESSMENT ABATEMENTS

Sec. 3924.151. 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. 3924.152. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may acquire, construct, finance, operate, or maintain any improvement or service author-
ized under this chapter or Chapter 375, Local Government Code, using any money available to the district.

Sec. 3924.153. 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. 3924.154. RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161, Local Government Code, does not apply to a tax authorized or approved by the voters of the district or a required payment for a service provided by the district, including water and sewer services.

Sec. 3924.155. TAX AND ASSESSMENT ABATEMENTS. The district may designate reinvestment zones and may grant abatements of district taxes or assessments on property in the zones.

SUBCHAPTER E. TAXES AND BONDS

Sec. 3924.201. 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 3924.203.

(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. 3924.202. OPERATION AND MAINTENANCE TAX. (a) If authorized by a majority of the district voters voting at an election held in accordance with Section 3924.201, 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. 3924.203. 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. 3924.204. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board. Section 375.205, Local Government Code, does not apply to a loan, line of credit, or other borrowing from a bank or financial institution secured by revenue other than ad valorem taxes.

(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.

(c) The limitation on the outstanding principal amount of bonds, notes, and other obligations provided by Section 49.4645, Water Code, does not apply to the district.

Sec. 3924.205. 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. 3924.206. 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. The Onion Creek Metro Park District initially includes all territory contained in the following area:

A DESCRIPTION OF 701.655 ACRES IN THE SANTIAGO DEL VALLE GRANT, TRAVIS COUNTY, TEXAS, CONSISTING OF:

A PORTION OF A 679.66 ACRE TRACT AND A 0.805 ACRE TRACT, DESCRIBED IN A SPECIAL WARRANTY DEED TO MVE VENTURE, LTD. DATED MAY 2, 2005 AND RECORDED IN DOCUMENT NO. 2005078856 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 22.818 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO M.V.E. VENTURE DATED DECEMBER 28, 1989 AND RECORDED IN VOLUME 11093, PAGE 219 OF THE REAL PROPERTY RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 175.00 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO BENCHMARK LAND DEVELOPMENT, INC. DATED MAY 02, 2005 AND RECORDED IN DOCUMENT NO. 2005078857 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF AN 85.600 ACRE TRACT DESCRIBED IN A CASH WARRANTY DEED TO AUSTIN GOODNIGHT RANCH, L.P. DATED JUNE 30, 2006 AND RECORDED IN DOCUMENT NO. 2006197891 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 26.519 ACRE TRACT AND A 2.495 ACRE TRACT, BOTH DESCRIBED IN A SPECIAL WARRANTY DEED TO GOODNIGHT RANCH L.P. DATED JUNE 30, 2006 AND RECORDED IN DOCUMENT NO. 2006099945 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 0.023 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO GOODNIGHT RANCH, L.P. AND RECORDED IN DOCUMENT NO. 2007076804 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF VERTEX BOULEVARD (70' RIGHT-OF-WAY WIDTH) DESCRIBED IN DOCUMENT NO. 200800081 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;
ALL OF A 2.031 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO AUSTIN GOODNIGHT RANCH, L.P., DATED JANUARY 31, 2006 AND RECORDED IN DOCUMENT NO. 2006022592 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 6.125 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO AUSTIN GOODNIGHT RANCH, L.P., DATED MARCH 18, 2011 AND RECORDED IN DOCUMENT NO. 2011035151 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 6.658 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED TO AUSTIN GOODNIGHT RANCH, L.P., DATED JUNE 29, 2007 AND RECORDED IN DOCUMENT NO. 2007211337 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 0.828 ACRE TRACT DESCRIBED IN A GENERAL WARRANTY DEED TO TRAVIS COUNTY, TEXAS, DATED AUGUST 9, 2011 AND DESCRIBED IN DOCUMENT NO. 2011118719 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF SLAUGHTER LANE EAST DESCRIBED IN DOCUMENT NO. 2007064816 AND DOCUMENT NO. 2010044559 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 24.529 ACRE TRACT DESCRIBED IN A SPECIAL WARRANTY DEED WITH VENDOR'S LIEN TO AUSTIN GOODNIGHT RANCH, L.P., DATED APRIL 4, 2011 AND RECORDED IN DOCUMENT NO. 2011053055 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

ALL OF A 0.144 ACRE TRACT OF LAND DESCRIBED IN A SPECIAL WARRAN- Ty DEED TO AUSTIN GOODNIGHT RANCH, L.P. DATED APRIL 14, 2011 AND RECORDED IN DOCUMENT NO. 2011053054 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS;

SAID 701.655 ACRES BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 1/2" rebar found in the north right-of-way line of Old Lockhart Highway (right-of-way width varies), being the southeast corner of the 679.66 acre tract, being also the southwest corner of Lot 1 of Capitol View Estates, a subdivision of record in Volume 45, Page 13 of the Plat Records of Travis County, Texas;

THENCE with the north right-of-way line of Old Lockhart Highway and the south line of the 679.66 acre tract, a distance of 158.54 feet to a 3/4" iron pipe found for the southwest corner of the 0.805 acre tract;

THENCE with the north right-of-way line of Old Lockhart Highway and the south line of the 0.805 acre tract, a distance of 400.57 feet to a 1/2" rebar found for a southwest corner of the 679.66 acre tract, being the southeast corner of a 0.994 acre tract of

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land described in Volume 12478, Page 528 of the Real Property Records of Travis County, Texas;

THENCE North 28°56′17″ East, with the west line of the 679.66 acre tract and the east line of the 0.994 acre tract, a distance of 321.00 feet to a calculated point for the northeast corner of the 0.994 acre tract, being a southeast corner of a 3.59 acre tract of land described in Document No. 2009200063 of the Official Public Records of Travis County, Texas;

THENCE with the common line of the 679.66 acre tract and the 3.59 acre tract the following two (2) courses and distances:
1. North 28°50′57″ East, a distance of 437.63 feet to a 1/2″ rebar found for the northeast corner of the 3.59 acre tract;
2. North 60°15′24″ West, a distance of 130.11 feet to a 1/2″ rebar found for the northwest corner of the 3.59 acre tract, being an angle point in the east line of a 16.46 acre tract of land described in Document No. 2004222100 of the Official Public Records of Travis County, Texas;

THENCE with the common line of the 679.66 acre tract and the 16.46 acre tract the following three (3) courses and distances:
1. North 59°54′43″ West, a distance of 44.13 feet to a 1/2″ rebar found;
2. North 29°01′25″ East, a distance of 1551.18 feet to a 3/4″ iron pipe found for the northeast corner of the 16.46 acre tract;
3. North 62°54′58″ West, a distance of 162.11 feet to a 1″ iron pipe found for the northwest corner of the 6.59 acre tract;

THENCE with the common line of the 679.66 acre tract and the 6.59 acre tract the following five (5) courses and distances:
1. North 26°32′14″ West, a distance of 566.22 feet to a 1/2″ rebar found;  
2. North 18°08′20″ West, a distance of 141.82 feet to a 1/2″ rebar found;  
3. North 07°42′27″ East, a distance of 89.82 feet to a 1/2″ rebar found;  
4. North 28°37′37″ East, a distance of 229.06 feet to a 1″ iron pipe found;  
5. North 29°33′21″ East, at a distance of 460.01 feet, passing a 1/2″ rebar with Chaparral cap set for the south corner of the 0.828 acre tract, continuing with the common right-of-way line of Old Lockhart Highway and the 0.828 acre tract, in all, a distance of 670.57 feet to a 3/4″ iron pipe found;  

THENCE North 30°58′10″ East, with the common right-of-way line of Old Lockhart Highway and the 0.828 acre tract the following three (3) courses and distances:
1. South 26°34'49" East, a distance of 11.29 feet to a 1/2" rebar found;
2. North 27°27'35" East, a distance of 172.54 feet to a 1/2" rebar found;
3. North 26°27'24" East, at a distance of 227.52 feet passing a 1/2" rebar found for an angle point in the south right-of-way line of Slaughter Lane East (right-of-way width varies) as described in Document No. 2008134870 of the Official Public Records of Travis County, Texas, being in the west line of the said 85.600 acre tract, being also the northeast corner of a 1.5 acre tract described in Volume 11234, Page 365 of the Real Property Records of Travis County, Texas, continuing with the south right-of-way line of Slaughter Lane East and the west line of the 0.828 acre tract, in all, a distance of 229.16 feet to a 1/2" rebar found for an angle point in the south right-of-way line of Slaughter Lane East, being the northwest corner of the 0.828 acre tract;

THENCE North 26°54'47" East, with the west line of the 679.66 acre tract, crossing Slaughter Lane East, a distance of 145.04 feet to a 1/2" rebar with Chaparral cap found in the north right-of-way line of Slaughter Lane East, being a point in the west line of the 175.000 acre tract and also being in the east line of a 67.95 acre tract described in Document No. 2002232017 of the Official Public Records of Travis County, Texas;

THENCE North 26°54'47" East, with the west line of the 679.66 acre tract, the west line of the 175.000 acre tract and the east line of the 67.95 acre tract, a distance of 1458.21 feet to a 1/2" rebar found at an angle point in the west line of the 67.95 acre tract, being the northeast corner of the 1.477 acre tract;

THENCE with the common line of Nuckols Crossing Road, the 85.600 acre tract and the 679.66 acre tract, the following seven (7) courses and distances:
1. North 27°13'23" East, a distance of 107.04 feet to a 1/2" rebar found;
2. North 36°26'26" East, a distance of 98.94 feet to a 3/4" iron pipe found;
3. North 27°09'55" East, a distance of 1122.38 feet to a 3/4" iron pipe found;
4. With a curve to the right, having a radius of 136.02 feet, an arc length of 214.24 feet, and a chord which bears North 72°14'38" East, a distance of 192.77 feet to a 3/4" iron pipe found;
5. South 62°37'40" East, a distance of 734.70 feet to a nail found in a fence post;
6. With a curve to the left, having a radius of 990.40 feet, an arc length of 286.98 feet, and a chord which bears South 70°56'14" East, a distance of 285.97 feet to a 1/2" rebar found;
7. South 79°14'59" East, a distance of 524.60 feet to a 1/2" rebar with cap set for the northeast corner of the 86.600 acre tract, being in the north line of the 679.66 acre tract;

THENCE with the south right-of-way line of Nuckols Crossing Road and the north line of the 679.66 acre tract the following two (2) courses and distances:
1. South 79°14'59" East, a distance of 645.80 feet to a 3/4" iron pipe found, from which, a 1/2" rebar found bears South 84°49'23" East, a distance of 5.32 feet;
2. South 85°18'25" East, at a distance of 77.47 feet, passing a 1/2" rebar with cap set for the intersection of Nuckols Crossing Road and Vertex Boulevard, continuing with the prolongation of the south right-of-way line of Nuckols Crossing Road, in all, a distance of 178.60 feet to a 1/2" rebar found for the southwest corner of Lot 1, Gentry Estates, a subdivision of record in Volume 75, Page 88 of the Plat Records of Travis County, Texas, being also the northwest corner of a 15.604 acre tract described in Document No. 2006099949 of the Official Public Records of Travis County, Texas;

THENCE crossing the 679.66 acre tract with the east right-of-way line of Vertex Boulevard and the west line of the 15.604 acre tract, the following two (2) courses and distances:
1. South 31°49'52" West, a distance of 11.02 feet to a 1/2" rebar with Chaparral cap found; 
2. With a curve to the left, having a radius of 1050.00 feet, an arc length of 631.79 feet, and a chord which bears South 14°35'36" West, a distance of 622.51 feet to a 1/2" rebar with Chaparral cap found for the southeast termination of Vertex Boulevard, being also a point in the east line of a 2.496 acre described in Document No. 2006099945 of the Official Public Records of Travis County, Texas; 

THENCE continuing across the 679.66 acre tract with the west line of the 15.604 acre tract and the east line of the 2.496 acre tract the following two (2) courses and distances: 
1. With a curve to the left, having a radius of 1050.00 feet, an arc length of 356.17 feet, and a chord which bears South 12°21'43" East, a distance of 354.46 feet to a 1/2" rebar with Chaparral cap found; 
2. South 22°04'46" East, a distance of 217.30 feet to a 1/2" rebar with Chaparral cap found for the southwest corner of said 15.604 acre tract, being the northwest corner of said 26.519 acre tract; 

THENCE continuing across the 679.66 acre tract with the common line of the 15.604 acre and 26.519 acre tracts, the following three (3) courses and distances: 
1. North 89°49'06" East, a distance of 173.88 feet to a 1/2" rebar with Chaparral cap found; 
2. North 84°49'06" East, a distance of 389.86 feet to a 1/2" rebar with Chaparral cap found; 
3. North 00°06'16" East, a distance of 814.03 feet to a 1/2" rebar with Chaparral cap found for an angle point in the north line of the 26.519 acre tract, being in the north line of the 679.66 acre, same being the northeast corner of the 15.604 acre tract, and being also a point in the south line of Lot 1 of said Gentry Estates; 

THENCE South 61°01'04" East, with the north line of the 26.519 acre tract, the north line of the 679.66 acre tract and the south line of Lot 1, Gentry Estates, a distance of 494.73 feet to a 3/4" iron pipe found for the southeast corner of Lot 1, Gentry Estates, being the southwest corner of Block B of Final Plat of Thaxton Place, a subdivision of record in Document No. 2006000080 of the Official Public Records of Travis County, Texas; 

THENCE South 61°02'12" East, with the north line of the 679.66 acre tract, the north line of the 26.519 acre tract and the south line of Block B of Thaxton Place, at a distance of 509.80 feet, passing the northwest corner of the 2.031 acre tract, continuing with the north line of the 679.66 acre tract, the north line of the 2.031 acre tract, the north line of the 26.519 acre tract and the south line of Block B of Thaxton Place, in all, a distance of 549.85 feet to a 1/2" rebar found for the northeast corner of the 679.66 acre tract, the northeast corner of the 2.031 acre tract, the northeast corner of the 26.519 acre tract, and also being the southeast corner of Block B of Thaxton Place and a point in the west line of Lot 13, Block X of Sheldon 230, Section 1, Phase 1 a subdivision of record in Document No. 200500225 of the Official Public Records of Travis County, Texas; 

THENCE South 26°18'36" West, with the east line of the 679.66 acre tract, the east line of the 2.031 acre tract, the east line of the 26.519 acre tract, and the west lines of Block X of Sheldon 230, Section 1, Phase 1, Block DD of Sheldon 230 Section 1, Phase 3 a subdivision of record in Document No. 2006000032 of the Official Public Records of Travis County, Texas, Baythorne Drive 69° right-of-way described in Document No. 200700032 of the Official Public Records of Travis County, Texas, and Block DD of Sheldon 230 Section 1, Phase 2 a subdivision of record in Document No. 200600033 of the Official Public Records of Travis County, Texas, a distance of 2090.63 feet to a 1/2" rebar with Chaparral cap found for the southwest corner of Block DD of Sheldon 230 Section 1, Phase 2, being the northwest corner of the 6.125 acre tract; 

THENCE South 63°39'27" East, with the north line of the 6.125 acre tract and the south line of Block DD of Sheldon 230 Section 1, Phase 2, a distance of 375.16 feet to a 1/2" rebar with Chaparral cap set for the northeast corner of the 6.125 acre tract, being the northwest corner of a 22.802 acre tract described in Document No. 200720182 of the Official Public Records of Travis County, Texas; 

THENCE North 89°44'31" West, with the east line of the 6.125 acre tract, the west line of the 22.802 acre tract and the west line of a 7.698 acre tract described in Document No. 2009200351, a distance 721.24 feet to a 1/2" rebar with Chaparral cap found for the northeast
termination of Slaughter Lane East, described in Document 2010044359 of the Official Public Records of Travis County, Texas, being a point in the west line of the 22.802 acre tract;

THENCE South 26°22'18" West, with the east termination of Slaughter Lane East and the west line of the 22.802 acre tract, a distance of 141.81 feet to a 1/2" rebar found for the southeast termination of Slaughter Lane East, being the southwest corner of the 22.802 acre tract, the northwest corner of the 22.818 acre tract and being also the northeast corner of the 6.658 acre tract;

THENCE South 63°41'30" East, with the north line of the 22.818 acre tract and the south line of the 22.802 acre tract, at a distance of 1246.34 feet passing 1/2" rebar found, in all, a distance of 1246.85 feet to a calculated point for the northeast corner of the 22.818 acre tract, being the southeast corner of the 22.802 acre tract, being in the west right-of-way line of an apparent road;

THENCE with the east line of the 22.818 acre tract and the west line of the apparent road the following two (2) courses and distances:

1. South 13°52'34" West, a distance of 157.47 feet to a 1/2" rebar found;

2. South 27°10'07" West, a distance of 638.82 feet to a 1/2" rebar with Chaparral cap set for the southeast corner of the 22.818 acre tract, being in the north right-of-way line of Capitol View Drive (60' right-of-way width), being also the northeast corner of Lot 15-B, Resubdivision of Lots 14 & 15, Capitol View Estates, a subdivision of record in Volume 47, Page 100 of the Plat Records of Travis County, Texas;

THENCE North 62°33'37" West, with the south line of the 22.818 acre tract and the north line of Lot 15-B, a distance of 361.95 feet to a 1/2" rebar found for the northwest corner of Lot 15-B, being an angle point in the east line of the 679.66 acre tract;

THENCE South 27°16'23" West, with the east line of the 679.66 acre tract, the west line of the said Resubdivision of Lots 14 & 15, Capitol View Estates, the west line of Capitol View Estates, the west line of the Resubdivision of Lots 10, 11, 21, 22 & 23, Capitol View Estates, a subdivision of record in Volume 48, Page 1 of the Plat Records of Travis County, Texas, the west line of the Resubdivision of Lot 5, Capitol View Estates, a subdivision of record in Volume 55, Page 47 of the Plat Records of Travis County, Texas, and the west line of the Resubdivision of Lot 4, Capitol View Estates, a subdivision of record in Volume 55, Page 66 of the Plat Records of Travis County, Texas, a distance of 4347.40 feet to the POINT OF BEGINNING, containing 701.655 acres of land, more or less.

SECTION 3. (a) The legal notice of the intention to introduce this Act, setting forth the general substance of this Act, has been published as provided by law, and the notice and a copy of this Act have been furnished to all persons, agencies, officials, or entities to which they are required to be furnished under Section 59, Article XVI, Texas Constitution, and Chapter 313, Government Code.

(b) The governor, one of the required recipients, has submitted the notice and Act to the Texas Commission on Environmental Quality.

(c) The Texas Commission on Environmental Quality has filed its recommendations relating to this Act with the governor, 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.

Passed the Senate on May 2, 2013: Yeas 31, Nays 0; passed the House on May 17, 2013: Yeas 134, Nays 0, two present not voting.
CHAPTER 831
S.B. No. 1878
AN ACT
relating to the creation of Highway 380 Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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 3920 to read as follows:

CHAPTER 3920. HIGHWAY 380 MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3920.001. DEFINITIONS. In this chapter:
(1) “Board” means the district’s board of directors.
(2) “City” means the Town of Little Elm.
(3) “County” means Denton County.
(4) “Director” means a board member.
(5) “District” means the Highway 380 Municipal Management District No. 1.

Sec. 3920.002. NATURE OF DISTRICT. The Highway 380 Municipal Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3920.003. 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.

(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 or 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. 3920.004. 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: