

By: _____

____.B. No. _____

A BILL TO BE ENTITLED

AN ACT

relating to the Cottonwood Creek Development District.

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

SECTION 1. The district created by Travis County as the Cottonwood Creek Water Control and Improvement District No. 3 is renamed the Cottonwood Creek Development District.

SECTION 2. Subtitle X, Title 6, Special District Local Laws Code, is amended by adding Chapter 11003 to read as follows:

CHAPTER 11003. COTTONWOOD CREEK DEVELOPMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 11003.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Cottonwood Creek Development District.

(4) "District system" means a water, sewer, drainage, waste disposal, or other utility system, an improvement project, a road project, or any other project authorized by the district under this chapter.

Sec. 11003.002. NATURE OF DISTRICT. The district is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 11003.003. 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 48-e, 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;

(3) developing or expanding transportation and commerce;

(4) promoting, developing, and encouraging recreation; and

(5) promoting and maintaining safety and the public welfare.

(d) This chapter is enabling legislation enacted to further the public purposes under Section 52-a, Article III, Texas Constitution. By authorizing the district to exercise the powers conferred by this chapter and in authorizing other political subdivisions to contract with the district, the legislature has established a program to accomplish those public purposes.

Sec. 11003.004. TERRITORY ADDED. (a) The district is composed of the territory described by Section 3 of the Act creating this chapter as of the effective date of that Act.

(b) The boundaries and field notes contained in Section 3 of the Act creating this chapter form a closure. A mistake made in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to issue any type of bond for the purposes for which the district is created or to pay the principal of and interest on a bond;

(3) right to impose a tax; or

(4) legality or operation.

(c) The territory described in Section 3 of the Act creating this chapter is excluded from the extraterritorial jurisdiction of any municipality if the territory is located

more than five miles beyond the corporate limits of the municipality as of the effective date of the Act creating this chapter.

Sec. 11003.005. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. (a) All or any part of the area of the district is eligible to be included in:

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

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

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

(b) If any portion of the district is included in a tax increment reinvestment zone described by Subsection (a), the board of directors of the zone, by contract with the district, may grant money to the district to be used for a permissible purpose of a corporation under Section 380.002(b), Local Government Code, including the right to pledge the money as security for a bond, note, or other obligation of the district.

Sec. 11003.006. CONFLICT OF LAWS. To the extent of any conflict or inconsistency between this chapter and any other law, this chapter controls.

Sec. 11003.007. SUFFICIENT AUTHORITY FOR ACTIONS. This chapter is wholly sufficient authority for powers authorized by this chapter, including powers for the issuance of bonds, the pledge of revenue, taxes, or any combination of revenue and taxes, and the performance of any other act or procedure authorized by this chapter, without reference to any other law or any restriction or limitation contained in another law.

Sec. 11003.008. LIBERAL CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

[Sections 11003.009-11003.100 reserved for expansion]

SUBCHAPTER B. POWERS AND DUTIES

Sec. 11003.101. GENERAL WATER DISTRICT POWERS AND DUTIES. The district has the duties imposed by this chapter and the powers provided by the general laws relating to conservation and reclamation districts created under Section 59, Article XVI, Texas Constitution, including Chapters 49, 51, and 54, Water Code.

Sec. 11003.102. GENERAL ROAD DISTRICT POWERS. The district has the duties imposed by this chapter and the powers provided by the general laws relating to road districts and road utility districts created under Section 52, Article III, Texas Constitution, including Chapter 441, Transportation Code.

Sec. 11003.103. ADDITIONAL SPECIFIC AUTHORITY FOR ROAD PROJECTS. Under Section 52, Article III, Texas Constitution, the district may acquire, construct, operate, and maintain macadamized, graveled, or paved roads and turnpikes, including programs and facilities in aid of those roads.

Sec. 11003.104. GENERAL MUNICIPAL AND COUNTY POWERS RELATED TO PUBLIC IMPROVEMENT DISTRICTS. The district has the duties provided by this chapter and the powers provided to a municipality or county under Subchapter A, Chapter 372, Local Government Code.

Sec. 11003.105. GENERAL DEVELOPMENT CORPORATION POWERS. The district has the duties provided by this chapter and the powers provided to a corporation under Subtitle C1, Title 12, Local Government Code.

Sec. 11003.106. GENERAL COUNTY DEVELOPMENT DISTRICT POWERS. The district has the duties provided by this chapter and the powers provided to a county under Chapter 383, Local Government Code.

Sec. 11003.107. GENERAL MUNICIPAL AND COUNTY AIRPORT POWERS. The district has the duties provided by this chapter and the

powers provided to a municipality or a county under Chapter 22, Transportation Code.

Sec. 11003.108. ADDITIONAL MUNICIPAL AND COUNTY AIRPORT ZONING POWERS. The district has the duties provided by this chapter and the powers provided to a municipality or a county under Chapter 241, Local Government Code.

Sec. 11003.109. FIRE PROTECTION AND EMERGENCY MANAGEMENT SERVICES. The district may provide, operate, or regulate fire protection and emergency management services for improvements in the district.

Sec. 11003.110. IMPROVEMENT PROJECTS AND SERVICES. (a) The district may provide, construct, acquire, improve, operate, or maintain an improvement project or contract with a governmental or private entity to provide an improvement project described by Subsection (b).

(b) An improvement project means:

(1) a project described by Subchapter C, Chapter 501, Local Government Code; and

(2) an airport or air navigation facility, as defined by Section 22.001, Transportation Code.

(c) The district may accept federal or state money for an improvement project.

(d) The district may exercise the powers related to improvement projects outside the district to connect an

improvement project to a larger system, including water and sewer lines, and roads.

Sec. 11003.111. GENERAL POWERS REGARDING CONTRACTS. (a)

The district may:

(1) contract with any person to accomplish any district purpose, including a contract for:

(A) the payment, repayment, or reimbursement of costs incurred by that person on behalf of the district, including all or part of the costs of a district system; or

(B) the use, occupancy, lease, rental, operation, maintenance, or management of all or part of a district system; and

(2) apply for and contract with any person to receive, administer, and perform a district duty under a federal, state, local, or private gift, grant, loan, conveyance, transfer, bequest, or other financial assistance arrangement relating to the investigation, planning, analysis, study, design, acquisition, construction, improvement, completion, implementation, or operation by the district or others of a district system.

(b) A contract the district enters into to carry out a purpose of this chapter may be on any terms and for any period the board determines.

(c) Any person may contract with the district to carry out the purposes of this chapter without further statutory or other authorization.

Sec. 11003.112. RULES; ENFORCEMENT. (a) The district may adopt rules:

(1) to administer or operate the district;

(2) for the use, enjoyment, availability, protection, security, and maintenance of the district's facilities and other property; or

(3) to provide for public safety and security in the district.

(b) The district may enforce its rules by injunctive relief.

(c) The district may not adopt a rule that applies outside the district or enforce a rule outside the district.

Sec. 11003.113. NAME CHANGE. The board by resolution may change the district's name.

Sec. 11003.114. USE OF ROADWAY, PARK, OR OTHER PUBLIC AREA OF DISTRICT. (a) The board by rule may regulate the private

use of a public roadway, open space, park, sidewalk, or similar public area in the district. To the extent the district rules conflict with a rule, order, ordinance, or regulation of a municipality, the rule, order, ordinance, or regulation of the municipality controls. A rule may provide for the safe and orderly use of public roadways, open spaces, parks, sidewalks, and similar public areas or facilities.

(b) The board may require a permit for a parade, demonstration, celebration, entertainment event, or similar nongovernmental activity in or on a public roadway, open space, park, sidewalk, or similar public area or facility owned by the district. The board may charge a fee for the permit application or

for public safety or security services in an amount the board considers necessary.

(c) The board may require a permit or franchise agreement with a vendor, concessionaire, exhibitor, or similar private or commercial person or organization for the limited use of the area or facility owned by the district on terms and on payment of a permit or franchise fee the board may impose.

Sec. 11003.115. ADDING OR REMOVING TERRITORY. As provided by Subchapter J, Chapter 49, Water Code, the board may add

territory to the district, subject to Section 54.016, Water Code, or remove territory from the district, except that:

(1) the addition or removal of the territory must be approved by the owners of the territory being added or removed;

(2) a reference to a tax in Subchapter J, Chapter 49, or Section 54.016, Water Code, means a property tax; and

(3) territory may not be removed from the district if bonds or other obligations of the district payable wholly or partly from property taxes or assessments levied or assessed on the territory are outstanding.

Sec. 11003.116. 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 develop and diversify the state economy, eliminate unemployment or underemployment in the

state, and develop and expand transportation or commerce in the state, including programs to:

(1) make loans and grants of public money, including money from bond proceeds or other borrowed sources;

(2) reimburse costs of any district system; and

(3) provide district personnel and services.

(c) The district may create economic development programs and exercise the economic development powers that:

(1) Chapter 1503, Government Code, provides to a municipality;

(2) Subchapter A, Chapter 1509, Government Code, provides to a municipality;

(3) Chapter 380, Local Government Code, provides to a municipality with a population of more than 100,000; and

(4) Chapter 501, Local Government Code, provides to a unit.

Sec. 11003.117. DEVELOPMENT AGREEMENT. (a) The district may enter into a development agreement for a term not to exceed 50 years with any combination of the following persons:

(1) a developer of property in the district;

(2) a municipality;

(3) a county; or

(4) any other political subdivision.

(b) The parties to the agreement may amend the agreement.

(c) The agreement may provide that all or part of the money

available to a political subdivision to be used for an authorized purpose of that subdivision be paid to the district to accomplish that purpose.

(d) If the agreement is with a municipality, the agreement may provide that land in the district will not be annexed by that municipality before the 50th anniversary of the date of the agreement.

Sec. 11003.118. ELECTIONS. (a) An election held under this chapter must comply, to the extent appropriate, with Subchapter D, Chapter 49, Water Code.

(b) The board may call an election to vote on any measure.

(c) A bond or property tax election under Section 11003.207, a contract election under Section 11003.303, or any other election held in the district may be held at the same time and in conjunction with any other election.

(d) If the constitution of this state requires an election to permit any action authorized by this chapter, including bond issuance or the execution of an agreement, the district shall order an election to authorize the action.

Sec. 11003.119. APPLICABILITY OF LOCAL STATE OF DISASTER LAW. For purposes of Section 418.108, Government Code, the district is a political subdivision.

Sec. 11003.120. INAPPLICABILITY OF CERTAIN WATER DISTRICT LAW TO IMPROVEMENT PROJECTS AND ROAD PROJECTS. Section 49.182, Water Code, does not apply to a district improvement project or a road

project.

Sec. 11003.121. LIMIT ON POWERS OUTSIDE THE DISTRICT.

Except as provided by Section 11003.110(d), the district may not exercise any power outside the district, including the power of eminent domain.

[Sections 11003.122-11003.200 reserved for expansion]

SUBCHAPTER C. GENERAL FINANCIAL PROVISIONS

Sec. 11003.201. BORROWING MONEY. The district may borrow money for a district purpose by issuing or executing bonds, notes, credit agreements, or other obligations of any kind found by the board to be necessary or appropriate for a district purpose. The bond, note, credit agreement, or other obligation must be secured by and payable from any combination of property taxes, assessments, or other district revenue.

Sec. 11003.202. PAYMENT OF COSTS. The district may provide or secure the payment of any cost related to the establishment, administration, and operation of the district and the district's costs or share of the costs or revenue of a district system or district contractual obligation or debt, including bonds, notes, or other obligations, through:

(1) the imposition of a property or sales tax or an assessment, user fee, concession fee, or rental charge;

(2) a lease installment purchase contract or other agreement with any person, including any governmental entity; or
(3) any other revenue or resources of the district,
or
other revenue.

Sec. 11003.203. ASSESSMENTS. (a) The district may impose an assessment on property in the district to pay the cost or the cost of maintenance of any authorized district system in the manner provided for:

(1) a district under Subchapters A, E, and F, Chapter 375, Local Government Code; or

(2) a municipality or county under Subchapter A, Chapter 372, Local Government Code.

(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; and

(2) are superior to any other lien or claim other than a lien or claim for county, school district, or municipal property taxes.

Sec. 11003.204. IMPACT FEES. The district may impose an impact fee on property in the district, including an impact fee on residential or commercial property, only in the manner provided by Subchapter A, Chapter 372, or Subchapter F, Chapter 375, Local Government Code, for a municipality or county.

Sec. 11003.205. USER CHARGES. The district may establish user charges related to the operation of a district facility, including a district system.

Sec. 11003.206. COSTS OF JOINT DISTRICT SYSTEMS. The district may undertake jointly with other persons, including any governmental entity, all or part of the cost of a district system, including a district system:

(1) intended for improving, enhancing, and supporting public safety and security, fire protection and emergency medical services, and law enforcement in and adjacent to the district; and

(2) that confers a general benefit on the entire district or a special benefit on a definable part of the district.

Sec. 11003.207. ELECTIONS REGARDING TAXES OR BONDS; ROAD PROJECTS. (a) The district may issue, without an election, bonds and other obligations secured by revenue other than property taxes.

(b) The district must hold an election to obtain voter approval before the district may impose a property tax or issue bonds payable from property taxes.

(c) The district may not issue bonds payable from property 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. 11003.208. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND ASSESSMENTS. The district may not impose an impact fee or assessment on the property, including the equipment, and facilities of a public utility provider.

[Sections 11003.209-11003.250 reserved for expansion]

SUBCHAPTER D. BONDS

Sec. 11003.251. GENERAL AUTHORITY TO ISSUE BONDS; APPLICABILITY OF OTHER BOND LAW. (a) The district may issue bonds, notes, or other obligations as provided by Chapters 49 and 51, Water Code, the general laws of this state, or this subchapter.

(b) The district may exercise any power of an issuer under Chapter 1371, Government Code.

Sec. 11003.252. BONDS AND OTHER OBLIGATIONS. (a) In exercising the district's borrowing power, the district may

issue a bond or other obligation in the form of a bond, note, certificate of participation, bond enhancement agreement, credit agreement or loan agreement, or other instrument evidencing a proportionate interest in payments to be made by the district, or other type of obligation. The bonds may be issued by competitive bid or negotiated sale bonds, notes, or other obligations payable wholly or partly from any combination of taxes, sales taxes, or assessments.

(b) In addition to assessments in the manner described by Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local Government Code, district bonds may be secured and made payable, wholly or partly, by a pledge of any part of the net proceeds the district receives from any other district revenue.

Sec. 11003.253. TAXES FOR BONDS AND OTHER OBLIGATIONS. At the time bonds or other obligations payable wholly or partly from

property taxes are issued:

(1) the board shall impose a continuing direct annual property tax for each year that all or part of the bonds are outstanding; and

(2) the district annually shall impose a property tax on all taxable property in the district in an amount sufficient to:

(A) pay the interest on the bonds or other obligations as the interest becomes due;

(B) create a sinking fund for the payment of the principal of the bonds or other obligations when due or the redemption price at any earlier required redemption date;

(C) pay the expenses of imposing the taxes; and

(D) pay any other cost associated with the bonds or other obligations.

Sec. 11003.254. BOND MATURITY. Bonds may mature not more than 40 years from their date of issue.

Sec. 11003.255. BONDS FOR ROAD PROJECTS; LIMIT. (a) At the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from property taxes may not exceed one-fourth of the assessed value of the real property in the district.

(b) The limitation described by Section 49.4645, Water Code, does not apply to the outstanding principal amount for bonds or other obligations issued to finance parks and recreational facilities, including any improvement projects for that purpose.

Sec. 11003.256. MORTGAGE OF DISTRICT SYSTEM FOR BONDS. The district may grant a lien on any part of the physical

property of a district system to secure the repayment of bonds or other obligations, subject to a previous pledge under this chapter.

Sec. 11003.257. INAPPLICABILITY OF CERTAIN WATER DISTRICT LAWS TO BONDS. Sections 49.181, 49.183, and 50.107, Water Code, do not apply to district bonds.

[Sections 11003.258-11003.300 reserved for expansion]

SUBCHAPTER E. TAXES

Sec. 11003.301. PROPERTY TAX AUTHORIZED. The district may impose a property tax on all taxable property in the district to pay for any cost of a district system, including debt service or any cost associated with financing a district system.

Sec. 11003.302. MAINTENANCE AND OPERATION TAX. The district may impose a property tax for maintenance and operation purposes, including for:

(1) planning, constructing, acquiring, maintaining, repairing, and operating all district systems, including land, plants, works, facilities, improvements, appliances, and equipment of the district; and

(2) paying costs of services, engineering and legal fees, and organization and administrative expenses.

Sec. 11003.303. CONTRACT TAXES; ELECTION. (a) In accordance with Section 49.108, Water Code, the district may

make payments under a contract from taxes other than operation and maintenance

taxes 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. 11003.304. TAX ABATEMENT. The district may enter into a tax abatement agreement in accordance with the general laws of this state authorizing and applicable to a tax abatement agreement by a municipality.

Sec. 11003.305. USE OF SURPLUS MAINTENANCE AND OPERATION TAX MONEY. If the district has surplus maintenance and operation tax money that is not needed for the purposes for which it was collected, the money may be used for any authorized purpose.

[Sections 11003.306-11003.350 reserved for expansion]

SUBCHAPTER F. NONPROFIT CORPORATION

Sec. 11003.351. CREATION OF NONPROFIT CORPORATION. The board by resolution may create one or more nonprofit corporations to act for the district.

Sec. 11003.352. APPLICABILITY OF NONPROFIT AND DEVELOPMENT CORPORATION LAW. (a) The Texas Nonprofit Corporation Law, as described by Section 1.008, Business Organizations Code, applies to a corporation created under this subchapter.

(b) Except as provided by Subsection (c), the corporation may exercise any power of a corporation under Subtitle C1, Title 12,

Local Government Code.

(c) Only the following sections of Chapter 501, Local Government Code, apply to the corporation:

(1) 501.002(17);

(2) 501.052;

(3) 501.053;

(4) 501.056;

(5) 501.057(b) and (c);

(6) 501.058;

(7) 501.062;

(8) 501.063;

(9) 501.064, except as that section relates to amending the corporation's bylaws;

(10) 501.065;

(11) 501.066;

(12) 501.068;

(13) 501.069;

(14) 501.070;

(15) 501.071;

(16) 501.072;

(17) Subchapters G and H, Chapter 501; and

(18) Subchapter I, Chapter 501, except Section
501.407.

Sec. 11003.353. BOND POWERS. (a) A corporation created
under this subchapter has the same powers as the district to
issue bonds and other obligations payable by revenue.

(b) As security for the payment of any bonds or other
obligations issued by a corporation, the corporation may:

(1) mortgage a corporation project, or revenue from a
project, including:

(A) a refinanced project;

(B) a project that has been enlarged; and

(C) a project owned before or acquired after the
time of the mortgage;

(2) assign a mortgage or security conveyed to the
corporation to secure a loan made by the corporation; and

(3) pledge the revenue and receipts from the assigned
mortgage or security.

(c) For a bond, note, or other obligation, the board of directors of the nonprofit corporation may exercise the powers granted to the governing body of an issuer under Chapter 1371, Government Code.

Sec. 11003.354. RECIPROCAL ARRANGEMENTS. The district and a corporation created under this subchapter may:

(1) share officers, directors, employees, equipment, and facilities; and

(2) provide goods or services to each other at cost without the requirement of competitive bidding.

Sec. 11003.355. BOARD OF DIRECTORS. (a) The district shall appoint the directors of a corporation created under this subchapter.

(b) A member of the district board may serve as a member of the board of the corporation.

Sec. 11003.356. OVERSIGHT. (a) The district must approve the budget of a corporation created under this subchapter.

(b) The district board shall review and supervise the corporation's activities.

(c) The district board must approve a bond or other obligation issued by the corporation.

Sec. 11003.357. GUARANTEE AND OTHER CREDIT SUPPORT
RELATING TO PUBLIC SECURITIES AND OTHER OBLIGATIONS. (a) In
this section, "public security" has the meaning assigned by
Section 1202.001, Government Code.

(b) Under Section 52-a, Article III, Texas Constitution,
the district may guarantee or otherwise provide credit support
for any public security or other obligation or contract of a
corporation created under this subchapter, if the district board
determines that the guarantee or other credit agreement:

(1) is beneficial to a public purpose of the
district; and

(2) is for the public purpose of:

(A) the development and diversification of the
economy of the state;

(B) the elimination of unemployment or
underemployment in the state; or

(C) the development or expansion of commerce in
the
state.

(c) A determination by the district board under Subsection
(b) is conclusive.

(d) A guarantee or other credit agreement authorized by
Subsection (b) may provide for the guarantee of or other credit

support for public securities or other obligations or contracts of the corporation, all or a portion of which may be authorized, executed, and delivered in the future.

(e) Chapter 1202, Government Code, applies to a guarantee or other credit agreement under this section as if the guarantee or other credit agreement were a public security.

[Sections 11003.358-11003.400 reserved for expansion]

SUBCHAPTER G. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

Sec. 11003.401. DIVISION OF DISTRICT; REQUIREMENTS. (a)

At any time before the district issues debt secured by property taxes, the district may be divided into two or more new districts.

(b) A new district created by division of the district must be at least 100 acres.

(c) The board may consider a proposal to divide the district on:

(1) a petition of a landowner in the district; or

(2) a motion by the board.

(d) If the board decides to divide the district, the board shall:

(1) set the terms of the division, including names for

the new districts and a plan for the payment or performance of any outstanding district obligations; and

(2) prepare a metes and bounds description for each proposed district.

Sec. 11003.402. ELECTION FOR DIVISION OF DISTRICT. (a) After the board has complied with Section 11003.401, the board shall hold an election in the district to determine whether the district should be divided as proposed.

(b) The board shall give notice of the election not later than the 35th day before the date of the election. The notice must state:

(1) the date and location of the election; and

(2) the proposition to be voted on.

(c) If a majority of the votes cast are in favor of the division:

(1) the district is divided; and

(2) not later than the 30th day after the date of the election, the district shall provide written notice of the division to the Texas Commission on Environmental Quality.

(d) If a majority of the votes cast are not in favor of the division, the district is not divided.

Sec. 11003.403. ELECTION OF DIRECTORS OF NEW DISTRICTS.

(a) Not later than the 90th day after the date of an election in favor of the division of the district, the board shall:

(1) appoint itself as the board of one of the new districts; and

(2) appoint five directors for each of the other new districts.

(b) Directors appointed under Subsection (a)(1) serve the staggered terms to which they were elected in the original district. Directors appointed under Subsection (a)(2) serve until the election for directors under Subsection (c).

(c) On the uniform election date in May of the first even-numbered year after the year in which the directors are appointed, the appointed board shall hold an election to elect five directors in each district for which directors were appointed under Subsection (a)(2). The directors shall draw lots to determine which two shall serve until the next regularly scheduled election of directors and which three shall serve until the second regularly scheduled election of directors.

Sec. 11003.404. CONTINUING POWERS AND OBLIGATIONS OF NEW DISTRICTS. (a) Each new district may incur and pay debts and has all powers of the original district created by this chapter.

(b) If the district is divided as provided by this subchapter, the current obligations and any bond authorizations of the district are not impaired. Debts shall be paid by revenue or by taxes or assessments imposed on real property in the district as if the district had not been divided or by contributions from each new district as stated in the terms set by the board under Section 11003.401(d).

(c) Any other district obligation is divided pro rata among the new districts on an acreage basis or on other terms that are satisfactory to the new districts.

Sec. 11003.405. CONTRACT AUTHORITY OF NEW DISTRICTS. The new districts may contract with each other for any matter the boards of the new districts consider appropriate.

SECTION 3. The Cottonwood Creek Development District includes all the territory contained in the former Cottonwood Creek Water Control and Improvement District No. 3 and the territory contained in the following area:

LEGAL DESCRIPTION OF TRACT 1: BEING A 333.016 ACRE TRACT OF LAND LYING IN AND BEING SITUATED OUT OF THE JOHN B. WALTERS 1/2 LEAGUE, ABSTRACT 67, ALL IN BASTROP COUNTY, TEXAS AND ALL OF THAT CERTAIN 332.16 ACRE TRACT OF LAND CONVEYED TO DAVID C. McFARLAND AND WIFE, ANN L. McFARLAND AND TO JOHN B. McFARLAND

AND WIFE, JILL S. McFARLAND BY DEED RECORDED IN VOLUME 1591, PAGE 792, OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; SAID 333.016 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING at an 1/2" iron rod set in the southwesterly right-of-way (80') line of F.M. Highway 969 for the east corner hereof and said 332.16 acre tract and the north corner of that certain 120.411 acre tract of land conveyed to Gladys Ott Smith by will recorded in Volume 1167, Page 332 of said deed records; THENCE S 29°36'25" W, passing an iron rod set for reference at a distance of 1892.00 feet, passing an iron rod set for reference at a distance of 2339.00 feet, passing an iron rod set for reference at a distance of 7995.00 feet and continuing for a total distance of 8338.55 feet to a calculated point at the bank of the Colorado River for the southerly corner hereof: THENCE upstream with the bank of the Colorado River the following ten (10) calls:

1. S. 68°05'46" W a distance of 15.71 feet;
2. S 70°41'19" W a distance of 210.13 feet;
3. S 72°18'11" W a distance of 319.41 feet;
4. S 76°33'49"
5. S 75°1 902"
6. S 72°1 5'30"

7. S 76°40'54"
8. S 74°29'04"
9. N 89°26'16"
10. N 77°18'06" W a distance of 234.11 feet to the westerly corner of said 332.19 acre tract and the southerly corner of that certain 730.604 acre tract of land conveyed to David McFarland and Ann L. McFarland by deed recorded in Volume 802, Page 648 of said deed records;

THENCE with the common line of said tracts the following eleven (11) calls;

1. N 22°14'26" E a distance of 150.57 feet to an angle point;
2. N 30°58'19" E a distance of 512.26 feet to an angle point;
3. N 28°40'38" E a distance of 661.87 feet to an angle point;

4. N 31°34'34" E a distance of 356.38 feet to an angle point;
5. N 30°15'17" E a distance of 1609.17 feet to an angle point;
6. N 30°08'09" E a distance of 956.68 feet to an angle point;
7. N 30°19'48" E a distance of 1602.84 feet to an angle point;
8. N 30°37'25" E a distance of 1614.59 feet to an angle point;
9. N 30°44'51" E a distance of 1726.19 feet to an angle point;
10. N 30°02'04" E a distance of 412.63 feet to an angle point;
11. N 31°06'04" E a distance of 764.32 feet to a point on the curving southwesterly right-of-way (80') line of F.M. Highway

969 for the northerly corner hereof and easterly corner of said 730.604 acre tract;

THENCE along said right-of-way line the following three (3) calls:

1. a length of 302.29 feet along the arc of said curving line to the left having a radius of 2905.07 feet and a chord bearing S 35°40'17" E a distance of 302.16 feet to an iron rod set for endpoint;

2. S 38°27'50" E a distance of 670.86 feet to a concrete right-of-way monument found (broken) for angle point;

3. S 38°24'38" E a distance of 609.51 feet to the POINT OF BEGINNING for TRACT 1, containing 333.016 acres of land, more or less.

LEGAL DESCRIPTION OF TRACT 2: BEING A 712.931 ACRE TRACT OF LAND LYING IN AND BEING SITUATED OUT OF THE MARTIN WELLS LEAGUE, ABSTRACT 68 AND THE JOHN B. WALTERS 1/2 LEAGUE, ABSTRACT 67, ALL IN BASTROP COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 730.604

ACRE TRACT OF LAND CONVEYED TO DAVID McFARLAND AND ANN L. McFARLAND BY DEED RECORDED IN VOLUME 802, PAGE 648 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; SAID 712.931 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod set on the southwesterly right-of-way (100') line of F.M. Highway 969 for the northerly corner hereof and said 730.604 acre tract and the easterly corner of that portion of that certain 568.24 acre tract of land, lying southwesterly of F.M. Highway 969, conveyed to James Robert Glass by deed recorded in Volume 815, Page 212 of said deed records;

THENCE along said right-of-way line the following three (3) calls:

1. S 42°03'46" E a distance of 604.42 feet to a concrete right-of-way monument found for point of curvature of a curve to the right;

2. a length of 1150.28 feet along the arc of said curve having a radius of 2242.02 feet and a chord bearing S 27°19' 52" E a distance of 1137.70 feet to a concrete right-of-way monument found for endpoint;

3. S 12°40'40" E a distance of 434.98 feet to an iron rod set for corner;

THENCE S 65°24'48" W a distance of 1035.58 feet to an iron rod set for angle point;

THENCE S 06°51 '23" W a distance of 137.70 feet to an iron rod set for angle point;

THENCE S 40°04'29" E a distance of 848.49 feet to an iron rod set for corner;

THENCE N 58°13'34" E a distance of 718.24 feet to an iron rod set for corner on the curving southwesterly right-of-way (80') line of F.M. Highway 969;

THENCE an arc length of 973.80 feet along said curving line to the left having a radius of 2905.07 feet and a chord bearing S 23°05'15" E, a distance of 969.24 feet a point for the easterly corner hereof and said 730.604 acre tract and the northerly corner of that certain 332.16 acre tract of land conveyed to David McFarland and Ann L. McFarland by deed recorded in Volume 1591, Page 792 of said deed records;

THENCE with the southeasterly line of said 730.604-acre tract and the northwesterly line of said 332.16-acre tract the following eleven (11) calls;

1. S 31°06'04" E a distance of 764.32 feet to an angle point;
2. S 30°02'04" W a distance of 412.63 feet to an angle point;
3. S 30°44'51" W a distance of 1726.19 feet to an angle point;
4. S 30°37'25" W a distance of 1614.59 feet to an angle point;
5. S 30°19'48" W a distance of 1602.84 feet to an angle point;
6. S 30°08'09" W a distance of 956.68 feet to an angle point;
7. S 30°15'17" W a distance of 1609.17 feet to an angle point;

8. S 31°34'34" W a distance of 356.38 feet to an angle point;
9. S 28°40'38" W a distance of 661.87 feet to an angle point;
10. S 30°58'19" W a distance of 512.26 feet to an angle point;
11. S 22°14'26" W a distance of 150.57 feet to a calculated point on the bank of the Colorado River for the southerly corner of said

730.604 acre tract and westerly corner of said 332.16 acre tract;
THENCE upstream with the bank of the Colorado River the following six (6) calls:

1. N 24°20'08" W a distance of 106.90 feet;
2. N 32°30'02" W a distance of 142.41 feet;
3. N 42°12'30" W a distance of 150.29 feet;
4. N 43°37'12" W a distance of 118.46 feet;
5. N 51°30'51" W a distance of 307.97 feet;
6. N 60°48'22" W a distance of 134.11 feet;

THENCE along an oxbow of said river and a common line with that certain 568.24-acre tract of land conveyed to James Robert Glass by deed recorded in Volume 815, Page 212 of said deed records the following eighteen (18) calls:

1. N 11°25'33" E a distance of 167.37 feet to a 1/2" iron rod found for angle point;
2. N 10°14'33" E a distance of 144.86 feet to a 1/2" iron rod found for angle point;

3. N 18°36'33" E a distance of 141.53 feet to an iron rod set for angle point;
4. N 20°25'26" E a distance of 46.08 feet to a 1/2" iron rod found for angle point;
5. N 26°58'14" E a distance of 221.23 feet to a 1/2" iron rod found for angle point;
6. N 23°58'15" E a distance of 41.71 feet to a 1/2" iron rod found for angle point;
7. N 22°13'48" E a distance of 139.29 feet to an iron rod set for angle point;
8. N 13°07'49" E a distance of 258.86 feet to an iron rod set for angle point;
9. N 39°28'49" E a distance of 177.48 feet to a 1/2" iron rod found for angle point;
10. N 23°04'49" E a distance of 204.45 feet to a 1/2" iron rod found for angle point;
11. N 19°53'17" E a distance of 319.35 feet to a 1/2" iron rod found for angle point;
12. N 01°14'18" W a distance of 341.43 feet to a 1/2" iron rod found for angle point;
13. N 16°16'05" W a distance of 725.25 feet to a 1/2" iron rod found for angle point;

14. N 26°04'05" W a distance of 363.54 feet to an iron rod set for angle point;

15. N 31°08'03" W a distance of 99.92 feet to a 1/2" iron rod found for angle point;

16. N 50°26'16" W a distance of 406.32 feet to a 1/2" iron rod found for angle point;

17. N 53°23'21" W a distance of 60.55 feet to a 1/2" iron rod found for angle point;

18. N 15°56'53" W a distance of 50.48 feet to a 1/2" iron rod found for a westerly corner hereof and said 730.604 acre tract;

THENCE with the northwest line hereof and said 730.604-acre tract,

common with said Glass tract the following eighteen (18) calls:

1. N 29°33'10" E a distance of 340.46 feet to a 1/2" iron rod found for angle point;

2. N 29°53'53" E a distance of 1549.29 feet to an iron rod set for angle point;

3. N 29°38'56" E a distance of 1707.39 feet to an iron rod set for angle point;

4. N 29°27'56" E a distance of 1615.65 feet to an iron rod set for angle point;

5. N 28°58'56" E a distance of 633.34 feet to a nail in 16" Elm tree found for angle point;

6. N 29°21'56" E a distance of 493.44 feet to a 1/2" iron rod found for angle point;
7. N 27°30'16" E a distance of 75.97 feet to an iron rod set for angle point;
8. N 29°29'31" E a distance of 302.68 feet to a 1/2" iron rod found for angle point;
9. N 29°55'31" E a distance of 204.28 feet to a 1/2" iron rod found for angle point;
10. N 29°17'08" E a distance of 730.72 feet to a 1/2" iron rod found for angle point;
11. N 29°37'10" E a distance of 606.68 feet to a 1/2" iron rod found for angle point;
12. N 33°36'44" E a distance of 118.26 feet to a 1/2" iron rod found for angle point;

13. N 28°49'08" E a distance of 135.05 feet to a 1/2" iron rod found for angle point;
14. N 28°37'00" E a distance of 461.78 feet to a 1/2" iron rod found for angle point;
15. N 26°13'03" E a distance of 92.86 feet to a 1/2" iron rod found for angle point;
16. N 40°13'32" E a distance of 46.46 feet to a nail found in 4" Elm tree for angle point;

17. N 62°33'46" E a distance of 73.21 feet to a nail found in 9" Elm tree for angle point;

18. N 28°19'46" E a distance of 388.67 feet to the POINT OF BEGINNING of TRACT 2, containing 712.931 acres of land, more or less.

LEGAL DESCRIPTION OF TRACT 3: BEING AN 18.846 ACRE TRACT OF LAND LYING IN AND BEING SITUATED OUT OF THE MARTIN WELLS LEAGUE, ABSTRACT 68 AND THE JOHN B. WALTERS 1/2 LEAGUE, ABSTRACT 67, ALL IN BASTROP COUNTY, TEXAS AND BEING A PORTION OF THAT CERTAIN 730.604 ACRE TRACT OF LAND CONVEYED TO DAVID C. McFARLAND AND ANN L. McFARLAND BY DEED RECORDED IN VOLUME 802, PAGE 648 OF THE DEED RECORDS OF BASTROP COUNTY, TEXAS; SAID 18.846 ACRE TRACT BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING at an iron rod set on the southwesterly right-of-way (100') line of F.M. Highway 969 for the northerly corner hereof and said 730.604 acre tract and the easterly corner of that portion of that certain 568.24 acre tract of land, lying southwesterly of F.M.

Highway 969, conveyed to James Robert Glass by deed recorded in Volume 815, Page 212 of said deed records;

THENCE along said right-of-way line the following three (3) calls:

1. S 42°03'46" E a distance of 604.42 feet to a concrete right-of-way monument found for point of curvature of a curve to the right;

2. a length of 1150.28 feet along the arc of said curve having a radius of 2242.02 feet and a chord bearing S 27°19'52" E a distance of 1137.70 feet to a concrete right-of-way monument found for endpoint;

3. S 12°40'40" E a distance of 434.98 feet to an iron rod set for the POINT OF BEGINNING and northerly corner of the herein described 18.846 acre tract;

THENCE continuing with said right-of-way line the following four (4) calls:

1. S 12°40'40" E a distance of 378.84 feet to a concrete monument found for an ell corner;

2. N 79°35'25" E a distance of 9.76 feet to a concrete monument found for an ell corner;

3. S 12°38'54" E a distance of 439.50 feet to a concrete right-of-way monument found for the beginning of a curve to the left;

4. an arc length of 43.09 feet along said curve to the left having a radius of 2905.07 feet and a chord bearing S 13°03'34" E, a distance of 43.09 feet to a 1/2" iron rod set for the easterly corner hereof;

THENCE crossing said 730.604-acre tract the following four (4)

calls:

1. S 58°13'34" W a distance of 718.24 feet to a 1/2" iron rod set for the southerly corner hereof;
2. N 40°04'29" W a distance of 848.49 feet to a 1/2" iron rod set for angle point;
3. N 06°51'23" E a distance of 137.70 feet to a 1/2" iron rod set for angle point;
4. N 65°24'48" E a distance of 1035.58 feet to the POINT OF BEGINNING, containing 18.846 acres of land, more or less.

LEGAL DESCRIPTION OF TRACT 4: BEING A 412.010 ACRE TRACT OR PARCEL OF LAND OUT OF AND BEING A PART OF THE JOHN JONES SURVEY, A-210, IN BASTROP COUNTY, TEXAS, AND BEING ALL OF THAT CERTAIN TRACT SAID TO CONTAIN 164 ACRES IN A DEED FROM MELBA L. SIMIELE TO BYRON H. SIMIELE, DATED MAY 20, 2003, RECORDED IN VOLUME 1333, PAGE 739, BASTROP COUNTY DEED RECORDS; BEING A PART OF THAT CERTAIN 49.496 ACRE TRACT DESCRIBED IN A DEED FROM BILLIE JEAN KRYNIK, ET AL, TO MICKEY J. MALONE AND WIFE, VALERIE L. MALONE, RECORDED IN VOLUME 722, PAGE 560, BASTROP COUNTY DEED RECORDS AND BEING ALL THAT CERTAIN 5.949 ACRE TRACT DESCRIBED IN A DEED FROM CHARLES BERT CARLISLE, ET UX, TO MICKEY J. MALONE, ET UX, RECORDED IN VOLUME 775, PAGE 611, BASTROP COUNTY DEED RECORDS AND BEING ALL OF THAT CERTAIN 185.027 ACRE TRACT DESCRIBED IN A DEED FROM CHARLES BERT CARLISLE AND WIFE, BENNIE

R. CARLISLE, TO JOHN SABOL AND PRISCILLA BOHOT, RECORDED IN VOLUME 1394, PAGE 695, BASTROP COUNTY DEED RECORDS. SAID 164 ACRE TRACT UPON RE-SURVEY FOUND TO CONTAIN 177.476 ACRES AND SAID MALONE 5.949 ACRE AND 49.496 ACRE RESIDUE TRACT UPON RE-SURVEY FOUND TO CONTAIN 49.496 ACRES. SAID 185.027 ACRE TRACT BEING A PART OF THAT CERTAIN 166.578 ACRE TRACT AND ALL OF THAT CERTAIN 4.027 ACRE TRACT DESCRIBED IN A RECEIVERS DEED TO CHARLES BERT CARLISLE, ET UX, RECORDED IN VOLUME 677, PAGE 553, BASTROP COUNTY DEED RECORDS AND PART OF THAT CERTAIN 13.637 ACRE TRACT DESCRIBED IN A DEED FROM BILLIE JEAN SMITH KRYNIK, ET AL, TO CHARLES BERT CARLISLE, ET UX, RECORDED IN VOLUME 722, PAGE 571, BASTROP COUNTY DEED RECORDS AND ALL THAT CERTAIN 5.949 ACRE TRACT DESCRIBED IN A DEED FROM MICKEY J. MALONE, ET UX, TO CHARLES BERT CARLISLE, ET UX, RECORDED IN VOLUME 775, PAGE 620, BASTROP COUNTY DEED RECORDS. SAID SABOL 185.027 ACRE TRACT BEING RE-SURVEY BY THE UNDERSIGNED INTO TWO TRACTS OF 181.041 ACRES AND 4.027 ACRES. HEREIN DESCRIBED TRACT OR PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 5/8 inch iron rod set on the low bank of the Colorado River, the most westerly corner of that certain 18.59 acre tract described In a deed from the Veteran's Land Board of Texas to Kendall S. Thomas, et al, recorded In Volume 1224, Page

865, Bastrop County Deed Records for the most northerly corner of this tract and surveyed 177.476 acre tract.

THENCE with the southwest line of the Thomas 18.59 acre tract, S 42 deg. 32 min 19 sec. E, at 179.77 feet pass a 5/8 inch iron rod set for reference at a fence post, in all 1092.23 feet to a 60d nail set In S fence corner post, an angle corner of the Thomas 18.59

acre tract and north corner of that certain 16.55 acre tract described in a deed from the Veteran's Land Board of Texas to Kendall S. Thomas, et al, recorded in Volume 729, Page 359, Bastrop County Deed Records For the east or southeast corner of this tract and surveyed 177.476 acre tract.

THENCE with the north or northwest line of the Thomas 16.55 acre tract and south line of the: 177.476 acre tract, S 60 deg. 41 min. 53 sec. W, 828.24 feet to the west or northwest corner of same, an axle found at a fence corner, the north or northeast corner of that certain 39.981 acre tract described in a deed from Kimberly Waynell Hock, et ux, to R.L. Wyatt, III, recorded in Volume 1147, Page 235, Bastrop County Deed Records for an angle corner of this tract.

THENCE with the north line of the Wyatt 39.981 acre tract and south line of the 177.476 acre tract, S 61 deg. 04 min. 05 sec. W, 1559.23 feet to the northwest corner of same, a 5/8 inch iron

rod round at a fence corner, the northeast corner of that certain 49.496 acre tract described in a deed from Billie Jean Smith Krynik et al, to Mickey J. Malone, et ux, recorded In Volume 722, Page 560, Bastrop County Deed Records for an interior corner of this tract.

THENCE with the southwest line of the Wyatt 39.981 acre tract and northeast line of the 49.496 acre tract, S 41 deg. 47 min. 56 sec. E, 1318.00 feet to a 5/8 inch iron rod found at a fence corner in the northwest line of Pope Bend Road, the east corner of the Malone tract for an angle corner of this tract.

THENCE with the northwest line of Pope Bend Road and southeast line of said 49.496 acre tract, S 48 deg. 15 min. 21 sec. W, 1452.65 feet to a 5/8 inch iron rod found near a fence corner, the east corner of the before mentioned 5.949 acre tract described in a deed from Mickey J. Malone, et ux, to Charles Bert Carlisle, the east corner of the before mentioned 185.027 acre tract, the surveyed Malone 49.496 acre tract for an angle corner of this tract.

THENCE with the northwest line of Pope Bend Road and southeast line of the Carlisle 5.949 acre and before mentioned 166.578 acre tract, S 48 deg. 15 min. 21 sec. W, 379.14 feet to a 5/8 inch iron rod found at the south corner of the 5.949 acre tract

and east corner of the 166.578 acre tract, continuing S 47 deg. 04 min. 50 sec. W, 512.00 feet; S 48 deg. 31 mm. 24 sec. W, 1087.00 feet to a 5/8 inch iron rod found at the east corner of that certain 125.364 acre tract described In a deed from the Estate of James C. Walker to Robbie R. Raemsch, et ux, recorded in Volume 677, Page 571, Bastrop County Deed Records, the most easterly south corner of the 166.578 acre tract and surveyed 181.041 acre tract for the most easterly south corner of this tract.

THENCE with the northeast line of the Raemsch 125.364 acre tract and lower southwest line of the 166.578 acre tract, N 42 deg. 15 min. 18 sec. W, 2131.96 feet to a leaf spring found at a fence corner, the north corner of the Raemsch 125.369 acre tract, an interior corner of the 166.578 acre tract and surveyed 181.041 acre tract for an interior corner of this tract.

THENCE with the northwest line of the Raemsch 125.364 acre tract, an upper southeast line of the 166.578 acre tract, S 47 deg. 40 min. 57 sec. W, 2457.09 feet to a 5/8 inch iron rod found where same intersects the center of a Ravine, an angle corner of that certain 89.704 acre tract described in a deed form James Borglum to Julie Salem, recorded in Volume 709, Page 378, Bastrop County Deed Records, the most westerly south corner

of the said 166.578 acre tract and surveyed 181.041 acre tract, the most westerly south corner of this tract from which a 5/8 inch iron rod found at the west corner of the Raemsch tract bears S 47 deg. 40 min. 57 sec. W, 80.04 feet.

THENCE with the center of said ravine, the east line of the Salem 89.704 acre tract and west line of the 166.578 acre tract, N 12 deg. 00 mm. 12 sec. E, 165.53 feet to a 1/2 inch iron rod found; N 22 deg. 30 min. 40 sec. W, 43.05 feet to a 1/2 inch iron rod found; N 04 deg. 30 min. 46 sec. E, 30.91 feet to a 1/2 inch iron rod found; N 46 deg. 54 min. 46 sec. W, 78.48 feet to a 1/2 inch iron rod found; N 15 deg. 28 min. 03 sec. W, 59.77 feet to a 1/2 inch iron rod found; N 59 deg. 43 mm. 17 sec. W, 41.43 feet to a 1/2 inch iron rod found; N 08 deg. 08 min. 31 sec. W, 54.50 feet to a 1/2 inch iron rod found; N 75 deg. 55 mm. 10 sec. W, 74.92 feet to a 1/2 inch iron rod found; N 02 deg. 48 min. 33 sec. W, 45.72 feet to a 1/2 inch iron rod found; N 66 deg. 53 min. 01 sec. W, 37.12 feet to a 1/2 inch iron rod found; N 01 deg. 33 min. 05 sec. W, 69.78 feet to a 1/2 inch iron rod found; N 28 deg. 04 min. 35 sec.

W, 80.75 feet to a 1/2 inch iron rod found; N 13 deg. 19 min. 12 sec. W, 148.84 feet to a 1/2 inch iron rod found; N 09 deg. 25 min. 37 sec. E, 89.94 feet to a 1/2 inch iron rod found; N 29 deg. 42 min. 15 sec. W, 49.86 feet to a 1/2 inch iron rod found;

N 08 deg. 21 min. 56 sec. E, 53.01 feet to a 1/2 inch iron rod found; N 38 deg. 54 min. 37 sec. W, 69.96 feet to a 1/2 inch iron rod found; N 08 deg. 08 min. 10 sec. E, 95.86 feet to a 1/2 inch iron rod found; N 25 deg. 10 min. 40 sec. W, 110.34 feet to a 1/2 inch iron rod found; N 08 deg. 05 min. 00 sec. E, 134.44 feet to a 1/2 inch iron rod found; N 19 deg. 35 min. 44 sec W, 91.54 feet to a 1/2 inch iron rod found; N 34 deg. 23 mm. 34 sec. E, 60.04 feet to a 1/2 inch iron rod found where same intersects the center of another ravine, an interior corner of the Salem 89.704 acre tract, an angle corner of the said 166.578 acre tract for an angle corner of this tract.

THENCE with the center of the last mentioned ravine, N 60 deg. 44 min. 09 sec. E, 97.04 feet to a point for an angle corner of this tract.

THENCE leaving said ravine with the common line of the Salem 87.704 acre tract and said 166.578 acre tract, S 67 deg. 40 min. 43 sec. E, 203.24 feet to a 60d nail found in a fence corner post; S 68 deg. 20 min. 19 sec. E, 98.21 feet to a 60d nail found in a 14 inch hackberry; S 85 deg. 32min. 18 sec. E, 61.46 feet to a 60d nail found in a fence corner post; S 72 deg. 12 min. 13 sec. E, 134.57 feet to a 1/2 inch iron rod found; N 83 deg. 26 min. 21 sec. E,

173.40 feet to a 1/2 inch iron rod found; N 25 deg. 46 min. 17 sec. E, 308.95 feet to a fence angle post; N 13 deg. 03 min. 57 sec. E, 297.18 feet to a 4 inch mesquite; N 01 deg. 02 mm. 30 sec. E, 74.39 feet to a 60d nail found in a 20 inch cedar; N 01 deg. 10 min. 52 sec. W, 235.42 feet to a 60d nail found in a fence post; N 45 deg. 05 min. 55 sec W, 40.51 feet to a 60d nail found in a fence post; N 30 deg. 30 min. 06 sec. E, 45.20 feet to a 60d nail found In a fence post; N 10 deg. 08 min. 13 sec. W, 267.96 feet to a fence post; N 03 deg. 23 min. 01 sec. W, 93.78 feet to a 60d nail found in a fence post; N 10 deg. 08 min. 13 sec. W, 267.96 feet to a fence post; N 03 deg. 23 min. 01 sec, W, 93.78 feet to a 60d nail found in a 6 inch elm; N 22 deg. 11 min. 08 sec, 75.45 feet to a 60d nail found in a fence post; N 01 deg. 42 min. 11 sec. E, 231.59 feet to a 60d nail found In a 10 inch elm; N 03 deg. 57 min. 45 sec. W, 47.13 feet to a 60d nail found in a 10 inch elm; N 02 deg. 02 min. 04 sec. F, 91.46 feet to a 5/8 inch iron rod found where same intersects the old down fence for an angle corner of this tract. Said point being the southwest corner of the before mentioned 4.027 acre tract.

THENCE with a fence line along the west line of the 4,027 acre tract, N 02 deg. 02 min. 04 sec. E, 49.63 feet to a 1/2 inch iron rod found at a fence corner; N 47 deg. 26 min. 38 sec. E,

178.31 feet to a 1/2 inch iron rod found at a fence corner; N 42 deg. 36 min. 35 sec. E, 38.12 feet to a 1/2 inch iron rod found; N 07 deg. 24 min. 36 sec. E, 69.00 feet to a 1/2 inch iron rod found; N 13

deg. 13 min. 12 sec. W, 110.47 feet to a 1/2 inch iron rod found; N 10 deg. 21 min. 49 sec. W, 59.80 feet to a 1/2 inch iron rod found; N 08 deg. 32 min. 11 sec. W, 71.23 feet to a 1/2 inch iron rod found; N 22 deg. 06 min. 13 sec. W, 23.98 feet to a 1/2 inch iron rod found; N 07 deg. 49 min. 15 sec. W, 21.29 feet to a 1/2 inch iron rod found; N 07 deg. 50 min. 11 sec. E, 150.09 feet to a 1/2 inch iron rod found at a fence corner for the northwest corner of this tract.

THENCE continuing with said fence along the north line of said 4,027 acre tract, S 59 deg. 59 min. 10 sec. E, 75.63 feet to a 60d nail found at a 6 inch elm; S 68 deg. 52 min. 32 sec. E, 117.17 feet to a 60d nail found at a 12 inch elm; N 85 deg. 11 min. 47 sec. E, 207.14 feet to a 60d nail found at a 40 inch elm; N 63 deg. 28 min. 45 sec. E, 114.94 feet to a 5/8 inch iron rod found for the low bank of the Colorado River for an angle corner of this tract.

THENCE with the meanders of the low bank of the Colorado River, S 81 deg. 50 min. 32 sec. E, 179.25 feet; S 82 deg. 31 min. 26 sec. E, 113.09 feet to a 1/2 inch iron rod found at the east

corner of the said 4.027 acre tract common with a corner of the 166.578 acre and surveyed 181.041 acre tract.

THENCE continuing with the meanders of the low bank of the Colorado River and a north line of the 166.578 acre and 181.041 acre tract, S 82 deg. 31 min. 26 sec. E, 67.07 feet to a point; S 87 deg. 11 min. 45 sec. E, 64.40 feet to a point where same intersects the center of a Ravine known as Hatherly-Walker Branch, the northwest

corner of the before mentioned 177.476 acre tract, the northeast corner of the 166.578 acre and 181.041 acre tract for an angle corner of this tract.

THENCE with the meanders of the low bank of the Colorado River, N 80 deg. 52 min. 27 sec. E, 421.79 feet; N 72 deg. 49 min. 27 sec. E, 1441.81 feet; N 65 deg. 52 min. 11 sec. E, 1610.22 feet; N 76 deg 02 mm. 07 sec. E, 975.77 feet; N 67 deg. 10 min. 12 sec. E, 510.12 feet to the POINT OF BEGINNING, containing 412.040 acres of land.

SECTION 4. (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 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 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, 2011.