

CHAPTER 618

H.B. No. 1709

AN ACT

relating to the creation, administration, powers, duties, operation, and financing of the Williamson County Water, Sewer, Irrigation, and Drainage District No. 1.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. CREATION; LEGISLATIVE DECLARATION. (a) Pursuant to Article XVI, Section 59, of the Texas Constitution a conservation and reclamation district is created in Williamson County subject to approval at a confirmation election under Section 8 of this Act, to be known as "Williamson County Water, Sewer, Irrigation, and Drainage District No. 1," which shall be a governmental agency and a body politic and corporate.

(b) The creation of the district is declared to be essential to the accomplishment of the purposes of Article XVI, Section 59, of the Texas Constitution.

SECTION 2. DEFINITION. In this Act, "district" means the Williamson County Water, Sewer, Irrigation, and Drainage District No. 1.

SECTION 3. BOUNDARIES. The district shall include all of the territory contained within the following described area:

Being 789.508 acres of land situated in the Rachael Saul League Abstract No. 551, and in the Samuel Damon League Abstract No. 170, in Williamson County, Texas, and being all of the same tracts of land conveyed to the State Board of Control, the State of Texas by Deeds recorded in Volume 311, Page 551, called 435 acres of land, less 129.95 acres of land, and in Volume 328, Page 548, called 339 acres of land, and in Volume 328, Page 550, called 128 acres of land, less 14.15 acres of land, according to the Deed Records of Williamson County, Texas. Said description containing 789.508 acres of land save and except, however, 14.180 acres of land (called 14.15 acres) conveyed to the Lower Colorado River Authority and said 789.508 acres of land being more particularly described by metes and bounds as follows:

Beginning at a 1" galvanized iron pipe set in the west right-of-way line of the Southern Pacific Railroad for the most easterly northeast corner of this survey, same being the northeast corner of the aforesaid 339 acre tract of land;

Thence with the north boundary line of the said 339 acre tract, South 70° 20' 39" West 3467.71 feet to its northwest corner same being the most southerly northeast corner of the aforementioned 435 acre tract, a 1" galvanized iron pipe set for a corner of this survey;

Thence with the north boundary line of the said 435 acre tract, South 70° 34' 12" West 938.89 feet to a 1" galvanized iron pipe set for an ell corner of this survey, same being an ell corner of said 435 acre tract;

Thence with the most northeasterly boundary line of said 435 acre tract, North 20° 12' 04" West 3083.72 feet to a point in center of the South Brushy Creek for the most northerly northeast corner of this survey;

Thence up said creek with its center line meanders the following ten (10) courses:

- 1) South 69° 59' 31" West 86.02 feet
- 2) South 78° 59' 28" West 75.52 feet
- 3) North 84° 15' 52" West 127.05 feet
- 4) South 66° 47' 51" West 113.17 feet
- 5) South 86° 23' 54" West 58.74 feet
- 6) South 70° 10' 39" West 86.66 feet
- 7) South 48° 56' 51" West 102.92 feet
- 8) South 42° 26' 50" West 177.67 feet
- 9) South 39° 02' 00" West 47.51 feet

10) South 15° 47' 42" West 142.23 feet to the forks of said South Brushy Creek and Cluck Creek, a point for corner of this survey.

Thence leaving said creeks and continuing with the north boundary line of the said 435 acre tract, South 83° 17' 55" West 1400.89 feet to its most northerly northwest corner in the easterly right-of-way line of U.S. Highway No. 183, a 1" galvanized iron pipe set for the most northerly northwest corner of this survey;

Thence with the eastern right-of-way line of said U.S. Highway No. 183, South 20° 53' 29" East 643.81 feet to a $\frac{3}{8}$ " iron rod found for the northwest corner of a certain 2 acre tract as occupied on the ground for a corner of this survey;

Thence in a northeasterly direction with said 2 acre tract, North 61° 21' 55" East 202.53 feet to a $\frac{5}{8}$ " iron rod found for corner of said tract, and for a corner of this survey;

Thence continuing in a southeasterly direction with said 2 acre tract the following two (2) courses:

1) South 20° 39' 07" East 223.62 feet to a $\frac{3}{8}$ " iron rod for corner;

2) South 17° 53' 26" East 34.90 feet to a 1 $\frac{1}{2}$ " galvanized iron pipe marking the point of intersection with said 2 acre tract easterly boundary line with the center line of Buttercup Creek;

Thence in a southwesterly direction up said creek with its center line meanders as found and marked the following nine (9) courses:

1) South 18° 35' 01" West 32.56 feet to a 1" iron rod,

2) South 17° 48' 08" West 36.48 feet to a 1" iron rod,

3) South 19° 12' 41" West 35.46 feet to a 1 $\frac{1}{2}$ " galvanized iron pipe,

4) South 8° 19' 06" West 37.83 feet to a 1" iron rod,

5) South 2° 03' 30" West 40.74 feet to a 1" iron rod,

6) South 0° 27' 39" West 36.24 feet to a 1 $\frac{1}{2}$ " galvanized iron pipe,

7) South 21° 41' 54" West 32.03 feet to a 1" iron rod,

8) South 21° 36' 47" West 48.38 feet to a 1 $\frac{1}{2}$ " galvanized iron pipe,

9) South 1° 34' 55" East 89.71 feet to the intersection with the easterly right-of-way line of U.S. Highway No. 183, a 1" galvanized iron pipe set for the south corner of said 2 acre tract and for a corner of this survey;

Thence continuing in a southeasterly direction with said east right-of-way line the following seven (7) courses:

1) South 20° 53' 29" East 3247.34 feet to a 1" galvanized iron pipe, set this survey, at the beginning of a curve for corner of this survey,

2) 112.84 feet along said curve whose radius is 1853.38 feet and long chord is 112.82 feet and bears South 22° 38' 07" East to a 1" galvanized iron pipe set for a corner of this survey,

3) South 65° 37' 13" West 10.00 feet to a 1" galvanized iron pipe, set this survey, at a point on a curve to the left,

4) 82.84 feet along said curve whose radius is 1863.38 feet and long chord is 82.83 feet and bears South 25° 39' 12" East to a 1" galvanized iron pipe set for a corner of this survey,

5) North 63° 04' 23" East 10.00 feet to a 1" galvanized iron pipe, set this survey, at a point on a curve to the left,

6) 235.36 feet along said curve whose radius is 1853.38 feet and long chord is 235.20 feet and bears South 30° 33' 54" East to a 1" galvanized iron pipe set for a corner of this survey,

7) South 34° 12' 10" East 87.20 feet to a concrete right-of-way marker found for corner, said marker being at a point of intersection of the most northerly south boundary line of this survey with the east boundary of said right-of-way line of U.S. Highway No. 183, and also being the most northerly northwest corner of a certain 110.2 acre tract out

of the aforementioned 435 acre tract as recorded in Volume 311, Page 551, of the Deed Records of Williamson County, Texas;

Thence with the north boundary line of aforementioned 110.2 acre tract of land and the most northerly south boundary line of this survey as occupied on the ground the following two (2) courses:

1) South 89° 48' 04" East 1901.66 feet to a fence corner post, a 1" galvanized iron pipe set for reference,

2) North 86° 46' 59" East 1318.44 feet to a 1" galvanized iron pipe, set by this survey, at the point of intersection with the western boundary line of intersection with the western boundary line of the aforementioned 339 acre tract of land as recorded in Volume 328, Page 548 of the Deed Records of Williamson County, Texas, for the northeast corner of said 110.2 acre tract and for an ell corner of this survey;

Thence South 19° 25' 48" East with the west boundary line of said 339 acre tract at 3443.27 feet a 1" galvanized iron pipe set for its southeast corner, same being the northwest corner of the aforementioned 14.15 acre tract conveyed to the Lower Colorado River Authority, and at 3607.27 feet a 1" galvanized iron pipe for the southwest corner of said 14.15 acre tract and continuing, in all a total distance of 4404.61 feet to a 3/4" iron pipe found for the occupied southwest corner of the aforementioned 128 acre tract as recorded in Volume 328, Page 550 of the Deed Records of Williamson County, Texas, in the north right-of-way line of F.M. No. 620 for the most southerly southwest corner of this survey;

Thence in a northeasterly direction with the south boundary line of said 128 acre tract and with the north right-of-way line of F.M. 620 North 70° 25' 37" East 3271.97 feet to a 1" galvanized iron pipe set at the intersection with the west right-of-way line of Old County Road 183 for the most southerly southeast corner of this survey;

Thence with the west right-of-way of said Old County Road 183 and the east boundary line of said 128 acre tract North 19° 27' 25" West 1985.80 feet to a 1" galvanized iron pipe found for a corner of the aforementioned 14.15 acre tract, and for corner of this survey;

Thence North 16° 10' 00" West 62.10 feet to a point of intersection with the west right-of-way line of said Old County Road 183 and the westerly right-of-way line of the Southern Pacific Railroad a 1" galvanized iron pipe set for corner of this survey, said 1" galvanized iron pipe also being on a curve to the right;

Thence with the westerly right-of-way line of said Southern Pacific Railroad the following five (5) courses:

1) at 824.59 feet along said curve to the right pass a 1" galvanized iron pipe set for the most northerly corner of the aforementioned 14.15 acre tract, a total distance of 1528.51 feet along said curve whose radius is 1987.89 feet and long chord is 1491.13 feet and bears North 60° 24' 25" West to a 1" galvanized iron pipe set for a corner of this survey, said pipe also marking the beginning of another curve to the right;

2) 1640.41 feet along said curve to the right whose radius is 2020.00 feet and long chord is 1595.70 feet and bears North 15° 06' 53" West, to a 1" galvanized iron pipe set for corner of this survey;

3) North 05° 53' 19" East 1523.87 feet to a 1" galvanized iron pipe set for corner this survey, said iron pipe also marking the beginning of another curve to the left;

4) 893.82 feet along said curve to the left whose radius is 4574.76 feet and long chord is 892.39 feet and bears North 02° 21' 08" East, to a 1" galvanized iron pipe set for a corner of this survey;

5) North 00° 59' 15" West 215.03 feet to the place of beginning.

Save and except, however, from the foregoing 803.688 acre tract, a tract of 14.180 acres of land and being more particularly described by metes and bounds as follows:

Beginning at a 1" galvanized iron pipe set for the southwest corner of the aforementioned 339 acre tract as recorded in Volume 328, Page 548, of the Deed Records of Williamson County, Texas for the most westerly northwest corner of this tract;

Thence with the southerly boundary line of said 339 acre tract the following three (3) courses:

1) North 46° 48' 55" East 2672.08 feet to a 1" galvanized iron pipe set for a corner of this survey, same being at a beginning of a curve to the left;

2) 601.70 feet along said curve to the left whose radius is 352.50 feet and long chord is 531.27 feet and bears North 02° 33' 30" West to a ¾" iron pipe found for a corner of this tract;

3) North 38° 08' 00" East 44.25 feet to a 1" galvanized iron pipe set at the intersection with the west right-of-way line of the Southern Pacific Railroad for a corner of this tract, said 1" galvanized iron pipe being on a curve to the left;

Thence following said curve a distance of 824.59 feet, whose radius is 1987.89 feet and long chord is 818.69 feet and bears South 70° 33' 04" East to a 1" galvanized iron pipe set for a corner of this tract;

Thence South 16° 10' 00" East 62.10 feet to a 1" galvanized iron pipe found for a corner of this tract, said 1" galvanized iron pipe being on a curve to the left;

Thence along said curve to the left a distance of 492.36 feet and whose radius is 881.27 feet and long chord is 485.98 feet and bears South 69° 06' 20" West, to a ¾" iron pipe found for a corner of this tract.

Thence South 53° 06' 00" West 347.63 feet to a 1" galvanized iron pipe set for a corner of this tract;

Thence South 46° 48' 55" West 2680.72 feet to a 1" galvanized iron pipe set for a corner of this tract;

Thence North 19° 25' 48" West 164.00 feet to the place of beginning.

SECTION 4. FINDINGS RELATING TO BOUNDARIES. The legislature finds that the boundaries and field notes of the district form a closure. If any mistake is made in the field notes or in copying the field notes in the legislative process, it in no way affects the organization, existence, and validity of the district, or the right of the district to levy and collect taxes, or in any other manner affects the legality or operation of the district or its governing body.

SECTION 5. FINDING OF BENEFIT. The legislature finds that all of the land and other property included within the boundaries of the district will be benefitted by the works and projects that are to be accomplished by the district under powers conferred by Article XVI, Section 59, of the Texas Constitution and that the district is created to serve a public use and benefit.

SECTION 6. POWERS. (a) The district has all of the rights, powers, privileges, authority, duties, and functions conferred by the general laws of this state applicable to municipal utility districts created under Article XVI, Section 59, of the Texas Constitution, including those conferred by Chapters 50 and 54, Water Code. If any provision of general law is in conflict or inconsistent with this Act, this Act prevails.

(b) The rights, powers, privileges, authority, and functions granted to the district are subject to the continuing right of supervision of the State of Texas to be exercised by and through the Texas Water Commission.

SECTION 7. BOARD OF DIRECTORS. (a) The district is governed by a board of five directors.

(b) Except for the initial directors, each director shall be elected and shall serve for the terms of office as provided for directors under Chapter 54, Water Code, until his successor is elected and has qualified.

(c) Each director shall qualify to serve as director in the manner provided by Chapter 54, Water Code.

(d) At the time this Act takes effect, the Texas Water Commission shall appoint five persons who shall constitute the initial board of directors of the district.

(e) If any of the directors appointed by the Texas Water Commission fails to qualify for office, the commission shall appoint a qualified person to fill the vacancy for the unexpired term.

(f) The initial directors shall serve until permanent directors are elected as provided by Section 9 of this Act and Chapter 54, Water Code.

SECTION 8. CONFIRMATION AND DIRECTORS ELECTION. An election shall be called and held to confirm establishment of the district and to elect five permanent directors as provided by Chapter 54, Water Code.

SECTION 9. ELECTION OF DIRECTORS. Beginning in the second year following the confirmation and directors election, an election shall be held on the third Saturday in May every two years to elect the appropriate number of directors to the board.

SECTION 10. NOTICE, ETC. The legislature finds that proper and 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 by the constitution and laws of this state, including the governor of Texas, who has submitted the notice and Act to the Texas Water Commission. Also, the legislature finds that the Texas Water Commission has filed its recommendations relating to this Act with the governor, lieutenant governor, and speaker of the house of representatives within the required time. 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 11. EMERGENCY. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 15, 1987, by the following vote: Yeas 144, Nays 0, 1 present, not voting; and, pursuant to the provisions of Article XVI, Section 59(d) of the Constitution of Texas, a copy of H.B. No. 1709 was transmitted to the Governor on March 11, 1987, and the recommendation of the Texas Water Commission was filed with the Speaker of the House on April 14, 1987. Passed by the Senate on May 25, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 18, 1987.

Effective June 18, 1987.