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Chapter 451

S.B. No. 905

1 AN ACT  
2 relating to the creation of the Cresson Crossroads Municipal  
3 Utility District No. 2; granting a limited power of eminent domain;  
4 providing authority to issue bonds; providing authority to impose  
5 assessments, fees, and taxes.

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

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
8 Code, is amended by adding Chapter 7968 to read as follows:

9 CHAPTER 7968. CRESSON CROSSROADS MUNICIPAL UTILITY DISTRICT NO. 2

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 7968.001. DEFINITIONS. In this chapter:

- 12 (1) "Board" means the district's board of directors.
- 13 (2) "Commission" means the Texas Commission on  
14 Environmental Quality.

15 (3) "Director" means a board member.

16 (4) "District" means the Cresson Crossroads Municipal  
17 Utility District No. 2.

18 Sec. 7968.002. NATURE OF DISTRICT. The district is a  
19 municipal utility district created under Section 59, Article XVI,  
20 Texas Constitution.

21 Sec. 7968.003. CONFIRMATION AND DIRECTORS' ELECTION  
22 REQUIRED. The temporary directors shall hold an election to  
23 confirm the creation of the district and to elect five permanent  
24 directors as provided by Section 49.102, Water Code.

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1       Sec. 7968.004. CONSENT OF MUNICIPALITY REQUIRED. The  
2 temporary directors may not hold an election under Section 7968.003  
3 until each municipality in whose corporate limits or  
4 extraterritorial jurisdiction the district is located has  
5 consented by ordinance or resolution to the creation of the  
6 district and to the inclusion of land in the district.

7       Sec. 7968.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

8       (a) The district is created to serve a public purpose and benefit.

9       (b) The district is created to accomplish the purposes of:

10               (1) a municipal utility district as provided by  
11 general law and Section 59, Article XVI, Texas Constitution; and

12               (2) Section 52, Article III, Texas Constitution, that  
13 relate to the construction, acquisition, improvement, operation,  
14 or maintenance of macadamized, graveled, or paved roads, or  
15 improvements, including storm drainage, in aid of those roads.

16       Sec. 7968.006. INITIAL DISTRICT TERRITORY. (a) The

17 district is initially composed of the territory described by  
18 Section 2 of the Act enacting this chapter.

19       (b) The boundaries and field notes contained in Section 2 of  
20 the Act enacting this chapter form a closure. A mistake made in the  
21 field notes or in copying the field notes in the legislative process  
22 does not affect the district's:

23               (1) organization, existence, or validity;

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

27               (3) right to impose a tax; or

1           (4) legality or operation.

2                   SUBCHAPTER B. BOARD OF DIRECTORS

3           Sec. 7968.051. GOVERNING BODY; TERMS. (a) The district is  
4 governed by a board of five elected directors.

5           (b) Except as provided by Section 7968.052, directors serve  
6 staggered four-year terms.

7           Sec. 7968.052. TEMPORARY DIRECTORS. (a) The temporary  
8 board consists of:

9                   (1) Randy Price;

10                  (2) Cliff May;

11                  (3) Derek Tanner;

12                  (4) Michael Hooser; and

13                  (5) Aaron Grant.

14           (b) Temporary directors serve until the earlier of:

15                   (1) the date permanent directors are elected under  
16 Section 7968.003; or

17                   (2) the fourth anniversary of the effective date of  
18 the Act enacting this chapter.

19           (c) If permanent directors have not been elected under  
20 Section 7968.003 and the terms of the temporary directors have  
21 expired, successor temporary directors shall be appointed or  
22 reappointed as provided by Subsection (d) to serve terms that  
23 expire on the earlier of:

24                   (1) the date permanent directors are elected under  
25 Section 7968.003; or

26                   (2) the fourth anniversary of the date of the  
27 appointment or reappointment.

1 (d) If Subsection (c) applies, the owner or owners of a  
2 majority of the assessed value of the real property in the district  
3 may submit a petition to the commission requesting that the  
4 commission appoint as successor temporary directors the five  
5 persons named in the petition. The commission shall appoint as  
6 successor temporary directors the five persons named in the  
7 petition.

8 SUBCHAPTER C. POWERS AND DUTIES

9 Sec. 7968.101. GENERAL POWERS AND DUTIES. The district has  
10 the powers and duties necessary to accomplish the purposes for  
11 which the district is created.

12 Sec. 7968.102. MUNICIPAL UTILITY DISTRICT POWERS AND  
13 DUTIES. The district has the powers and duties provided by the  
14 general law of this state, including Chapters 49 and 54, Water Code,  
15 applicable to municipal utility districts created under Section 59,  
16 Article XVI, Texas Constitution.

17 Sec. 7968.103. AUTHORITY FOR ROAD PROJECTS. Under Section  
18 52, Article III, Texas Constitution, the district may design,  
19 acquire, construct, finance, issue bonds for, improve, operate,  
20 maintain, and convey to this state, a county, or a municipality for  
21 operation and maintenance macadamized, graveled, or paved roads, or  
22 improvements, including storm drainage, in aid of those roads.

23 Sec. 7968.104. ROAD STANDARDS AND REQUIREMENTS. (a) A  
24 road project must meet all applicable construction standards,  
25 zoning and subdivision requirements, and regulations of each  
26 municipality in whose corporate limits or extraterritorial  
27 jurisdiction the road project is located.

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1        (b) If a road project is not located in the corporate limits  
2 or extraterritorial jurisdiction of a municipality, the road  
3 project must meet all applicable construction standards,  
4 subdivision requirements, and regulations of each county in which  
5 the road project is located.

6        (c) If the state will maintain and operate the road, the  
7 Texas Transportation Commission must approve the plans and  
8 specifications of the road project.

9        Sec. 7968.105. COMPLIANCE WITH MUNICIPAL REGULATIONS. Any  
10 water, sanitary sewer, road, drainage, or other infrastructure or  
11 public facilities constructed, acquired, improved, maintained, or  
12 operated by the district shall comply with any subdivision or other  
13 applicable regulations of any municipality in whose corporate  
14 limits or extraterritorial jurisdiction the infrastructure or  
15 public facilities are located unless other regulations are  
16 specified in a development agreement between the district and the  
17 municipality.

18        Sec. 7968.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE  
19 OR RESOLUTION. The district shall comply with all applicable  
20 requirements of any ordinance or resolution that is adopted under  
21 Section 54.016 or 54.0165, Water Code, and that consents to the  
22 creation of the district or to the inclusion of land in the  
23 district.

24        Sec. 7968.107. DIVISION OF DISTRICT. (a) The district may  
25 be divided into two or more new districts only if:

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

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1           (b) This chapter applies to any new district created by the  
2 division of the district, and a new district has all the powers and  
3 duties of the district.

4           (c) Any new district created by the division of the district  
5 may not, at the time the new district is created, contain any land  
6 outside the area described by Section 2 of the Act creating this  
7 chapter.

8           (d) The board, on its own motion or on receipt of a petition  
9 signed by the owner or owners of a majority of the assessed value of  
10 the real property in the district, may adopt an order dividing the  
11 district.

12           (e) The board may adopt an order dividing the district  
13 before or after the date the board holds an election under Section  
14 7968.003 to confirm the creation of the district.

15           (f) An order dividing the district shall:  
16               (1) name each new district;  
17               (2) include the metes and bounds description of the  
18 territory of each new district;  
19               (3) appoint temporary directors for each new district;  
20 and  
21               (4) provide for the division of assets and liabilities  
22 between or among the new districts.

23           (g) On or before the 30th day after the date of adoption of  
24 an order dividing the district, the district shall file the order  
25 with the commission and record the order in the real property  
26 records of each county in which the district is located.

27           (h) Any new district created by the division of the district

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1 shall hold a confirmation and directors' election as required by  
2 Section 7968.003.

3 (i) If the creation of the new district is confirmed, the  
4 new district shall provide the election date and results to the  
5 commission.

6 (j) Any new district created by the division of the district  
7 must hold an election as required by this chapter to obtain voter  
8 approval before the district may impose a maintenance tax or issue  
9 bonds payable wholly or partly from ad valorem taxes.

10 (k) Municipal consent to the creation of the district and to  
11 the inclusion of land in the district granted under Section  
12 7968.004 acts as municipal consent to the creation of any new  
13 district created by the division of the district and to the  
14 inclusion of land in the new district.

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16 Sec. 7968.151. ELECTIONS REGARDING TAXES OR BONDS.

17 (a) The district may issue, without an election, bonds and other  
18 obligations secured by:

19 (1) revenue other than ad valorem taxes; or

20 (2) contract payments described by Section 7968.153.

21 (b) The district must hold an election in the manner  
22 provided by Chapters 49 and 54, Water Code, to obtain voter approval  
23 before the district may impose an ad valorem tax or issue bonds  
24 payable from ad valorem taxes.

25 (c) The district may not issue bonds payable from ad valorem  
26 taxes to finance a road project unless the issuance is approved by a  
27 vote of a two-thirds majority of the district voters voting at an

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1 election held for that purpose.

2 Sec. 7968.152. OPERATION AND MAINTENANCE TAX. (a) If  
3 authorized at an election held under Section 7968.151, the district  
4 may impose an operation and maintenance tax on taxable property in  
5 the district in accordance with Section 49.107, Water Code.

6 (b) The board shall determine the tax rate. The rate may not  
7 exceed the rate approved at the election.

8 (c) Section 49.107(f), Water Code, does not apply to  
9 reimbursements for projects constructed or acquired under Section  
10 7968.103.

11 Sec. 7968.153. CONTRACT TAXES. (a) In accordance with  
12 Section 49.108, Water Code, the district may impose a tax other than  
13 an operation and maintenance tax and use the revenue derived from  
14 the tax to make payments under a contract after the provisions of  
15 the contract have been approved by a majority of the district voters  
16 voting at an election held for that purpose.

17 (b) A contract approved by the district voters may contain a  
18 provision stating that the contract may be modified or amended by  
19 the board without further voter approval.

20 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

21 Sec. 7968.201. AUTHORITY TO ISSUE BONDS AND OTHER  
22 OBLIGATIONS. The district may issue bonds or other obligations  
23 payable wholly or partly from ad valorem taxes, impact fees,  
24 revenue, contract payments, grants, or other district money, or any  
25 combination of those sources, to pay for any authorized district  
26 purpose.

27 Sec. 7968.202. TAXES FOR BONDS. At the time the district



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1 issues bonds payable wholly or partly from ad valorem taxes, the  
2 board shall provide for the annual imposition of a continuing  
3 direct ad valorem tax, without limit as to rate or amount, while all  
4 or part of the bonds are outstanding as required and in the manner  
5 provided by Sections 54.601 and 54.602, Water Code.

6 Sec. 7968.203. BONDS FOR ROAD PROJECTS. At the time of  
7 issuance, the total principal amount of bonds or other obligations  
8 issued or incurred to finance road projects and payable from ad  
9 valorem taxes may not exceed one-fourth of the assessed value of the  
10 real property in the district.

11 SECTION 2. The Cresson Crossroads Municipal Utility  
12 District No. 2 initially includes all the territory contained in  
13 the following area:

14 Field notes for:(TRACT 1 )

15 Part of the NANCY SMITH SURVEY, Abstract No. 512 situated in Hood  
16 County, Texas; embracing a portion of the 744-672/1000 acres tract  
17 described in the deed to Cresson Crossroads LLC, recorded in volume  
18 2225, page 263 of the Real Records of Hood County, Texas and all of  
19 Lots 6, 7, 8, 9, 12, 13, 16, 18,19 and Reserve No. 1 of CRESSON  
20 CROSSROADS PHASE ONE, an Addition to the City of Cresson, Hood  
21 County, Texas according to the plat thereof recorded in Slide C-126  
22 of the Plat Records of Hood County, Texas and a portion of Lot 4-R of  
23 CRESSON CROSSROADS PHASE ONE, an Addition to the City of Cresson,  
24 Hood County, Texas according to the RePlat thereof recorded in  
25 Slide C-276 of the Plat Records, and all of Lot 10R-2 of CRESSON  
26 CROSSROADS PHASE ONE, an Addition to the City of Cresson, Hood  
27 County, Texas according to the plat thereof recorded in Slide C-323

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1 of the Plat Records and described by metes and bounds as follows:  
2 The bearings and coordinate positions are per the Texas Coordinate  
3 System North Central Zone Nad 83 (1993).  
4 Beginning at a 1/2" iron for the southwest corner of the said  
5 744-672/1000 acres tract, and in the north line of Old Granbury  
6 Road.  
7 Thence northeasterly along the most southerly west line of the said  
8 744-672/1000 acres tract the following:  
9 north 00 degrees-51 minutes-58 seconds east 1884-49/100  
10 feet;  
11 north 00 degrees-06 minutes-08 seconds east 1700-36/100 feet  
12 to a 6" steel fence corner for a reentrant corner of the said  
13 744-672/1000 acres tract.  
14 Thence southwesterly along the most westerly south line of the said  
15 744-672/1000 acres tract the following:  
16 south 73 degrees-35 minutes-07 seconds west 3997-93/100 feet  
17 to a 5/8" iron,  
18 south 67 degrees-31 minutes-39 seconds west 94-23/100 feet to  
19 a 6" steel fence corner for the most westerly southwest  
20 corner of the said 744-672/1000 acres tract.  
21 Thence north 00 degrees-21 minutes-27 seconds east, along the west  
22 line of said 744-672/1000 acres tract, to and along the west line of  
23 said CRESSON CROSSROADS PHASE ONE,  
24 5527-54/100 feet.  
25 Thence 62 degrees-28 minutes-48 seconds east 885-75/100 feet to the  
26 easterly line of said Lot 4-R, and the westerly line of Hughie Long  
27 Road.

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1 Thence southwesterly and southeasterly, along the easterly line of  
2 said Lot 4-R and the westerly line of said Hughie Long Road, to and  
3 along the easterly line of said 6, 7, 8, and 9, the following:

4 south 27 degrees-53 minutes-51 seconds west 190-82/100 feet  
5 to the beginning of a curve to the left having a radius of  
6 1030 feet;

7 along said curve to the left an arc length of 495-08/100 feet  
8 to its end. The long chord of said 495-08/100 feet arc is  
9 south 14 degrees-07 minutes-39 seconds west 490-33/100 feet;  
10 south 00 degrees-21 minutes-27 seconds west 644-28/100 feet  
11 to the beginning of a curve to the left having a radius of 530  
12 feet;

13 along said curve to the left an arc length of 479-16/100 feet  
14 to the northeasterly corner of said Lot 9. The long chord of  
15 said 479-16/100 feet arc is south 25 degrees-32 minutes-35  
16 seconds east 463-01 /100 feet.

17 Thence south 19 degrees-25 minutes-35 seconds west, along the  
18 easterly line of said Lot 9, a distance of 440-69/100 feet to the  
19 northwest corner of said Lot 10R-2.

20 Thence south 81 degrees-24 minutes-47 seconds east, along the  
21 northerly line of said Lot 10R-2, a distance of 317-64/100 feet to  
22 the northeasterly corner of said Lot 10R-2, in the west  
23 right-of-way of Cantrell Court.

24 Thence south 08 degrees-35 minutes-11 seconds west, along the  
25 easterly line of said Lot 10R-2, and the westerly right-of-way of  
26 said Cantrell Court, 269-80/100 feet to the southeast corner of  
27 said Lot 10R-2, and the southwest end of said Cantrell Court, in the

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1 south line of said CRESSON CROSSROADS PHASE ONE.  
2 Thence north 82 degrees-58 minutes-22 seconds east, along the south  
3 line of said said Lot 10R-2, and the southwest end of said Cantrell  
4 Court, in the south line of said CRESSON CROSSROADS PHASE ONE,  
5 517-53/100 feet to the southwest corner of said Lot 12 and the  
6 southeast corner of Lot 11 of said CRESSON CROSSROADS PHASE ONE.  
7 Thence north 07 degrees-01 minute-38 seconds west, along the common  
8 line of said Lots 11 and 12, a distance of 580-80/100 feet to the  
9 northwest corner of said Lot 12, in the south right-of-way of said  
10 Hughie Long Road.  
11 Thence north 82 degrees-58 minutes-22 seconds east, along the north  
12 line of said Lot 12, and the south right-of-way of said Hughie Long  
13 Road, to and along the north line of said Lot 13, and said Reserve  
14 No. 1, a distance of 1146-33/100 feet to the northeast corner of  
15 said Reserve No. 1.  
16 Thence south 07 degrees-01 minute-38 seconds east, along the east  
17 line of said Reserve No. 1, a distance of 580-80/100 feet to the  
18 southeast corner of said Reserve No. 1, in the south line of said  
19 CRESSON CROSSROADS PHASE ONE.  
20 Thence north 82 degrees-58 minutes-22 seconds east, along the south  
21 line of said CRESSON CROSSROADS PHASE ONE, 1009-41/100 feet to the  
22 southeast corner of Lot 15R-2R2 of CRESSON CROSSROADS PHASE ONE,  
23 according to the plat thereof recorded in Slide P-462 of the said  
24 Plat Records, in the west right-of-way of Glascock Drive.  
25 Thence south 23 degrees-54 minutes-25 seconds east, along a  
26 southwesterly line of said CRESSON CROSSROADS PHASE ONE, 83-16/100  
27 feet to the west line of said Lot 16, and the east right-of-way of

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1 said Glascock Drive.  
2 Thence north 22 degrees-16 minutes-14 seconds east, along the west  
3 line of said Lot 16, and the easterly line of said Glascock Drive,  
4 122-73/100 feet to the northwest corner of said Lot 16, at the  
5 intersection of the easterly line of said Glascock Drive, and the  
6 southerly right-of-way of said Hughie Long Road, in a curve to the  
7 left having a radius of 1030 feet.  
8 Thence southeasterly, along the north line of said Lot 16, and the  
9 south right-of-way of said Hughie Long Road, along said curve to the  
10 left an arc length of 231-22/100 feet to the northeast corner of  
11 said Lot 16, and the northwest corner of Lot 17 of said CRESSON  
12 CROSSROADS PHASE ONE. The long chord of said 231-22/100 feet arc is  
13 south 75 degrees-49 minutes-46 seconds east 230-73/100 feet.  
14 Thence south 00 degrees-13 minutes-12 seconds west, along the  
15 common line of said Lots 16 and 17, a distance of 335-09/100 feet to  
16 the southeast corner of said Lot 16, and the southwest corner of  
17 said Lot 17, in the south line of said CRESSON CROSSROADS PHASE ONE.  
18 Thence southeasterly, along the south line of said Lot 17, and the  
19 south line of said CRESSON CROSSROADS PHASE ONE, the following:  
20 south 89 degrees-46 minutes-48 seconds east 39-87/100 feet;  
21 north 82 degrees-58 minutes-22 seconds east 279-18/100 feet  
22 to the southeast corner of said Lot 17, and the southwest  
23 corner of said Lot 18.  
24 Thence north 07 degrees-01 minute-38 seconds west, along the common  
25 line of said Lots 17 and 18, a distance of 303-42/100 feet to the  
26 northwest corner of said Lot 18, in the southerly right-of-way of  
27 said Hughie Long Road.

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1 Thence northeasterly and southeasterly, along the north line of  
2 said Lot 18, and the southerly right-of-way of said Hughie Long  
3 Road, to and along the north line of said Lot 19, the following:

4 north 82 degrees-58 minutes-22 seconds east 550-88/100 feet  
5 to the beginning of a curve to the right having a radius of  
6 270 feet;

7 along said curve to the right an arc length of 164-58/100 feet  
8 to its end. The long chord of said 164-58/100 feet arc is  
9 south 79 degrees-33 minutes-53 seconds east 162-04/100 feet.

10 south 62 degrees-06 minutes-09 seconds east 5-06/100 feet to  
11 the northeast corner of said Lot 19, at the intersection of  
12 the southerly right-of-way of said Hughie Long Road, and the  
13 westerly right-of-way of Slocum Ranch Road.

14 Thence southwesterly, along the easterly line of said Lot 19, and  
15 the westerly right-of-way of said Slocum Ranch Road, the following:

16 south 27 degrees-42 minutes-02 seconds west 30-82/100 feet to  
17 the beginning of a curve to the left having a radius of 2100  
18 feet;

19 along said curve to the left an arc length of 264-83/100 feet  
20 to the southeast corner of said Lot 19 and the southwest  
21 corner of said Slocum Ranch Road. The long chord of said  
22 264-83/100 feet arc is south 24 degrees-05 minutes-17 seconds  
23 west 264-65 /100 feet.

24 Thence south 69 degrees-31 minutes-29 seconds east, along the south  
25 line of said Slocum Ranch Road, 100-00/100 feet to the east line of  
26 Slocum Ranch Road, and the beginning of a curve to the right having  
27 a radius of 2000-00/100 feet.

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1 Thence northeasterly along the said east line of Slocum Ranch Road,  
2 and said curve to the right an arc length of 252-21/100 feet; the  
3 long chord of the said 252-21/100 feet arc is north 24 degrees-05  
4 minutes-17 seconds east 252-04/100 feet.  
5 Thence north 27 degrees-42 minutes-02 seconds east, along the said  
6 east line of Slocum Ranch Road, 630-29/100 feet to the north line of  
7 the said 744-672/1000 acres tract, and the south line of State  
8 Highway No. 171.  
9 Thence south 62 degrees-07 minutes-00 seconds east, along the said  
10 north line of the 744-672/1000 acres tract, and the said south line  
11 of State Highway No. 171, 2140-45/100 feet to the most northerly  
12 northeast corner of the said 744-672/1000 acres tract.  
13 Thence southerly, then northwesterly, then southerly along the  
14 easterly line of the said 744-672/1000 acres tract the following:  
15 south 30 degrees-48 minutes-16 seconds west 131-94/100 feet;  
16 south 50 degrees-55 minutes-01 second east 175-29/100 feet;  
17 south 35 degrees-08 minutes-10 seconds west 508-28/100 feet;  
18 north 55 degrees-45 minutes-14 seconds west 59-45/100 feet;  
19 south 35 degrees-31 minutes-08 seconds west 207-72/100 feet;  
20 south 53 degrees-39 minutes-22 seconds east 149-78/100 feet;  
21 south 35 degrees-50 minutes-43 seconds west 248-84/100 feet;  
22 south 53 degrees-35 minutes-36 seconds east 412-81/100 feet  
23 to the northeast corner of the 2-245/1000 acres tract  
24 described in the deed to Betty L. Henson Family Partnership,  
25 L.P., recorded in volume 2508, page 712 of the said Real  
26 Records, and the beginning of a curve to the right having a  
27 radius of 224-00/100 feet.

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1 Thence southwesterly along the northwesterly line of the said  
2 2-245/1000 acres tract, and said curve to the right an arc length of  
3 206-71/100 feet; the long chord of the said 206-71/100 feet arc is  
4 south 63 degrees-04 minutes-17 seconds west 199-46/100 feet.

5 Thence southerly along the said northwesterly line of the  
6 2-245/1000 acres tract, to and along the northwesterly line, and  
7 the southwesterly of Lot 1, Phase 2, CRESSON CROSSROADS, according  
8 to the plat thereof recorded in Slide C-223 of the said Plat Records  
9 the following:

- 10 south 89 degrees-30 minutes-30 seconds west 62-17/100 feet;
- 11 south 32 degrees-28 minutes-47 seconds west 113-40/100 feet;
- 12 south 00 degrees-59 minutes-04 seconds west 372-43/100 feet;
- 13 south 35 degrees-28 minutes-40 seconds west 203-06/100 feet
- 14 to the northerly corner of said Lot 1;
- 15 south 35 degrees-55 minutes-50 seconds west 338-42/100 feet
- 16 to the westerly corner of said Lot 1;
- 17 south 54 degrees-04 minutes-10 seconds east 260-72/100 feet
- 18 to the easterly line of the said 744-672/1000 acres tract,
- 19 and southerly corner of said Lot, 1, and in the west line of
- 20 U.S. Highway No. 377.

21 Thence southwesterly along the said easterly line of the  
22 744-672/1000 acres tract, and the said west line of U.S. Highway  
23 No. 377, the following:

- 24 south 35 degrees-14 minutes-38 seconds west 501-06/100 feet;
- 25 south 35 degrees-00 minutes-14 seconds west 165-65/100 feet;
- 26 south 35 degrees-30 minutes-36 seconds west 614-77/100 feet;
- 27 south 41 degrees-55 minutes-26 seconds west 403-69/100 feet;



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1 south 34 degrees-08 minutes-17 seconds west 200-11/100 feet;  
 2 south 29 degrees-40 minutes-57 seconds west 318-73/100 feet;  
 3 south 28 degrees-50 minutes-42 seconds west 172-82/100 feet  
 4 south 32 degrees-49 minutes-34 seconds west 508-28/100 feet;  
 5 south 60 degrees-56 minutes-28 seconds west 175-64/100 feet  
 6 to the most southerly southeast corner of the said  
 7 744-672/1000 acres tract in the north line of Old Granbury  
 8 Road.

9 Thence south 89 degrees-25 minutes-07 seconds west, along the south  
 10 line of the said 744-672/1000 acres tract, and the said north line  
 11 of Old Granbury Road, 953-56/100 feet to the Beginning and  
 12 containing 561-055/1000 acres.

13 Compiled on December 17, 2016 from Real Records, and Plat Records of  
 14 Hood County, Texas, and some previous surveys.

15 Field notes for:(TRACT 2 )

16 All of Lot 40 of CRESSON CROSSROADS PHASE ONE, an Addition to the  
 17 City of Cresson, Hood County, Texas according to the plat thereof  
 18 recorded in Slide C-126 of the Plat Records of Hood County, Texas  
 19 and all of Lot 41-R of CRESSON CROSSROADS PHASE ONE, an Addition to  
 20 the City of Cresson, Hood County, Texas according to the plat  
 21 thereof recorded in Slide C-350 of the said Plat Records, and  
 22 described by metes and bounds as follows:

23 Beginning at the northwesterly corner of said Lot 40 at the  
 24 intersection of the southwesterly right-of-way of State Highway  
 25 No. 171, and the southeasterly right-of-way of Hughie Long Road.

26 Thence south 62 degrees-06 minutes-59 seconds east, along the  
 27 northeasterly line of said Lot 40, and the southwesterly

See

S.B. No. 905

1 right-of-way of said State Highway No. 171, to and along the  
2 northeasterly line of said Lot 41-R, a distance of 422-10/100 feet  
3 to the northeasterly corner of said Lot 41-R.

4 Thence south 27 degrees-53 minutes-51 seconds west, along the  
5 southeasterly line of said Lot 41-R, a distance of 309-72/100 feet  
6 to the southeasterly corner of said Lot 41-R, in the northeasterly  
7 line of Lot 39 of said CRESSON CROSSROADS PHASE ONE.

8 Thence north 62 degrees-06 minutes-59 seconds west, along the  
9 southwesterly line of said Lot 41-R, and the northeasterly line of  
10 said lot 39, to and along the southwesterly line of said Lot 40, a  
11 distance of 422-10/100 feet to the southwesterly corner of said Lot  
12 40, in the easterly right-of-way of said Hughie Long Road.

13 Thence north 27 degrees-53 minutes-51 seconds east, along the  
14 westerly line of said Lot 40, and the easterly right-of-way of said  
15 Hughie Long Road, 309-72/100 feet to the place of beginning and  
16 containing 3-001/1000 acres.

17 Compiled on December 16, 2016 from Real Records, and Plat Records of  
18 Hood County, Texas, and some previous surveys.

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

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

218  
Step

1 Environmental Quality.

2 (c) The Texas Commission on Environmental Quality has filed  
3 its recommendations relating to this Act with the governor, the  
4 lieutenant governor, and the speaker of the house of  
5 representatives within the required time.

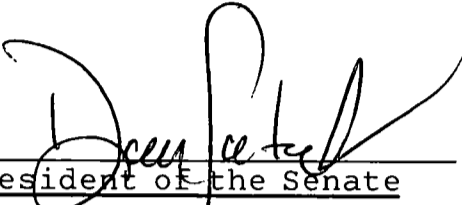
6 (d) All requirements of the constitution and laws of this  
7 state and the rules and procedures of the legislature with respect  
8 to the notice, introduction, and passage of this Act are fulfilled  
9 and accomplished.

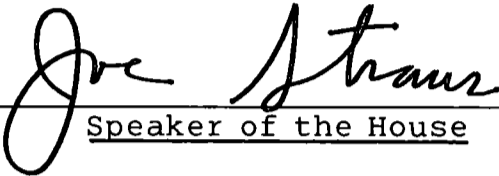
10 SECTION 4. (a) If this Act does not receive a two-thirds  
11 vote of all the members elected to each house, Subchapter C, Chapter  
12 7968, Special District Local Laws Code, as added by Section 1 of  
13 this Act, is amended by adding Section 7968.108 to read as follows:

14 Sec. 7968.108. NO EMINENT DOMAIN POWER. The district may  
15 not exercise the power of eminent domain.

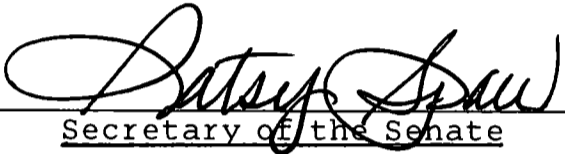
16 (b) This section is not intended to be an expression of a  
17 legislative interpretation of the requirements of Section 17(c),  
18 Article I, Texas Constitution.

19 SECTION 5. This Act takes effect immediately if it receives  
20 a vote of two-thirds of all the members elected to each house, as  
21 provided by Section 39, Article III, Texas Constitution. If this  
22 Act does not receive the vote necessary for immediate effect, this  
23 Act takes effect September 1, 2017.

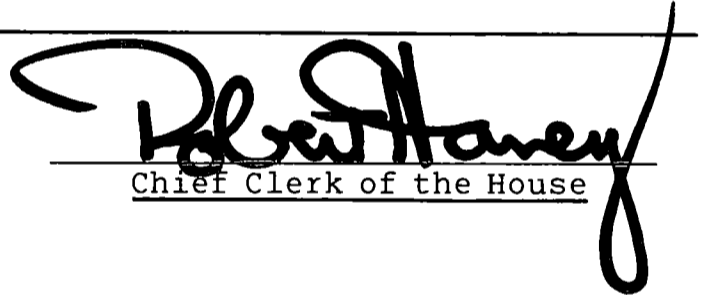
  
\_\_\_\_\_  
President of the Senate

  
\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 905 passed the Senate on  
May 10, 2017, by the following vote: Yeas 29, Nays 1. \_\_\_\_\_

  
\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 905 passed the House on  
May 24, 2017, by the following vote: Yeas 137, Nays 9, two  
present not voting. \_\_\_\_\_

  
\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor

FILED IN THE OFFICE OF THE  
SECRETARY OF STATE  
7:00 pm O'CLOCK

JUN 09 2017  


Secretary of State

**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 3, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB905** by Birdwell ( Relating to the creation of the Cresson Crossroads Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **Committee Report 1st House, Substituted**

**No fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code by establishing the Cresson Crossroads Municipal Utility District No. 2. The district would have authority for road projects. The district would have authority to issue bonds and other obligations, without an election. The district would have authority to impose an operation and maintenance tax and a contract tax.

The bill would take effect immediately if it receives a two-thirds vote in each house; otherwise, the bill would take effect September 1, 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION**

**May 2, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB905** by Birdwell (Relating to the creation of the Cresson Crossroads Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **As Introduced**

**No fiscal implication to the State is anticipated.**

The bill would amend the Special District Local Laws Code by establishing the Cresson Crossroads Municipal Utility District No. 2. The district would have authority for road projects. The district would have authority to impose assessments on property. The district would have authority to impose an operation and maintenance tax. The district would have authority to impose a contract tax. The district may not exercise the power of eminent domain.

The bill would take effect immediately if it receives a two-thirds vote in each house; otherwise, the bill would take effect September 1, 2017.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:**

**LBB Staff:** UP, JGA, GG, BM

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**WATER DEVELOPMENT POLICY IMPACT STATEMENT**

**85TH LEGISLATIVE REGULAR SESSION**

**May 4, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB905** by Birdwell ( Relating to the creation of the Cresson Crossroads Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **Committee Report 1st House, Substituted**

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

This bill creates Cresson Crossroads Municipal Utility District No. 2 (District) with the powers and duties of a standard municipal utility district under Water Code Chapters 49 and 54.

**Population** -The very specific description of the proposed boundaries does not allow staff to develop precise population estimates. Based on the Real Property Records of Hood County mentioned in SB 905 and using Census blocks, there appears to be no population in 2010.

Population growth in the specific area since the 2010 census is unknown. The 2010 population estimate for areas of Hood County served by small systems or private wells (County-Other) is 22,875. The Hood County-Other population projections approved for the 2017 State Water Plan projects the population to reach 26,999 in 2020, 22,057 in 2030 and 19,285 in 2040.

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

The proposed district's area is approximately 0.25 square miles in northeastern Hood County, located west of the City of Cresson, and north of Granbury. The proposed district does not appear to fall within any existing Certificate of Convenience and Necessity (CCN) boundary.

**Comments on Powers/Duties Different from Similar Types of Districts:** The Senate Committee Substitute revises the language of Water Code Section 7968.107 regarding the process of division of the District; the Senate Committee Substitute also removes the language of Water Code Section 7968.108, which allowed the District to impose an assessment on property in the District to pay for an improvement project or obligation; House Bill 2031 by Representative Lang is the companion to the proposed amendment.

This bill grants the District authority for road projects; the bill allows the District to divide as prescribed by the procedures of Sections 53.030 through 53.041, Water Code, and only if the District has no outstanding bonded debt and is not imposing ad valorem taxes, as specified in 53.029(b), Water Code, the bill specifies that at the time of issuance, the total principal amount of bonds or other obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of real property in the District; and if the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

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

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

**Water Use - SB 905** specifies that "the district has the powers and duties provided by the general law of the state, including Chapters 49 and 54, Water Code, applicable to municipal utility districts created under Section 59, Article XVI, Texas Constitution".

Within Hood County, fifty-six percent of the total water use was groundwater (Trinity Aquifer) in 2014. Fifty-six percent of all the groundwater pumping was for municipal use. The water source of the proposed district might pursue is unknown.

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

**LBB Staff:** UP, SZ



**LEGISLATIVE BUDGET BOARD  
Austin, Texas**

**WATER DEVELOPMENT POLICY IMPACT STATEMENT**

**85TH LEGISLATIVE REGULAR SESSION**

**May 2, 2017**

**TO:** Honorable Eddie Lucio, Jr., Chair, Senate Committee on Intergovernmental Relations

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: SB905** by Birdwell (Relating to the creation of the Cresson Crossroads Municipal Utility District No. 2; granting a limited power of eminent domain; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes.), **As Introduced**

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The bill creates Cresson Crossroads Municipal Utility District No. 2 (the "District") with the powers and duties of a standard municipal utility district under Water Code, Chapters 49 and 54.

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Population growth in the specific area since the 2010 census is unknown. The 2010 population estimate for areas of Hood County served by small systems or private wells (County-Other) is 22,875. The Hood County-Other population projections approved for the 2017 State Water Plan projects the population to reach 26,999 in 2020, 22,057 in 2030 and 19,285 in 2040.

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The bill specifies that at the time of issuance, the total principal amount of bonds or other

obligations issued or incurred to finance road projects and payable from ad valorem taxes may not exceed one-fourth of the assessed value of real property in the District.

If the bill does not receive a two-thirds vote of all members elected to each house, the District may not exercise the power of eminent domain.

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Within Hood County, fifty-six percent of the total water use was groundwater (Trinity Aquifer) in 2014. Fifty-six percent of all the groundwater pumping was for municipal use. The water source of the proposed district might pursue is unknown.

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

**LBB Staff:** UP, SZ

AFFIDAVIT OF PUBLICATION

THE STATE OF TEXAS

§

COUNTY OF Hood

§

§

Rick Craig BEFORE ME, the undersigned authority on this day personally appeared of The Hood County News, who, being by me duly sworn, upon oath deposes and says:

That Hood County News is a newspaper published for the County of Hood, Texas and is of general circulation within Cresson, Texas, and that the attached "NOTICE OF INTENT TO INTRODUCE LEGISLATION" was published in said newspaper in its issue of

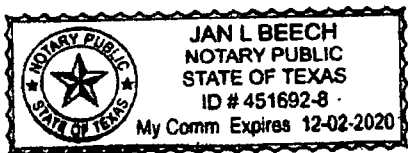
December 24, 2016;

and said newspaper is a newspaper that complies with the provisions of Section 2051.044, Texas Government Code, in that:

- (1) it devotes not less than twenty-five percent (25%) of its total column lineage to general interest items,
- (2) it is published not less frequently than once each week,
- (3) it is entered as second-class postal matter in the county where it is published, and
- (4) it has been published regularly and continuously for not less than twelve (12) months prior to the date of the first publication of the "NOTICE OF INTENT TO INTRODUCE LEGISLATION."

[Signature]  
Title: Manager

SWORN TO AND SUBSCRIBED BEFORE ME, this the 27th day of December, 2016.



(Notary Seal)

[Signature]  
Notary Public, State of Texas

General

**APEX**  
HVAC TECHNICIAN  
Looking for HVAC Technician for immediate hire 3 years plus experience in residential work. Full time work, with paid holidays, paid vacation and Bonus structure. \$15-330/Hour DOE. Apply in person 307 W Pearl St. Granbury TX 76048 (817) 796-6455 jared@hcnnews.com

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Requirements:  
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• Strong written/oral communication skills  
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General

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The position requires a high level of productivity and the ability to sell a wide range of media products. Social media knowledge is a plus. The ideal candidate will have outside sales experience or comparable educational background in advertising or marketing. Media sales experience preferred but not required.  
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NOTICES

**Happy Notes**  
THE PERFECT WAY TO SAY "Happy Birthday", "Congratulations", "Happy Anniversary" or "Thank You" Only \$10.00 for 4 lines, \$2.25 each additional line. Bold your ad for \$1.25 extra. Call Hood County News Classifieds NOW to place your message at 817 573-7066 OR go on line to [classifieds.hcnnews.com](http://classifieds.hcnnews.com)

Public Notices

**PUBLIC NOTICE**  
Hood County, Texas will begin an online auction for the sale of Computers, Monitors, Printers, Scanners, Projectors, Decks and Chairs, Typewriters, Laptop Computers, Switches, Sliding Wall Partition, Toughbooks, Misc. Office Supplies that have been declared surplus property of Hood County. Hood County online auction is with Rene Bates Auctioneer Inc. and will begin January 3, 2014 and run until January 16, 2014. Interested bidders can access the auction at [www.renebates.com](http://www.renebates.com). Questions concerning this online auction should be directed to Hood County Purchasing Department 817 408-3440.

LEGAL AD

A public hearing will be held on Tuesday, January 14, 2014 at 9 a.m. during the Hood County Commissioners' Court in the Central Jury Room of the Hood County Justice Center, 1200 West Pearl Street, Granbury, Texas 76048. The Commissioners' Court will meet to discuss, consider and take appropriate action on the following site development plan: Cornerstone Christian Academy 5000 North Central Granbury, Texas.  
Private Club Beverage License  
Application for renewal of Private Club Beverage License for Pecan Plantation Country Club, Inc. located at 8650 Westmore Court, Granbury, Hood County, TX 76049. Officers of Pecan Plantation Country Club Inc: Charles D. Ward-President; Robert L. Kamm- Vice President; Daniel L. Crenshaw- Treasurer. Said application was made in accordance with the provisions of the Texas Alcoholic Beverage Code.  
**NOTICE OF INTENT TO INTRODUCE LEGISLATION**  
This is to give notice of intent to introduce in the 85th Legislature Regular Session, a bill to be entitled an Act relating to the Powers, Duties, Operation and Financing of Cresson Crossroads Municipal Utility District No. 2, a conservation and reclamation district operating under Article XVI, Section 59 and Article XL Chapter 52 of the Texas Constitution. Chapter 257, Texas Transportation Code, Chapters 372 and 375, Texas Local Government Code and Chapters 49 and 54, Texas Water Code, to allow the District to Acquire Construct, Finance and Operate Water, Wastewater, Drainage, Road and Other Authorized Improvements for 600 Acres in the Corporate Limits of the City of Cresson, Hood, Johnson and Tarrant County Texas, including lands within the Nancy Smith Survey, Abstract No. 512 and portions of Cresson Crossroads Phase One, all in Hood County, Texas.

NOTICE OF INTENT

**TO INTRODUCE A BILL**  
Pursuant to the Constitution and laws of the State of Texas, notice is hereby given of the intention to apply to the 85th Legislature of the State of Texas at its regular session in Austin, Texas for the introduction of a bill the substance of the contemplated law being as follows:  
An act relating to the creation of the Cresson Municipal Utility District No. 1, providing authority to impose a tax and issue bonds.  
The Act proposes to create a conservation and reclamation district to be known as Cresson Municipal Utility District No. 1, being two tracts of land equaling approximately 354.963 acres in Hood County, Texas, more particularly described as follows:  
Southeast of and adjacent to the Senick Ridge subdivision, bounded on the north and northwest by Old Granbury road and bounded on the south and southeast by East Highway 377.  
The District's creation is subject to approval at a confirmation election.  
All interested persons will, therefore, take notice of the matters and facts set out in the foregoing statement of the substance of the contemplated laws as required by the Constitution and laws of the State of Texas.

NOTICE OF PUBLIC HEARING

**CITY OF CRESSON**  
REQUEST FOR REPLAT  
Notice is hereby given that on Tuesday, January 10, 2014 at 7:00 P.M., a public hearing will be held by the City of Cresson Planning & Zoning Commission at the Cresson City Council Chambers, 8901 Highway 377, Cresson, Texas 76035, to receive public input on a request to replat received from Cresson Crossroads LLC regarding the property currently described as Lot 4R, situated in Cresson Crossroads, Phase One, an addition to the City of Cresson, Hood County, Texas as recorded on Book C 391 of the Plat Records of Hood County, Texas, embracing all of said Lot 4R. The proposed replat will subdivide Lot 4R into two lots, to be known as Lots 4R 1 and 5R. The application is available for review in the City Secretary's office.  
This meeting is open for public comment. All interested parties are invited to attend. The City of Cresson Council Chambers is wheelchair accessible. Request for accommodation or other services must be made 48 hours in advance. You may contact the City Secretary at 817 398-4729 for further information.  
Notice is hereby given that original Letters of Administration for the Estate of Laura Elizabeth Jackson, Deceased were issued on 12-20-14, in Cause No. P-48111 pending in the County Court of Hood County Texas, to Elaine M. Satterfield. The residence of the Independent Administrator is Hood, Texas, the post office address is c/o Mark B. Dewitt, Attorney at Law, PO Box 1274, Granbury Texas 76048-1274. All persons having claims against this estate which is currently being administered are required to present them within the time and in the manner prescribed by law. Dated on the 20th day of December, 2014, by Mark B. Dewitt, PO Box 1274, Granbury, Texas 76048, ph 817 573-1181 Attorney for the Estate.

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