

Organic Statute of the Tarrant Regional Water District

Updated Through 2013 Regular and Special Sessions

TEX. REV. CIV. STAT. ANN. art. 8280—207

Section 1. This Act relates to the Tarrant Regional Water District, a Water Control and Improvement District, hereinafter called “District.”¹

Section 1A. (a) The district shall be governed by a board of five elected directors.²

(b) Directors serve staggered four-year terms and until their successors have qualified.

(c) On the uniform election date in May of each odd-numbered year, the appropriate number of directors shall be elected.

Section 2. Any territory situated within Tarrant or Johnson County, either contiguous to the District or not, may be annexed to the District in the following manner:³

(a) A petition praying for such annexation signed by fifty (50) or a majority, whichever number is smaller, of the qualified voters of the territory shall be filed with the Board of Directors of the District. The petition shall describe the territory by metes and bounds or otherwise unless such territory is the same as that contained in a city or town, in which event it shall be sufficient to state that the territory to be annexed is that which is contained within such city or town or that portion of the city or town which is not then contained in the District.⁴

(b) If the Board of Directors finds that the petition complies with and is signed by the number of qualified persons required by, the foregoing Subsection, that the annexation would be to the interest of the territory and the District, and that the District will be able to supply water to the territory, or cause water to be supplied to the territory, it shall adopt a resolution stating the conditions, if any, under which territory may be annexed to the District, and requesting the Commissioners Court of Tarrant County or Johnson County to annex said territory to the District, and such resolution shall be conclusive of the legal sufficiency of the petition and the qualifications of the signers thereof. A certified copy of such resolution and of the petition shall be filed with the Commissioners Court.⁵

¹ Section 1 *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 1, 1957 Tex. Gen. Laws 569; *amended by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 782.

² Section 1A *added by* Act of June 14, 2013, 83rd Leg. R.S., ch. 384, § 1, 2013 Tex. Gen. Laws 1152, effective June 14, 2013.

³ Section 2 *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2, 1957 Tex. Gen. Laws 569; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1, 1965 Tex. Gen. Laws 1311.

⁴ Section 2(a) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(a), 1957 Tex. Gen. Laws 569; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(a), 1965 Tex. Gen. Laws 1311.

⁵ Section 2(b) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(b), 1957 Tex. Gen. Laws 569; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(b), 1965 Tex. Gen. Laws 1311.

(c) The Commissioners Court shall adopt a resolution declaring its intention to call an election in the territory for the purpose of submitting the proposition of whether or not such territory shall be annexed to the District, and fix a time and place when and where a hearing shall be held by the Commissioners Court on the question of whether the territory will be benefited by the improvements, works, and facilities the owned or operated or contemplated to be owned or operated by the District, or by the other functions of the District. Railroad right-of-way shall hereafter be annexed to the District except such right-of-way as is contained within the limit of an incorporated city or town then or therefore annexed to the District.⁶

(d) Notice of the adoption of such resolution stating the time and place of such hearing, addressed to the citizens and owners of property in such territory shall be published one (1) time in a newspaper designated by the Commissioners Court to least ten (10) days prior to the date of such hearing. The notice shall describe the territory in the same manner in which it is required or permitted by this Act to be described in the petition.⁷

(e) All persons interested may appear at such hearing and offer evidence for or against the intended annexation. Such hearing may proceed in such order and under such rules as may be prescribed by the Commissioners Court and the hearing may be recessed from time to time. If, at the conclusion of the hearing, the Commissioners Court finds that all of the lands in such territory will be benefited by the present or contemplated improvements, works or facilities of the District, the Commissioners Court shall adopt a resolution calling an election, the place or places of holding the same, and appointing a presiding judge for each voting place who shall appoint the necessary assistant judges and clerks to assist in holding the election.⁸

(f) Notice of such election, stating the date thereof, the proposition to be voted upon and the conditions under which the territory may be annexed, or making reference to the resolution of the Board of Directors for that purpose, and the place or places of holding the same, shall be published one (1) time in a newspaper designated by the Commissioners Court at least ten (10) days before the day set for the election.⁹

(g) Only qualified electors who reside in the territory sought to be annexed shall be qualified to vote in the said election. Returns of said election shall be made to the Commissioners Court.¹⁰

(h) The Commissioners Court shall canvass the returns of the election and adopt an order declaring the results thereof. If the Commissioners Court finds from the returns that a majority of votes cast are in favor of annexation the Commissioners Court shall annex said territory to the District, and such annexation shall thereafter be incontestable except in the

⁶ Section 2(c) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(c), 1957 Tex. Gen. Laws 569; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(c), 1965 Tex. Gen. Laws 1311.

⁷ Section 2(d) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(d), 1957 Tex. Gen. Laws 570; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(d), 1965 Tex. Gen. Laws 1312.

⁸ Section 2(e) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(e), 1957 Tex. Gen. Laws 570; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(e), 1965 Tex. Gen. Laws 1312.

⁹ Section 2(f) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(f), 1957 Tex. Gen. Laws 570; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(f), 1965 Tex. Gen. Laws 1312.

¹⁰ Section 2(g) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(g), 1957 Tex. Gen. Laws 570; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(d), 1965 Tex. Gen. Laws 1312.

manner and within the time for contesting elections under the General Election Law. A certified copy of said order shall be recorded in the deed records of the County in which the territory is situated.¹¹

(i) The Commissioners Court in calling the election on the proposition for annexation of territory, may also submit a proposition for the assumption of its part of the tax-supported bonds of the District then outstanding and those therefore voted but not yet sold, and for the levy of an ad valorem tax on taxable property in said territory along with the tax in the rest of the District for the payment thereof.¹²

(j) After territory is added to the District, the Board of Directors of the District may call an election over the entire District for the purpose of determining whether the entire District as enlarged shall assume the tax-supported bonds then outstanding and those theretofore voted but not yet sold and whether an add valorem tax shall be levied upon all taxable property within the District as enlarged for the payment thereof, unless such proposition had been voted along with the annexation election and become lawfully binding upon the territory annexed. Such election shall be called and held in the same manner as elections for the issuance of bonds as provided in the Act.¹³

(k) If the territory of more than one city is proposed to be annexed to the District, separated election shall be held in each city and only the territory of the city or cities in which a majority voted favors annexation shall be annexed. If two (2) or more areas which are not contiguous to each other are proposed to be annexed to the District, separate elections shall be held in each area, and only the area or areas in which a majority vote favors annexation shall be annexed.¹⁴

(l) If the election for the assumption of indebtedness fails, the Commissioners Court shall, upon of the Board of Directors, enter an order detaching the territory from the District.¹⁵

(m) All expenses of hearings and elections held under this Act shall be paid by the District.¹⁶

Section 3. (a) For the purpose of providing a source of water supply for cities and other users for municipal, domestic, industrial and mining purposes, and for the purpose of carrying out any other power or authority of the District, the District is empowered to issue its negotiable

¹¹ Section 2(h) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(h), 1957 Tex. Gen. Laws 570; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(h), 1965 Tex. Gen. Laws 1312.

¹² Section 2(i) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(i), 1957 Tex. Gen. Laws 570; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(i), 1965 Tex. Gen. Laws 1312.

¹³ Section 2(j) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(j), 1957 Tex. Gen. Laws 570; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(j), 1965 Tex. Gen. Laws 1312.

¹⁴ Section 2(k) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(k), 1957 Tex. Gen. Laws 571; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(k), 1965 Tex. Gen. Laws 1312.

¹⁵ Section 2(l) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(l), 1957 Tex. Gen. Laws 571; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(l), 1965 Tex. Gen. Laws 1313.

¹⁶ Section 2(m) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 2(m), 1957 Tex. Gen. Laws 571; *amended by* Act of May 20, 1965, 59th Leg., R.S., ch. 601, § 1(m), 1965 Tex. Gen. Laws 1313.

bonds to be payable from revenues or taxes or both revenues and taxes of the District as are pledged by resolution of the Board of Directors. Pending the issuance of definitive bonds the Board may authorize the delivery of negotiable interim bonds or notes, eligible for exchange or substitution by use of the definitive bonds.¹⁷

(b) Such bonds shall be authorized by resolution of the Board of Directors and shall be issued in the name of the District, signed by the president or vice-president, attested by the secretary and shall bear the seal of the District. It is provided, however, that the facsimile signatures of the president or of the secretary or of both may be printed or lithographed on the bonds if authorized by the Board of Directors, and that the seal of the District may be impressed on the bonds or may be printed or lithographed thereon. The bonds shall mature serially or otherwise in not to exceed forty (40) years and may be sold at a price and under terms determined by the Board of Directors to be the most advantageous reasonably obtainable, provided that the interest cost to the District, including the discount, if any, calculated by use of standard bond interest tables currently in use by insurance companies and investment houses does not exceed six per cent (6%) per annum which may be evidenced by coupons, and, within the discretion of the Board, may be made registerable as to principal or as to both principal and interest.¹⁸

(c) Bonds may be issued in more than one (1) series and from time to time as required for carrying out the powers of the District.¹⁹

(d) The bonds may be secured by a pledge of all or part of the net revenues of the District, or by the net revenues of any one (1) or more contracts theretofore or thereafter made or other revenues or income specified by resolution of the Board of Directors or in the trust indenture. Any such pledge may reserve the right, under conditions therein specified, to issue additional bonds which will be on a parity with or subordinate to the bonds then being issued.²⁰

(e) The District is also empowered to issue bonds payable from ad valorem taxes to be levied on all taxable property therein, or to issue bonds secured by and payable from both such taxes and the revenues of the District. Where bonds are issued payable wholly or partially from ad valorem taxes, it shall be the duty of the Board of Directors to levy a tax sufficient to pay the bonds and the interest thereon as such bonds and interest become due, but the rate of the tax for any year may be fixed after giving consideration to the money received from the pledged revenues which may be available for payment of principal and interest to the extent and in the manner permitted by the resolution authorizing the issuance of the bonds.²¹

(f) Where bonds payable wholly from revenue are issued, it shall be the duty of the Board of Directors to fix, and from time to time to revise the rates of compensation for water sold and services rendered by the District which will be sufficient to pay the expense of

¹⁷ Section 3(a) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 3(a), 1957 Tex. Gen. Laws 571.

¹⁸ Section 3(b) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 3(b), 1957 Tex. Gen. Laws 571.

¹⁹ Section 3(c) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 3(c), 1957 Tex. Gen. Laws 571.

²⁰ Section 3(d) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 3(d), 1957 Tex. Gen. Laws 571.

²¹ Section 3(e) *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 3(e), 1957 Tex. Gen. Laws 571.

operating and maintaining the facilities of the District and to pay the bonds as they mature and the interest as it accrues and to maintain the reserve and other funds as provided in the resolution authorizing the bonds. Where bonds payable partially from revenues are issued it shall be the duty of the Board to fix the rate of compensation for water sold and services rendered by the District which will be sufficient to assure compliance with the resolution, authorizing the bonds.²²

(g) From the proceeds from the sale of the bonds, the District may set aside an amount for the payment of interest expected to accrue during construction and a reserve interest and sinking fund, and such provision may be made in the resolution authorizing the bonds. Proceeds from the sale of the bonds may also be used for the payment of all expenses necessarily incurred in accomplishing the purpose for which this District is created, including expenses of issuing and selling the bonds. The proceeds from the sale of the bonds may be temporarily invested in direct obligations of the United States Government.²³

(h) In the event of a default or a threatened default in the payment of principal of or interest on bonds payable wholly or partially from revenues, any court of competent jurisdiction may, upon petition of the holders of outstanding bonds, appoint a receiver with authority to collect and receive all income of the District except taxes, employ and discharge agents and employees of the District, take charge of funds on hand (except funds received from taxes unless commingled) and manage the proprietary affairs of the District without consent or hindrance by the Directors. Such receiver may also be authorized to sell or make contracts for the sale of water or renew such contracts with the approval of the court appointing him. The court may vest the receiver with such other powers and duties as the court may find necessary for the protection of the holders of the bonds. The resolution authorizing the issuance of the bonds or the trust indenture securing them may limit or qualify the rights of less than all of the outstanding bonds payable from the same source to institute or prosecute any litigation affecting the District's property or income.²⁴

Section 4. The District is authorized to issue refunding bonds for the purpose of refunding any outstanding bonds and interest thereon. Such refunding bonds may be issued to refund more than one (1) series of outstanding bonds and combine the pledges for the outstanding bonds for the security of the refunding bonds, and may be secured by other or additional revenues and mortgage liens. The provisions of this law with reference to the issuance by the District of other bonds, their security, and their approval by the Attorney General and the remedies of the holders shall be applicable to refunding bonds. Refunding bonds shall be registered by the Comptroller upon surrender and cancellation of the bonds to be refunded, but in lieu thereof, the resolution authorizing their issuance may provide that they shall be sold and the proceeds thereof deposited in the bank where the original bonds are payable, in which case the refunding bonds may be issued in an amount sufficient to pay the principal of and the interest on the original bonds to their option date or maturity date, and the Comptroller shall register them without concurrent surrender and cancellation of the original bonds.²⁵

²² Section 3(f) added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 3(f), 1957 Tex. Gen. Laws 572.

²³ Section 3(g) added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 3(g), 1957 Tex. Gen. Laws 572.

²⁴ Section 3(h) added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 3(b), 1957 Tex. Gen. Laws 572.

²⁵ Section 4 added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 4, 1957 Tex. Gen. Laws 572.

Section 5. Any bonds (including refunding bonds) authorized by this law, not payable wholly from ad valorem taxes, may be additionally secured by a trust indenture under which the Trustee may be a bank having trust powers situated either within or outside of the State of Texas. Such bonds, within the discretion of the Board of Directors, may be additionally secured by a deed of trust or mortgage lien upon physical properties of the District and all franchises, easements, water rights and appropriation permits, leases and contracts and all rights appurtenant to such properties, vesting in the trustee power to sell the properties for the payment of the indebtedness, power to operate the properties and all other powers and authority for the further security of the bonds. Such trust indenture, regardless of the existence of the deed of trust or mortgage lien on the properties may contain any provisions prescribed by the Board of Directors for the security of the bonds and the preservation of the trust estate, and may make provision for amendment or modification thereof and the issuance of bonds to replace lost or mutilated bonds, and may condition the right to expend District money or sell District property upon approval of a registered professional engineer selected as provided therein, and may make provision for the investment of funds of the District. Any purchaser under a sale under the deed of trust lien, where one is given, shall be the absolute owner of the properties, facilities and rights so purchased and shall have the right to maintain and operate the same.²⁶

Section 6. (a) No bonds payable wholly or partially from ad valorem taxes (except refunding bonds) shall be issued unless authorized by a majority vote at an election. Only the qualified voters who reside in the District and who own taxable property therein and who have duly rendered the same for taxation shall be permitted to vote at such election. Bonds not payable wholly or partially from ad valorem taxes may be issued without an election.²⁷

(b) Such election may be called by the Board of Directors without a petition. The resolution calling the election shall specify the time and places of holding the same, the purpose for which the bonds are to be issued, the maximum amount thereof, the maximum maturity thereof, the form of the ballot, and the presiding judge for each voting place. The presiding judge serving at each voting place shall appoint one (1) assistant judge and at least two (2) clerks to assist in holding such election. Notice of the election shall be given by publishing a substantial copy of the resolution calling the election in a newspaper having general circulation in Tarrant County once each week for two (2) consecutive weeks. The first publication shall be at least twenty-one (21) days prior to the election.²⁸

(c) The returns of the election shall be made to and canvassed by the Board of Directors of the District.²⁹

(d) The general laws relating to elections shall be applicable to elections held under this section of this law except as otherwise provided in this law.³⁰

Section 7. After any bonds (including refunding bonds) are authorized by the District, such bonds and the record relating to their issuance shall be submitted to the Attorney General for his

²⁶ Section 5 added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 5, 1957 Tex. Gen. Laws 573.

²⁷ Section 6(a) added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 6(a), 1957 Tex. Gen. Laws 573.

²⁸ Section 6(b) added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 6(b), 1957 Tex. Gen. Laws 573.

²⁹ Section 6(c) added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 6(c), 1957 Tex. Gen. Laws 573.

³⁰ Section 6(d) added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 6(d), 1957 Tex. Gen. Laws 573.

examination as to the validity thereof. Where such bonds recite that they are secured by a pledge of the proceeds of a contract therefore made between the District and any city or other governmental agency, authority or district, a copy of such contract and the proceedings of the city or other governmental agency authority or district authorizing such contract shall also be submitted to the Attorney General. If such bonds have been authorized and if such contracts have been made in accordance with the Constitution and Laws of the State of Texas he shall approve the bonds and such contracts, and the bonds then shall be registered by the Comptroller of Public Accounts. Thereafter the bonds, and the contracts if any, shall be valid and binding and shall be incontestable for any cause.³¹

Section 8. The provisions of this Act with reference to the issuance of bonds are complete and no proceedings or approvals shall be required except those required by this Act.³²

Section 9. The District is authorized to enter into contracts with cities and others for supplying water to them. The District is also authorized to contract with any city for the rental or leasing of, or for the operation of the water production, water supply, water filtration or purification and water supply facilities of such city upon such conditions as the District and the city may agree. Any such contracts may be upon such terms and for such time as the parties may agree, and it may provide that it shall continue in effect until bonds specified therein and refunding bonds issued in lieu of such bonds are paid.³³

Section 10. All bonds of the District shall be and are hereby declared to be legal and authorized investments for banks, savings banks, trust companies, building and loan associations, savings and loan associations, insurance companies, fiduciaries, trustees, guardians, and for the sinking fund of cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas. Such bonds shall be eligible to secure the deposits of any and all public funds of the State of Texas, and any and all public funds of the cities, towns, villages, counties, school districts, or other political corporations or subdivisions of the State of Texas; and such bonds shall be lawful and sufficient security for said deposits to the extent of their value, when accompanied by all immature coupons appurtenant thereto.³⁴

Section 11. The accomplishment of the purposes stated in this Act is for the benefit of the people of this State and for the improvement of their properties and industries, and the District, in carrying out the purposes of this Act will be performing an essential public function under the Constitution. The District shall not be required to pay any tax or assessment on its properties or any part thereof, and the bonds issued hereunder and their transfer and the income there from, including the profits made on the sale thereof, shall at all times be free from taxation within this State.³⁵

³¹ Section 7 added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 7, 1957 Tex. Gen. Laws 573.

³² Section 8 added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 8, 1957 Tex. Gen. Laws 574.

³³ Section 9 added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 9, 1957 Tex. Gen. Laws 574.

³⁴ Section 10 added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 10, 1957 Tex. Gen. Laws 574.

³⁵ Section 11 added by Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 11, 1957 Tex. Gen. Laws 574.

Section 12. In the selection of depositories the Board of Directors of the District may, in its discretion, select more than one depository.³⁶

Section 13. The District may purchase the properties of any other water district situated wholly or partially in Tarrant County Water Control and Improvement District No. 1 for such consideration as may be agreed upon by the respective boards of directors, which consideration may be or include the assumption by Tarrant County Water Control and Improvement District No. 1 proposes to pay such assumed bonds by the levy of a tax the bonds shall be assumed by an election called and held over the entire District in the manner provided in this Act for the authorization of bonds.³⁷

Section 14. All actions and proceedings heretofore taken in annexing territory to the District, whether or not such territory is contiguous to the District and whether or not contained within an incorporated city, are hereby validated and declared to constitute a part of the District, and all acts of the Board of Directors of the District in redefining the boundaries of the District and the boundaries as thus redefined are hereby validated. It is provided, however, that the validation provisions of the Act shall not apply to any annexation which is attacked by litigation pending at the time this Act becomes effective.³⁸

Section 15. The Board of Directors shall authorize the sale of the District's bonds, notes, or other obligations at either a public or a private sale, as determined by the Board. The District has all of the powers granted by Chapter 1371, Government Code. Any bonds, notes, or other obligations of the District that may be authorized by the Board shall be issued and sold in accordance with Chapters 1201-1207, Government Code, as applicable.³⁹

Section 16. Section 8 of this Act is affirmed, and the provisions of this Act with reference to the issuance of bonds, notes, and other obligations of the District are considered complete, except as amended by Section 15 of this Act, and no proceedings or approvals are required except those required by this Act.⁴⁰

Section 17. (a) The District may make and enforce reasonable rules, permits, orders, and ordinances necessary to accomplish the District's authorized purposes, including:

- (1) to secure and maintain safe, sanitary, and adequate plumbing installations, connections, and appurtenances as subsidiary parts of sanitary sewer systems;
- (2) to preserve the sanitary condition of all land and water controlled by the District;
- (3) to prevent the waste or unauthorized use of water;

³⁶ Section 12 *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 12, 1957 Tex. Gen. Laws 574.

³⁷ Section 13 *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 13, 1957 Tex. Gen. Laws 574.

³⁸ Section 14 *added by* Act of May 8, 1957, 55th Leg., R.S., ch. 268, § 14, 1957 Tex. Gen. Laws 574.

³⁹ Section 15 *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 782.

⁴⁰ Section 16 *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 782.

(4) to regulate residing, hunting, fishing, boating, and camping, and all recreational and business privileges on any body or stream of water, or any body of land, or any easement owned or controlled by the District;

(5) to regulate privileges on any land, easement, or property interest adjoining a reservoir or other property of the District to prevent activities on such adjoining land, easement, or property interest that could adversely affect the purity of water in this state; and

(6) to promote state or local economic development and stimulate business and commercial activity in the District.⁴¹

(b) A person who violates a rule, permit, order, or ordinance of the District commits an offense. An offense under this section is a Class C misdemeanor, unless specifically provided otherwise by law.⁴²

(c) A peace officer who arrests or issues a citation to a person for a violation of a rule, permit, order, or ordinance of the District may deliver to the alleged violator a written notice to appear, not later than the 15th day after the date of the notice, before a justice of the peace having jurisdiction over the offense. The person arrested or cited shall sign the notice to appear, promising to make an appearance in accordance with the requirements set forth in the notice. After signing the notice, the arrested person may be released. Failure to appear before the justice of the peace having jurisdiction over the offense constitutes a violation of the District's regulations. A warrant for the arrest of the person failing to appear may be issued.⁴³

(d) A person who violates a rule, permit, order, or ordinance of the District is subject to a civil penalty of not less than \$50 or more than \$1,000 for each violation or each day of a continuing violation.⁴⁴

(e) The District may sue for both injunctive relief and a civil penalty in Tarrant County, in the county in which the defendant resides, or in the county in which the violation or threat of violation occurs. The court may grant to the District, without bond or other undertaking, a prohibitory or mandatory injunction as the facts warrant, including a temporary restraining order, temporary injunction, or permanent injunction.⁴⁵

(f) A person who is adversely affected by a rule, permit, order, ordinance, or act of the District may sue the District in district court in Tarrant County to set aside the rule, permit, order, ordinance, or act. The suit must be filed not later than the 60th day after the date on which the rule, permit, order, or ordinance takes effect or the act occurs.⁴⁶

⁴¹ Section 17(a) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 782; *amended by* Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 1, 2005 Tex. Gen. Laws 4302.

⁴² Section 17(b) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783.

⁴³ Section 17(c) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783.

⁴⁴ Section 17(d) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783.

⁴⁵ Section 17(e) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783.

⁴⁶ Section 17(f) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783.

Section 17A. A determination by the Board of Directors of the District that a public works project is intended to conserve and develop the natural resources of this state, to promote recreation or economic development, or to control, store, preserve, develop, or distribute the District's storm and flood waters, and the waters of the District's rivers and streams, is conclusive with regard to whether the project serves the purposes for which the District was created or authorized.⁴⁷

Section 18. The District may provide for or participate in the acquisition, construction, development, operation, or maintenance of recreational facilities to the full extent authorized by Section 59, Article XVI, Texas Constitution, the Water Code, or other applicable law.⁴⁸

Section 18A. (a) The District may provide for or participate in the acquisition, construction, development, operation, or maintenance of facilities intended to promote economic development to the full extent authorized by Section 52-a, Article III, Texas Constitution.⁴⁹

(b) The District may engage in activities intended to stimulate business and commercial activity in the District, including making loans or grants of money for economic development purposes in accordance with Section 52-a, Article III, Texas Constitution, and may acquire for economic development purposes the fee simple title or a lesser property interest in land for the District's use or for the sale or lease of the land for a reclamation, economic development, or water control or development project.⁵⁰

(c) The District may sponsor and participate in an economic development program intended to strengthen the economic base and further the economic development of this state.⁵¹

(d) A determination by the Board of Directors of the District that an economic development program is intended and expected to accomplish the program's stated purposes is conclusive with respect to whether the program serves the purposes of this section.⁵²

(e) An economic development program must be within the boundaries of the District.⁵³

(f) An economic development program may be established only by formal action of the Board of Directors of the District.⁵⁴

⁴⁷ Section 17A *added by* Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 2, 2005 Tex. Gen. Laws 4302.

⁴⁸ Section 18 *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783; *amended by* Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 3, 2005 Tex. Gen. Laws 4302.

⁴⁹ Section 18A(a) *added by* Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 4, 2005 Tex. Gen. Laws 4302.

⁵⁰ Section 18A(b) *added by* Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 4, 2005 Tex. Gen. Laws 4302.

⁵¹ Section 18A(c) *added by* Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 4, 2005 Tex. Gen. Laws 4302.

⁵² Section 18A(d) *added by* Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 4, 2005 Tex. Gen. Laws 4302.

⁵³ Section 18A(e) *added by* Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 4, 2005 Tex. Gen. Laws 4302.

⁵⁴ Section 18A(f) *added by* Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 4, 2005 Tex. Gen. Laws 4302.

(g) If the Board of Directors of the District establishes an economic development program, the Board must:

- (1) establish the goals of the program;
- (2) impose requirements on persons participating in or receiving a benefit from the program; and
- (3) provide restrictions, procedures, and budget limits that the Board of Directors determines are necessary to ensure that the governmental purposes of this section and the program are achieved.⁵⁵

(h) An economic development program may involve the granting or lending of money, services, or property to a person engaged in an economic development activity.⁵⁶

(i) The District may employ staff and spend its resources, other than money received from an ad valorem tax or a general appropriation, to further an economic development program.⁵⁷

(j) The District may apply for and receive money, grants, or other assistance from any source to implement an economic development program.⁵⁸

(k) The District and any public or private person may enter into an agreement concerning an economic development program, including an agreement under Chapter 791, Government Code.⁵⁹

Section 18B. (a) The Board of Directors of the District may by resolution create one or more nonprofit corporations to act on behalf of the District as the District's authority and instrumentality.⁶⁰

(b) A nonprofit corporation created under Subsection (a) of this section shall:

- (1) establish and maintain the principal office of the corporation inside the boundaries of the District; and
- (2) exercise the corporation's powers relating to real property or tangible personal property only inside the boundaries of the District.⁶¹

(c) Except as otherwise provided by this section, the Texas Non-Profit Corporation Act (Article 1396-1.01 et seq., Vernon's Texas Civil Statutes) applies to a corporation created under this section.⁶²

⁵⁵ Section 18A(g) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 4, 2005 Tex. Gen. Laws 4302.

⁵⁶ Section 18A(h) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 4, 2005 Tex. Gen. Laws 4302.

⁵⁷ Section 18A(i) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 4, 2005 Tex. Gen. Laws 4302.

⁵⁸ Section 18A(j) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 4, 2005 Tex. Gen. Laws 4302.

⁵⁹ Section 18A(k) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 4, 2005 Tex. Gen. Laws 4302.

⁶⁰ Section 18B(a) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.

⁶¹ Section 18B(b) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.

(d) Sections 5-20 and 33-36, Development Corporation Act of 1979 (Article 5190.6, Vernon's Texas Civil Statutes), apply to a corporation created under this section.⁶³

(e) A corporation created under this section may exercise any power of the District, but the corporation may exercise the power of eminent domain and the power to acquire, lease, purchase, or sell real property only on approval of the Board of Directors of the District. When exercising a power under this section, a corporation and the corporation's board of directors have the same powers as the District and the District's Board of Directors, including the power to issue bonds or other obligations or otherwise borrow money on behalf of the District to accomplish any purpose of the corporation.⁶⁴

(f) The board of directors of a corporation created under this section may exercise the power to issue an obligation granted to the governing body of an issuer under Chapter 1371, Government Code.⁶⁵

(g) A corporation created under this section and the District may:

- (1) share officers, directors, employees, equipment, and facilities; and
- (2) provide goods and services to each other at cost without the requirement of competitive bidding.⁶⁶

(h) The Board of Directors of the District shall appoint the directors of a corporation created under this section. The directors of the corporation serve at the will of the District's Board of Directors.⁶⁷

(i) A member of the District's Board of Directors may serve as a member of the corporation's board of directors.⁶⁸

(j) The budget of a corporation created under this section must be approved by the Board of Directors of the District.⁶⁹

(k) The activities of the District's corporation are subject to the continuing review and supervision of the District's Board of Directors.⁷⁰

(l) The issuance of bonds or other obligations under this Act by a corporation created under this section must be approved by the Board of Directors of the District.⁷¹

⁶² Section 18B(c) *added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.*

⁶³ Section 18B(d) *added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.*

⁶⁴ Section 18B(e) *added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.*

⁶⁵ Section 18B(f) *added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.*

⁶⁶ Section 18B(g) *added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.*

⁶⁷ Section 18B(h) *added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.*

⁶⁸ Section 18B(i) *added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.*

⁶⁹ Section 18B(j) *added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.*

⁷⁰ Section 18B(k) *added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.*

⁷¹ Section 18B(l) *added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.*

(m) The District's Board of Directors may sell, lease, loan, or otherwise transfer some, all, or substantially all of the real property of the District to a corporation created under this section. The property transfer must be made under terms approved by the Board of Directors of the District.⁷²

(n) Under Section 52-a, Article III, Texas Constitution, a corporation that has been created in accordance with this section may guarantee or otherwise provide credit support for any public security or other obligation or contract of the corporation if the Board of Directors of the District 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 this state;

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

(C) the development or expansion of commerce in this state.⁷³

(o) A determination by the Board of Directors of the District under Subsection (n) of this section is conclusive.⁷⁴

(p) A guarantee or other credit agreement authorized by Subsection (n) of this section 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.⁷⁵

(q) 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.⁷⁶

Section 19. Narrow strips of land, or land that because of its shape, lack of access to public roads, or small area, cannot be logically used by anyone other than abutting property owners, may be sold, abandoned, released, exchanged, or transferred to abutting property owners under terms and conditions advantageous to the District. Section 49.226(a), Water Code, and Chapter 272, Local Government Code, do not apply to a conveyance of real property under this section.⁷⁷

Section 20. (a) The District may cooperate and contract with any person, this state, any other state, the United States, or any district or political subdivision for:

⁷² Section 18B(m) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.

⁷³ Section 18B(n) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.

⁷⁴ Section 18B(o) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.

⁷⁵ Section 18B(p) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.

⁷⁶ Section 18B(q) added by Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 5, 2005 Tex. Gen. Laws 4303.

⁷⁷ Section 19 added by Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783.

- (1) a supply of water imported from out of state;
- (2) the financing and construction of works needed in connection with the importation of water;
- (3) the acquisition, purchase, extension, or operation and maintenance of those works;
- (4) the purchase of storage space; or
- (5) any other consistent purpose.⁷⁸

(b) The District may cooperate and contract with an Indian tribe, as that term is defined in Section 450b(e) of the Indian Self Determination and Education Assistance Act (25 U.S.C. 450b(e)), for any of the purposes listed in Subsection (a) of this section, provided that any contract entered into under this subsection complies with federal law.⁷⁹

(c) Contracts entered into under this section are exempt from the requirements of Section 49.273, Water Code.⁸⁰

Section 21. (a) Subchapter I, Chapter 49, Water Code, applies to the District, except when the District is purchasing goods or services described by Section 252.022, Local Government Code.⁸¹

(b) The District may use the competitive proposal method when the Board of Directors of the District determines that doing so is in the best interest of the District.⁸²

Section 22. (a) The District has all of the rights, powers, privileges, authority, functions, and duties provided by the general law of this state and has all of the power and authority necessary to fully qualify for and gain the benefits of any and all laws which are in any way helpful in carrying out the purposes for which the District was created. The provisions of all laws of which the District may lawfully avail itself are adopted by reference and are applicable to the District to the extent they do not conflict with this Act. To the extent the general laws may be inconsistent or in conflict with this Act, the provisions of this Act prevail.⁸³

(b) If a person challenges in court the validity of all or any portion of this Act and does not prevail, the court shall order the person to pay the reasonable attorney's fees, expert witness fees, and other costs incurred by all opposing parties defending this Act.⁸⁴

⁷⁸ Section 20(a) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783.

⁷⁹ Section 20(b) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783.

⁸⁰ Section 20(c) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783.

⁸¹ Section 21(a) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783; *amended by* Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 6, 2005 Tex. Gen. Laws 4304.

⁸² Section 21(b) *added by* Act of May 24, 2005, 79th Leg., R.S., ch. 1363, § 6, 2005 Tex. Gen. Laws 4304.

⁸³ Section 22(a) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783.

⁸⁴ Section 22(b) *added by* Act of May 15, 2001, 77th Leg., R.S., ch. 433, § 1, 2001 Tex. Gen. Laws 783.

TEX. REV. CIV. STAT. ANN. art. 8280—207a

Section 1. ~~The Board of Directors of the state of Tarrant County Water Control and Improvement District Number One shall have the right to provide for the administer a retirement, disability and death compensation fund for such officers and employees of the District as the Directors may from time to time determine; and the Directors of said District shall have power and authority to adapt such plans to effectuate the purpose of this Act, including such forms of insurance or annuities, (either or both), all as may be deemed advisable by said Directors; provided that said Directors shall have the power and authority from time to time, after notice to their employees and h hearing thereon, to change any such plan, rule or regulation.~~⁸⁵

Section 2. ~~All funds provided from the compensation of such officers or employees, and by the District, for such retirement , disability and death compensation fund, after they are received by the District, shall be invested in either or both of the following ways: (1) in bonds of the United States, the State of Texas, or county or city or other governmental subdivisions of this State, or in bonds issued by an agency of the United States Government, the payment of the principal and interest on which is guaranteed by the United States, provided that a sufficient amount of said fund shall be kept on hand to meet the immediate payment of the amounts likely to become due each year out of said fund, such amount of funds to be kept on hand to be determined by the Directors of the District; or (2) in such life insurance policies, endowment or annuity contracts, or interest bearing certificates of legal reserve life insurance company or companies authorized to write such contracts in Texas, as may be determined by the Directors of the District; provided that said Directors shall have power and authority, from time to time, as they may deem advisable, to change from one of said ways of investment to the other, or any combination of the two; and provided that the recipients or beneficiaries from said funs shall not be eligible for any pension retirement funs or direct aid from the State of Texas, unless the fund, the creation of which is provided for herein, contribution by the District, is released to the State of Texas as a condition precedent to receiving such other pension aid.~~⁸⁶

Section 3. ~~The Board of Directors of said District shall have the right to include hospitalization, group life insurance and medical benefits to their officers and employees as part of the compensation currently paid to such officers and employees by such District, all as may be provided for in any plan, rule or regulation from time to time made by said Directors, or otherwise as said Directors may determine, provided that said Directors shall have power and authority from time to time to change any such plan, rule or regulation.~~⁸⁷

Section 4. ~~This Act shall be cumulative of other laws governing Tarrant County Water Control and Improvement District Number One and shall not be construed to repeal any other Statutes governing such District, or applying to it and regulating the handling of the accounts of such District, the payment of money and the time, method and manner of making reports and all~~

⁸⁵ Section 1 *added by* Act of May 24, 1961, 57th Leg., R.S., ch. 352, § 1, 1961 Tex. Gen. Laws 761; *repealed by* Act of May 24, 1995, 74th Leg., R.S., ch. 592, § 1, 1995 Tex. Gen. Laws 3424.

⁸⁶ Section 2 *added by* Act of May 24, 1961, 57th Leg., R.S., ch. 352, § 2, 1961 Tex. Gen. Laws 761; *repealed by* Act of May 24, 1995, 74th Leg., R.S., ch. 592, § 1, 1995 Tex. Gen. Laws 3424.

⁸⁷ Section 3 *added by* Act of May 24, 1961, 57th Leg., R.S., ch. 352, § 3, 1961 Tex. Gen. Laws 762; *repealed by* Act of May 24, 1995, 74th Leg., R.S., ch. 592, § 1, 1995 Tex. Gen. Laws 3424.

~~other matters shall continue in full force and effect and shall regulate the handling of funds under this Act, except as otherwise herein expressly provided.~~⁸⁸

~~**Section 5.** If any part of this Act shall be held to be unconstitutional or void, such action shall not affect the other portions of this Act.~~⁸⁹

~~**Section 6.** The fact that present Statutes relating to Tarrant County Water Control and Improvement District Number One do not specifically authorize retirement, disability, death compensation, hospitalization, group life insurance or medical benefits; and the fact that such District is competition with other employers, public as well as private, within the District which grant employees such benefits as part of their compensation in addition to their cash salaries, making it difficult for such District to secure and retain competent employees, to the detriment of such District, their employees, and the State of Texas, create an emergency and imperative public necessity requiring that the Constitutional Rule that bills be read in each House on each of the three several days be suspended; and it is so suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.~~⁹⁰

TEX. REV. CIV. STAT. ANN. art. 8280—207b

Section 1. In addition to other purposes heretofore authorized by law, Tarrant County Water Control and Improvement District No. 1 is authorized to purchase, construct, improve and repair works and facilities necessary for the transportation, treatment and disposal of sewage and industrial wastes and effluent and to issue negotiable bonds for such purposes and said District may also make contracts with any city for the use of certain sewage transportation, treatment and disposal facilities owned by such city or by the District.⁹¹

Section 2. Bonds issued under this law may be payable from the revenues under any contract or contracts or other income and, if authorized by an election, they may be made payable from taxes or from taxes and revenues. The provisions of Chapter 268, Acts of the 55th Legislature relating to bonds issued by said District shall be applicable to bonds issued under this Act.⁹²

Section 3. (a) The District may have its bonds and sewer contracts approved by the Attorney General with the effect prescribed in said Section 268, or, in the discretion of its Board of Directors, may have them validated by a suit in the District Court in the manner and with the effect provided in Chapter 316, Acts of the 56th Legislature, or may have the bonds and contracts validated by suit and approved. The interest rate and sale price of the bonds need not be fixed until after the termination of the validation proceedings or suit.⁹³

⁸⁸ Section 4 *added by* Act of May 24, 1961, 57th Leg., R.S., ch. 352, § 4, 1961 Tex. Gen. Laws 762; *repealed by* Act of May 24, 1995, 74th Leg., R.S., ch. 592, § 1, 1995 Tex. Gen. Laws 3424.

⁸⁹ Section 5 *added by* Act of May 24, 1961, 57th Leg., R.S., ch. 352, § 5, 1961 Tex. Gen. Laws 762; *repealed by* Act of May 24, 1995, 74th Leg., R.S., ch. 592, § 1, 1995 Tex. Gen. Laws 3424.

⁹⁰ Section 6 *added by* Act of May 24, 1961, 57th Leg., R.S., ch. 352, § 7, 1961 Tex. Gen. Laws 762; *repealed by* Act of May 24, 1995, 74th Leg., R.S., ch. 592, § 1, 1995 Tex. Gen. Laws 3424.

⁹¹ Section 1 *added by* Act of May 27, 1961, 57th Leg., R.S., ch. 414, § 1, 1961 Tex. Gen. Laws 939.

⁹² Section 2 *added by* Act of May 27, 1961, 57th Leg., R.S., ch. 414, § 2, 1961 Tex. Gen. Laws 939.

⁹³ Section 3(a) *added by* Act of May 27, 1961, 57th Leg., R.S., ch. 414, § 3(a), 1961 Tex. Gen. Laws 939.

(b) If the proposed bonds recite that they are secured by a pledge of the proceeds of a contract or contracts theretofore made between the District and one or more cities the petition shall so allege and the notice of the suit shall mention such allegation and the city fund or revenues from which such contract or contracts are payable. Such suit shall be in the nature of a proceeding in rem. The judgment shall be res adjudicata as to the validity of such contract or contracts and the pledge of the revenues thereof.⁹⁴

Section 4. In the event that the District, in the exercise of any of the powers granted hereunder whether it be the power of eminent domain, the power of relocation, or any other power, makes necessary the relocation, raising, rerouting, or changing the grade of, or altering the construction of any highway, railroad, electric transmission line, telephone or telegraph properties and facilities, or pipeline, all such necessary relocation, raising, rerouting, changing of grade or alteration of construction shall be accomplished at the sole expense of the District. The term “sole expense” shall mean the actual cost of such relocation, raising, lowering, rerouting, or change in grade or alteration of construction in providing comparable replacement without enhancement of such facilities, after deducting therefrom the net salvage value derived from the old facility. The power of eminent domain exercised by the Tarrant County Water Control and Improvement District under this Act shall be limited to Tarrant County, Texas.⁹⁵

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⁹⁴ Section 3(b) *added by* Act of May 27, 1961, 57th Leg., R.S., ch. 414, § 3(b), 1961 Tex. Gen. Laws 939.

⁹⁵ Section 4 *added by* Act of May 27, 1961, 57th Leg., R.S., ch. 414, § 4, 1961 Tex. Gen. Laws 939.