



MUD Special Session – December 8, 2022

The Board of Directors of the Emerald Bay Municipal Utility District met in special session on Thursday, December 8, 2022 at the District Office, 155 LaSalle Road, Bullard, TX 75757.

Present were Directors Dwight Cole, Cayla Washburn, Inge Grant, Bill Harris and Becky Kirkpatrick. Also in attendance was Business Manager Laurie Threet.

President Harris called the meeting to order at 4:52 PM.

Director Cole made a motion to approve the minutes of the MUD Special Session meeting of November 7, 2022. Director Washburn seconded, and the motion passed unanimously.

President Harris opened the hearing on the Petition for Annexation of property consisting of 0.319 of an acre, which is the location of Well Site #1, 0.228 of an acre, which is the location of Well Site #2, 0.131 of an acre, which adjoins Well Site #1, and 0.069 of an acre which adjoins Well Site #2.

Special notation was made of TEXAS WATER CODE §361.032 regarding Solid Waste Cases and INSPECTIONS AND RIGHT OF ENTRY; TEXAS WATER CODE §26.173 and §26.014 regarding Water Cases and POWER TO ENTER PROPERTY; TEXAS HEALTH & SAFETY CODE §382.111, §382.015, and §343.024 regarding Air Cases and Nuisances in Unincorporated Areas of County and INSPECTIONS AND AUTHORITY TO ENTER PREMISES.

President Harris then read into the minutes the Order under consideration:

*THE ORDER ANNEXING LAND TO THE DISTRICT ON PETITION FOR ANNEXATION OF LAND AT THE REQUEST OF THE MAJORITY IN VALUE OF THE OWNERS PURSUANT TO §49.302, TEXAS WATER CODE:*

*Whereas, Section 49.302 of the Texas Water Code authorizes the District to annex defined areas of land, whether or not they are contiguous to the District, on a petition requesting the annexation, signed by a majority in value of the owners of land in the defined area, as shown by the tax rolls of the central appraisal district of the county or counties in which such area is located;*

*Whereas, Emerald Bay MUD, as the majority in value of the owners of the land described in the Exhibit attached hereto (the "Land"), petitioned the District to annex the Land (the "Petition");*

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*Whereas, the Board by Order fixed the time and place for the hearing on the Petition;*

*Whereas, notice of the hearing was given in accordance with the Order Fixing the Time and Place for Hearing on the Petition; and*

*Whereas, upon hearing the Petition, the Board found that the propose annexation of the Land to the District is feasible, practicable, and to the advantage of the District, and the District's system and other improvements are sufficient to supply the Land without injuring land already in the District.*

*Now, therefore, the Board hereby Orders that the Land more fully described in the attached Exhibit is received as an addition to the territory of the District and shall become a part of the District upon the filing and recording of this Order, attested by the Secretary of the Board, in the deed records of Smith County, Texas.*

The Board finds that the proposed annexation of the Land to the District is feasible, practicable, and to the advantage of the District, and the District's system and other improvements are sufficient to supply the Land without injuring land already in the District.

President Harris made a motion to approve the ORDER ANNEXING LAND TO THE DISTRICT ON PETITION FOR ANNEXATION OF LAND AT THE REQUEST OF THE MAJORITY IN VALUE OF THE OWNERS PURSUANT TO §49.302, TEXAS WATER CODE as presented, and Director Washburn seconded the motion. The motion passed unanimously. A roll call vote followed: President Harris Aye; Director Grant Aye; Director Cole Aye; Director Washburn Aye, Director Kirkpatrick – Aye.

There being no further business, President Harris adjourned the meeting at 5:19 PM.

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Becky Kirkpatrick, Secretary

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William Harris, President

Attachments:

ORDER ANNEXING LAND TO THE DISTRICT ON PETITION FOR ANNEXATION OF LAND AT THE REQUEST OF THE MAJORITY IN VALUE OF THE OWNERS PURSUANT TO §49.302, TEXAS WATER CODE

Field Notes for Emerald Bay Municipal Utility District relating to Well #1

Exhibit A Well Site #1 0.131 Acre Tract

Field Notes for Emerald Bay Municipal Utility District relating to Well #2

Exhibit B Well Site #2 0.069 Acre Tract

TEXAS HEALTH & SAFETY CODE §361.032

TEXAS HEALTH & SAFETY CODE §26.173

TEXAS HEALTH & SAFETY CODE §26.014

TEXAS HEALTH & SAFETY CODE §382.111

TEXAS HEALTH & SAFETY CODE §382.015

TEXAS HEALTH & SAFETY CODE §343.024

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