

CAN A TEXAS HOMESTEAD THAT IS INITIALLY RURAL BECOME URBAN?

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I. INTRODUCTION

During the past sixty years, many Texas cities have grown dramatically in both population and size.¹ As a result, many properties that were once far out of town and used for typically rural purposes have, over time, become surrounded by the expanding city.²

The growth of Texas cities presents many legal and policy issues. One such question relates to Texas homestead law.³ For example, if a young family moves onto a property when it is clearly rural, and stays there while the city gradually surrounds it, does this affect the family's homestead? This question is particularly significant because in Texas a family can protect up to 200 acres of rural homestead, while urban homesteads are limited to ten acres.⁴

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1. See *infra* Schedule 1 for an overview of the growth of major Texas cities.

2. See *generally infra* Schedule 1.

3. See TEX PROP. CODE ANN. § 41.002 (West 2010).

4. PROP. § 41.002.

The traditional answer was that the nature of a family's homestead could change if the use of the adjacent property changed.⁵ This traditional rule may have been changed by amendments to the Texas Property Code.⁶ This article will discuss the traditional Texas rule and the amendments to the Property Code that may have changed that rule, followed by an evaluation of whether this would be a sensible change in Texas law.⁷

II. RURAL PROPERTY BECOMING URBAN

A. *The Difference in Size of Urban and Rural Homesteads*

Under Texas law, a rural family homestead can be much larger than the largest urban one.⁸ There are several justifications for this difference. First, traditional rural economic uses of land, such as farming and ranching, can be profitable only with larger tracts.⁹ In contrast, most owners of an urban homestead do not use the property for economic purposes; instead, most families use it as a residence only.¹⁰ So, a much smaller piece of property can be adequate.

In addition, one could argue that families are granted a larger rural homestead because rural land is much less valuable. For example, current information indicates that the current approximate market value of rural land in Texas ranges from \$1,000–\$5,000 per acre.¹¹ So, a parcel of 200 acres could be worth anywhere from \$200,000 to \$1,000,000. In contrast, a modest house and lot in Houston could cost \$100,000, while a much nicer one could be worth more than \$1,000,000.¹² Therefore, it could be argued that allowing a family to protect a large tract of rural land is not very different economically from allowing a family to protect a smaller urban lot and house.

5. See *infra* notes 43–47.

6. See *infra* Part IV. See also PROP. § 41.002.

7. See *infra* Parts II–IV. See also PROP. § 41.002.

8. See TEX. CONST. art. XVI, § 51.

9. See *In re Moellendorf*, No. 88-51896-C, 1989 WL 16034, at *3 (Bankr. W.D. Tex. Jan. 16, 1989).

10. See *id.*

11. See Jennifer Hiller, *A Texas Acre Might Make You a Good Nest Egg*, HOUS. CHRON., Apr. 20, 2012, at B3, col. 1 (stating that the Real Estate Center at Texas A&M found that the average price per acre of Texas rural land sold in 2011 was \$2,150); see generally Neal Wilkings, et al., *Texas Rural Lands*, TRENDS & CONSERVATION IMPLICATIONS FOR THE 21ST CENTURY, 5 (2003), http://texaslandtrends.org/Briefings/Previous/2003_Texas_Rural_Lands.pdf.

12. See Hiller, *supra* note 11. This information is also personal knowledge the author has learned by living in Houston.

B. The Growth of Texas Cities

The issue of whether a homestead is affected by the expansion of nearby cities and towns is particularly salient now as Texas cities rapidly expand into once clearly rural areas. For example, between 1970 and 2010 Austin grew from a city with a population of 251,000 to one with 790,000 people; during the same period, its city limits changed from an area of 72 square miles to 298 square miles.¹³ El Paso's population during that period grew from 322,000 to 649,000, and its city limits expanded from 118 square miles to 255 square miles.¹⁴ Laredo's population went from 69,000 to 236,000, and its city limits grew from 20 square miles to 89 square miles.¹⁵ As a result of such growth over that forty-year period, it seems likely that many rural parcels formerly close to town are now surrounded by the expanding town.

III. THE TRADITIONAL TEXAS RULE

M.H. Lauchheimer & Sons v. Saunders is one of many Texas cases that repeat the generally accepted traditional rule regarding rural homestead: the nature of homestead "depends upon the conditions and circumstances which surround it at the time the adverse right is asserted."¹⁶ In *Saunders*, the family purchased nine acres outside of Gatesville in 1859 and lived in a house on that property.¹⁷ In 1868, Saunders purchased an additional 100 acres adjacent to and to the north of the nine acres.¹⁸ In 1868, the 109 acres were all part of their family rural homestead.¹⁹ While his home was only 250 yards west of the town square, in 1868 none of Mr. Saunders' property was located within the city limits of Gatesville.²⁰ Some blocks of land had been laid out and platted, but this area did not extend to any of the property owned by Mr. Saunders.²¹ Only a few houses had been built on the land between the town square and the home occupied by Mr. Saunders.²²

Between 1868 and 1897, Gatesville grew from a population of about 700 to about 2,000.²³ By 1897, almost all lots between the town square and

13. *Infra* Schedule 1.

14. *Id.*

15. *Id.*

16. *M.H. Lauchheimer & Sons v. Saunders*, 76 S.W. 750, 751 (Tex. 1903). The converse is also true. Pursuant to the traditional rule, a town can become a rural area. See *North Tex. Prod. Credit Ass'n v. Lee*, 570 F.2d 1301, 1302 (5th Cir. 1978).

17. *Saunders*, 76 S.W. at 750-751.

18. *Id.*

19. *Id.*

20. *Id.*

21. *Id.*

22. *Id.*

23. *Id.*

the Saunders' home had houses built on them.²⁴ Indeed, there were houses to the west of the Saunders's home.²⁵ The town was incorporated in 1870, and a new plat of the town was made.²⁶ This new plat of the town included Mr. Saunders's 9-acre tract but not the 100-acre tract to the north.²⁷ The 9-acre tract was then within the city limits of Gatesville.²⁸ Mr. Saunders signed a deed of trust on the 100 acres in 1897 to secure a loan for a purpose not then authorized by the Texas constitution for consensual liens on homestead.²⁹ The determinative issue was the nature of Mr. Saunders's homestead when the deed of trust was signed in 1897.³⁰

The Texas Supreme Court assumed that Mr. Saunders had a rural family homestead protecting all 109 acres when he purchased the adjacent 100 acres in 1868.³¹ The court stated, however, that once a homestead is established, the Texas constitution "does not guaranty that the character [as rural] impressed upon the property at one time shall continue for the future."³² The court continued that even if a homestead is initially rural, if a nearby town "actually build[s] and extend[s] so as to include what was before in the country, it would then become in fact a part of the town, and by virtue of the Constitution the character of the homestead would be changed by the changed conditions from rural to urban."³³

The Texas Supreme Court found that his home on the 9-acre tract had, in fact, become a part of Gatesville in 1897.³⁴ At that time, Mr. Saunders had an urban homestead that protected his nine acres in Gatesville.³⁵ However, the adjacent 100 acres were still rural and could not be protected by his urban homestead.³⁶ The Texas Supreme Court reversed the Court of Civil Appeals and ruled that Lauchheimer & Sons had a valid lien on the 100 acres.³⁷

Other Texas cases have followed *Saunders*, applying the rule that a rural homestead could change to an urban one.³⁸ In *Lewis v. Brown*, the appellate court ruled that the originally rural family homestead had become urban due to the expansion of Dallas.³⁹ In another case, *In re Moellendorf*,

24. *Id.* at 752.

25. *Id.*

26. *Id.*

27. *Id.*

28. *Id.*

29. *Id.*

30. *Id.*

31. *Id.*

32. *Id.*

33. *Id.* at 751.

34. *Id.*

35. *Id.*

36. *Id.*

37. *Id.*

38. *See, e.g., Lewis v. Brown*, 312 S.W.2d 313, 318 (Tex. App.—Fort Worth 1959, writ ref'd n.r.e.).

39. *Id.*

Mr. Moellendorf initially had a rural homestead when he purchased land outside of Fredericksburg, Texas.⁴⁰ By the time he filed for bankruptcy, however, the town of Fredericksburg had grown to include his property; therefore, so he was entitled to protect only the maximum area that could then be protected by an urban homestead.⁴¹

Courts in Texas have traditionally considered several factors when determining whether a homestead is urban or rural: (i) whether the property receives fire and police protection or water and gas from a town,⁴² (ii) the use of surrounding property,⁴³ (iii) evidence whether or not mail is delivered by rural route,⁴⁴ (iv) whether the property is used to support the family,⁴⁵ (v) the presence of platted streets, and (vi) the location of the land with respect to town boundaries.⁴⁶ Courts developed this “multi-factor” test over time.

IV. PROPERTY CODE AMENDMENTS

A. The 1989 Statute

In 1989, the Texas legislature added a provision to the Texas Property Code, which stated, “[A] homestead is considered to be rural if, at the time designation is made, the property is not served by municipal utilities and fire and police protection.”⁴⁷ Courts were forced to consider whether this new statute impacted the Texas homestead law rules.⁴⁸ Most courts concluded that the 1989 statute did not replace the rules summarized above regarding how to determine whether a homestead was rural or urban.⁴⁹

40. *In re Moellendorf*, No. 88-51896-C, 1989 WL 16034, at *1 (Bankr. W.D. Tex. Jan. 16, 1989).

41. *Id.* See also *In re Crowell*, 138 F.3d 1031, 1034 (5th Cir. 1998) (“A small farm in the middle of a residential area” is an urban homestead.).

42. See *Commerce Farm Credit Co. v. Sales*, 288 S.W. 802, 804 (Tex. Comm’n App. 1926, holding approved).

43. See *Jones v. Monroe*, 288 S.W. 802, 802 (Tex. 1926); *Fajkus v. First Nat’l Bank of Giddings*, 735 S.W.2d 882, 885 (Tex. App.—Austin 1987, writ denied).

44. See *First State Bank of Grapeland v. Brown*, 490 S.W.2d 248, 250 (Tex. App.—Tyler 1973, no writ).

45. See *Autrey v. Reaser*, 108 S.W. 1162, 1164 (Tex. 1908).

46. See generally *In re Bradley*, 960 F.2d 502, 511–12 n.18 (5th Cir. 1992) (citing *Vinstron Corp. v. Winstead*, 521 S.W.2d 754, 755 (Tex. App.—Eastland 1975, no writ.); *Rockett v. Williams*, 78 S.W.2d 1077, 1078 (Tex. App.—Dallas 1935, writ dismissed); *Purdy v. Grove*, 35 S.W.2d 1078, 1080 (Tex. App.—Eastland 1931, writ refused)). This “multi-factor test” was not particularly clear and led to some confusion about whether a homestead was rural or urban. See *In re Moody*, 77 B.R. 580, 591 (S.D. Tex. 1987) (“[U]nder Texas law, no set formula exists to label land as rural or urban [and] courts have examined and balanced many factors.”).

47. TEX. PROP. CODE ANN. § 41.002(c) (West 2010).

48. See generally *United States v. Blakeman*, 997 F.2d 1084 (5th Cir. 1992).

49. *Id.*

B. The 1999 Statute

In 1999, the Texas legislature amended Property Code § 41.002(c) to provide that:

[a] homestead is considered to be urban if, at the time designation is made, the property is

- 1) located within the limits of a municipality . . . ; and
- 2) served by police protection, paid or volunteer fire protection, and at least three of the following services provided by a municipality:
 - A) electric;
 - B) natural gas;
 - C) sewer;
 - D) storm sewer; and
 - E) water.⁵⁰

Once again, courts had to determine the significance of this new law. Like the 1989 version, the language of the statute did not clearly indicate that it was intended to create a new, exclusive test for determining whether property is a rural or urban homestead.⁵¹

In *In re Bouchie*, the Fifth Circuit considered whether the 1999 statute should be construed differently from the 1989 one.⁵² The court noted that the 1999 statute included portions of the rules previously outlined in *United States v. Blakeman* to determine whether a homestead was rural or urban.⁵³ The Fifth Circuit concluded that the Texas Legislature intended to change the test for determining whether a homestead is rural or urban.⁵⁴ The court held that the 1999 statute is now the exclusive vehicle for distinguishing between rural and urban homesteads.⁵⁵ Recent cases continue to cite *Bouchie* for this interpretation of the 1999 statute.⁵⁶

50. TEX. PROP. CODE § 41.002(c) (West 2000) (amending TEX. PROP. CODE § 41.002(c) (1989)).

51. See *In re Bouchie*, 324 F.3d 780, 783 (5th Cir. 2003).

52. *Id.* at 782.

53. *Id.* at 784 (discussing the *Blakeman* test). See also *Blakeman*, 997 F.2d at 1090–91.

54. *In re Bouchie*, 324 F.3d at 782.

55. *Id.* at 785.

56. See *Ramirez v. Ramirez (In re Ramirez)*, ch. 7 case No. 09-70051, Adv. No. 09-7004, 2011 WL 30973, at *5 (Bankr. S.D. Tex. Jan. 5, 2011); *In re Dietz*, No. 10-60372, 2011 WL 671959, at *4 (Bankr. E.D. Tex. Feb. 16, 2011).

C. *The Impact of Bouchie on Texas Homestead Law*

1. *The 1999 Statute*

Bouchie holds that the 1999 statute is now the exclusive standard for determining whether a homestead is rural or urban.⁵⁷ Under this standard, a homestead is urban if it meets the standards of the 1999 statute.⁵⁸ “Otherwise, the homestead is rural.”⁵⁹ How does this change Texas law?

The 1999 statute focuses upon the circumstances that exist at the time of designation to determine whether a homestead is rural or urban.⁶⁰ The statute does not define “time of designation.”⁶¹ Time of designation, when referring to homestead, would normally mean the time the property first became the party’s homestead.⁶² Indeed when construing the 1989 statute, which also focused on the time of designation, the Fifth Circuit ruled in *In re Bradley* that while the town eventually surrounded the debtor’s property, when the debtor’s first moved onto the property it received no utility or other municipal services from the city, so the homestead was considered rural.⁶³ If this construction of “designation” is correct, changes in circumstances after first designation do not appear to be relevant. Thus, the statute appears to be inconsistent with the traditional Texas rule summarized above that a rural homestead could become an urban one if circumstances change.

2. *The Constitutional Issue*

When the Texas Supreme Court announced the rule in *Saunders*, that a rural homestead could become an urban one as circumstances change, the Court characterized this rule as one that arose, “by virtue of the [language in the Texas] Constitution.”⁶⁴ The Court must have been referring to the language in the Texas constitution that a homestead “not in a town or a city” can comprise up to 200 acres, and a homestead “in a city, town or village” cannot exceed 10 acres.⁶⁵

If this rule announced in *Saunders* derives from the Texas constitution, the legislature cannot change it by statute; a constitutional amendment would be required.⁶⁶ Future litigation may be needed to confirm that the

57. *In re Bouchie*, 324 F.3d at 785.

58. *In re Dietz*, 2011 WL 671959, at *4.

59. *Id.*

60. TEX. PROP. CODE ANN. § 41.002(c) (West 2010).

61. *Id.*

62. *See In re Hughes*, 159 B.R. 197, 198 (Bankr. N.D. Tex. 1993).

63. *Id.*

64. *M.H. Laucheimer & Sons v. Saunders*, 76 S.W. 750, 751–52 (Tex. 1903).

65. TEX. CONST. art. XVI, § 51.

66. *See Arnold v. Leonard*, 273 S.W. 799, 802 (Tex. 1925).

rule of *Saunders* is grounded in the language of the Texas constitution and was not impacted by the 1999 statute.

3. *Is the Saunders Rule a Good One?*

As mentioned above, pursuant to *Saunders* a rural homestead can become urban as circumstances change and the city expands to include the previously rural parcel.⁶⁷ There is substantial wisdom in this rule.

First, it was mentioned above that rural homesteads are larger than urban ones because common economic uses of rural parcels, such as farming and ranching, require significant acreage.⁶⁸ If a city surrounds a parcel, it is less likely that the parcel will continue to be used for farming and ranching, so a large parcel is no longer needed to provide economic support for the family.⁶⁹ In fact, zoning laws could bar the property owner from having livestock on the property.⁷⁰

Second, it is likely that the statute exempts a larger amount of rural acreage because rural acreage is much cheaper than urban land.⁷¹ It is not, therefore, overly unfair to creditors to treat a large rural parcel as exempt. Once a city has grown around the originally rural parcel, however, this would no longer be true; by then, the parcel would have become much more valuable. Allowing a party with unpaid judgment creditors to protect 200 acres of what has become urban land would be very poor policy.

4. *A Proposed Amendment to the 1999 Statute*

The 1999 statute conflicts with *Saunders* (and, it appears, the Texas constitution) in that the statute provides that the character of homestead is to be determined “at the time designation is made.”⁷² *Saunders*, however, promulgates the traditional Texas rule that the nature of a homestead is to be determined “at the time the adverse right is asserted.”⁷³

The legislature could make the 1999 statute consistent with *Saunders* if the first portion of § 41.002(c) would be amended to the effect that “a homestead is considered to be urban if, *at the time the adverse right is asserted*, the property is” This would retain the clear test set forth in the 1999 statute, but clarify that a rural homestead could become urban as circumstances change.

67. *Saunders*, 76 S.W. at 750–52.

68. *See supra* Part II.A–B.

69. *See id.*

70. *See In re Crowell*, 138 F.3d 1031, 1034 (5th Cir. 1998).

71. *See supra* Part II.A–B.

72. TEX. PROP. CODE ANN. § 41.002(c) (West 2010).

73. *M.H. Laucheimer & Sons v. Saunders*, 76 S.W. 750, 751 (Tex. 1903).

V. CONCLUSION

Under traditional Texas homestead rules, courts determined whether a homestead was rural or urban based on a multi-factor test.⁷⁴ In practice, this test was unclear and led to some uncertainty regarding whether a homestead was rural or urban.⁷⁵

The 1999 amendments to the Property Code provide a clearer test regarding how to determine whether a homestead is rural or urban.⁷⁶ Courts have determined that the 1999 amendments now reflect the exclusive test for whether something is a rural or urban homestead.⁷⁷ The greater specificity of the 1999 statute amendments will give property owners and creditors more clarity about homestead rights and thereby seem to improve Texas homestead law.

However, the 1999 amendments are inconsistent with the traditional Texas rule that a rural homestead can become urban if a town or city expands and surrounds the previously rural acreage.⁷⁸ This aspect of traditional Texas homestead law appears to be derived from the Texas constitution and, therefore, cannot be modified by statute.⁷⁹ In any event, it is quite sensible and should be retained. This article has proposed a minor amendment to the statute to clarify that the 1999 statute has not changed this aspect of Texas homestead law.

74. *See supra* Part II.A–B.

75. *See supra* Part II.A–B.

76. *See supra* Part IV.A–B.

77. *See supra* Part IV.A–B.

78. TEX. PROP. CODE ANN. § 41.002(c) (West 2010).

79. *Id.*

Schedule 1

City Name	1970 Pop	2010 Pop	Pop Percent Change	Pop Change No. of Persons	Avg Annual Growth Rate	1970 Area Sq. Miles	2010 Area Sq. Miles	Percent Change in Area	1970 Pop Density	2010 Pop Density	Percent Change in Density
Austin	251,808 ⁸⁰	790,390 ⁸¹	213.89%	538,582	5.35%	72.1 ⁸²	297.9 ⁸³	313.18%	3492.48	2,653.21	-24.03%
Corpus Christi	204,525 ⁸⁴	305,215 ⁸⁵	49.23%	100,690	1.23%	100.6 ⁸⁶	160.61 ⁸⁷	59.65%	2033.05	1,900.35	-6.53%
Dallas	844,401 ⁸⁸	1,197,816 ⁸⁹	41.85%	353,415	1.05%	265.6 ⁹⁰	340.52 ⁹¹	28.21%	3179.22	3,517.61	10.64%
El Paso	322,261 ⁹²	649,121 ⁹³	101.43%	326,860	2.54%	118.3 ⁹⁴	255.24 ⁹⁵	115.76%	2724.10	2,543.18	-6.64%
Houston	1,231,394 ⁹⁶	2,099,451 ⁹⁷	70.49%	868,057	1.76%	397.0 ⁹⁸	599.59 ⁹⁹	51.03%	3101.75	3,501.48	12.89%
Laredo	69,024 ¹⁰⁰	236,091 ¹⁰¹	242.04%	167,067	6.05%	20.5 ¹⁰²	88.91 ¹⁰³	333.71%	3367.02	2,655.39	-21.14%
San Antonio	654,153 ¹⁰⁴	1,327,407 ¹⁰⁵	102.92%	673,254	2.57%	184.0 ¹⁰⁶	460.93 ¹⁰⁷	150.51%	3555.18	2,879.85	-19.00%
Waco	95,326 ¹⁰⁸	124,805 ¹⁰⁹	30.92%	29,479	0.77%	58.7 ¹¹⁰	88.96 ¹¹¹	51.55%	1623.95	1,402.93	-13.61%

80. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 5, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 81. <http://quickfacts.census.gov/qdistates/48/4805000.html>.
 82. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 5, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 83. <http://quickfacts.census.gov/qdistates/48/4805000.html>.
 84. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 7, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 85. <http://quickfacts.census.gov/qdistates/48/4817000.html>.
 86. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 7, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 87. <http://quickfacts.census.gov/qdistates/48/4817000.html>.
 88. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 7, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 89. <http://quickfacts.census.gov/qdistates/48/4819000.html>.
 90. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 7, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 91. <http://quickfacts.census.gov/qdistates/48/4819000.html>.
 92. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 8, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 93. <http://quickfacts.census.gov/qdistates/48/4824000.html>.
 94. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 8, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 95. <http://quickfacts.census.gov/qdistates/48/4824000.html>.
 96. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 10, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 97. <http://quickfacts.census.gov/qdistates/48/4835000.html>.
 98. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 10, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 99. <http://quickfacts.census.gov/qdistates/48/4835000.html>.
 100. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 12, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 101. <http://quickfacts.census.gov/qdistates/48/4841464.html>.
 102. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 12, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 103. <http://quickfacts.census.gov/qdistates/48/4841464.html>.
 104. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 17, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 105. <http://quickfacts.census.gov/qdistates/48/4865000.html>.
 106. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 17, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 107. <http://quickfacts.census.gov/qdistates/48/4865000.html>.
 108. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 20, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 109. <http://quickfacts.census.gov/qdistates/48/4876000.html>.
 110. *Population and Land Area of Urbanized Areas, for the United States: 1970 and 1960*, 20, <http://www2.census.gov/prod2/decennial/documents/31679801no108chl.pdf>.
 111. <http://quickfacts.census.gov/qdistates/48/4876000.html>.

Name	1970 Pop	2010 Pop	Percent Change in Pop	Pop Change No. of Persons	Avg. Annual Pop Growth Rate
Texas	11,198,655 ¹¹²	25,145,561 ¹¹³	124.54%	13,946,906	3.11%

112. U.S. Dep't of Commerce, *1990 Census of Population and Housing: Population and Housing Unit Counts, United States*, 1990 CPH-2-1, 107, (Aug. 20, 1993, 1:35 PM), <http://www.census.gov/prod/cen1990/cph2/cph-2-1-1.pdf>.

113. U.S. Census Bureau, *Texas Quick Facts from the U.S. Census Bureau*, (last revised Jan. 17, 2012, 16:41:37 EST), <http://quickfacts.census.gov/qfd/states/48000.html>.

