

By: Powell, Springer

S.B. No. 2209

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Veale Ranch Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, and taxes; granting the power of eminent domain.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3994 to read as follows:

CHAPTER 3994. VEALE RANCH MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3994.0101. DEFINITIONS. In this chapter:

(1) "Board" means the district's board of directors.

(2) "City" means the City of Fort Worth.

(3) "County" means Parker County or Tarrant County.

(4) "Director" means a board member.

(5) "District" means the Veale Ranch Municipal Management District No. 1.

Sec. 3994.0102. NATURE OF DISTRICT. The Veale Ranch Municipal Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3994.0103. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this

1 chapter.

2 (b) By creating the district and in authorizing a county,
3 the city, and other political subdivisions to contract with the
4 district, the legislature has established a program to accomplish
5 the public purposes set out in Section 52-a, Article III, Texas
6 Constitution.

7 (c) The creation of the district is necessary to promote,
8 develop, encourage, and maintain employment, commerce,
9 transportation, housing, tourism, recreation, the arts,
10 entertainment, economic development, safety, and the public
11 welfare in the district.

12 (d) This chapter and the creation of the district may not be
13 interpreted to relieve a county or the city from providing the level
14 of services provided as of the effective date of the Act enacting
15 this chapter to the area in the district. The district is created
16 to supplement and not to supplant county or city services provided
17 in the district.

18 Sec. 3994.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

19 (a) All land and other property included in the district will
20 benefit from the improvements and services to be provided by the
21 district under powers conferred by Sections 52 and 52-a, Article
22 III, and Section 59, Article XVI, Texas Constitution, and other
23 powers granted under this chapter.

24 (b) The district is created to serve a public use and
25 benefit.

26 (c) The creation of the district is in the public interest
27 and is essential to further the public purposes of:

1 (1) developing and diversifying the economy of the
2 state;

3 (2) eliminating unemployment and underemployment; and

4 (3) developing or expanding transportation and
5 commerce.

6 (d) The district will:

7 (1) promote the health, safety, and general welfare of
8 residents, employers, potential employees, employees, visitors,
9 and consumers in the district, and of the public;

10 (2) provide needed funding for the district to
11 preserve, maintain, and enhance the economic health and vitality of
12 the district territory as a community and business center;

13 (3) promote the health, safety, welfare, and enjoyment
14 of the public by providing pedestrian ways and by landscaping and
15 developing certain areas in the district, which are necessary for
16 the restoration, preservation, and enhancement of scenic beauty;
17 and

18 (4) provide for water, wastewater, drainage, road, and
19 recreational facilities for the district.

20 (e) Pedestrian ways along or across a street, whether at
21 grade or above or below the surface, and street lighting, street
22 landscaping, parking, and street art objects are parts of and
23 necessary components of a street and are considered to be a street
24 or road improvement.

25 (f) The district will not act as the agent or
26 instrumentality of any private interest even though the district
27 will benefit many private interests as well as the public.

1 Sec. 3994.0105. INITIAL DISTRICT TERRITORY. (a) The
2 district is initially composed of the territory described by
3 Section 2 of the Act enacting this chapter.

4 (b) The boundaries and field notes contained in Section 2 of
5 the Act enacting this chapter form a closure. A mistake in the
6 field notes or in copying the field notes in the legislative process
7 does not affect the district's:

8 (1) organization, existence, or validity;

9 (2) right to issue any type of bonds for the purposes
10 for which the district is created or to pay the principal of and
11 interest on the bonds;

12 (3) right to impose or collect an assessment or tax; or

13 (4) legality or operation.

14 Sec. 3994.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

15 (a) All or any part of the area of the district is eligible to be
16 included in:

17 (1) a tax increment reinvestment zone created under
18 Chapter 311, Tax Code;

19 (2) a tax abatement reinvestment zone created under
20 Chapter 312, Tax Code; or

21 (3) an enterprise zone created under Chapter 2303,
22 Government Code.

23 (b) If the city or a county creates a tax increment
24 reinvestment zone described by Subsection (a), the city or county
25 and the board of directors of the zone, by contract with the
26 district, may grant money deposited in the tax increment fund to the
27 district to be used by the district for:

1 (1) the purposes permitted for money granted to a
2 corporation under Section 380.002(b), Local Government Code; and

3 (2) any other district purpose, including the right to
4 pledge the money as security for any bonds or other obligations
5 issued by the district under Subchapter E.

6 (c) If the city or a county creates a tax increment
7 reinvestment zone described by Subsection (a), the city or county
8 may determine the percentage of the property in the zone that may be
9 used for residential purposes and is not subject to the limitations
10 provided by Section 311.006, Tax Code.

11 Sec. 3994.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT
12 DISTRICTS LAW. Except as otherwise provided by this chapter,
13 Chapter 375, Local Government Code, applies to the district.

14 Sec. 3994.0108. CONSTRUCTION OF CHAPTER. This chapter
15 shall be liberally construed in conformity with the findings and
16 purposes stated in this chapter.

17 SUBCHAPTER B. BOARD OF DIRECTORS

18 Sec. 3994.0201. GOVERNING BODY; TERMS. (a) The district is
19 governed by a board of five elected directors who serve staggered
20 terms of four years.

21 (b) Directors are elected in the manner provided by
22 Subchapter D, Chapter 49, Water Code.

23 Sec. 3994.0202. COMPENSATION; EXPENSES. (a) The district
24 may compensate each director in an amount not to exceed \$150 for
25 each board meeting. The total amount of compensation for each
26 director in one year may not exceed \$7,200.

27 (b) A director is entitled to reimbursement for necessary

1 and reasonable expenses incurred in carrying out the duties and
2 responsibilities of the board.

3 Sec. 3994.0203. INITIAL DIRECTORS. (a) The initial board
4 consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
6 <u>1</u>	<u>Aaron Murff</u>
7 <u>2</u>	<u>Colin Neblett</u>
8 <u>3</u>	<u>Cole Evans</u>
9 <u>4</u>	<u>Tim Roberts</u>
10 <u>5</u>	<u>David Rambie</u>

11 (b) Of the initial directors, the terms of directors
12 appointed for positions one through three expire June 1, 2023, and
13 the terms of directors appointed for positions four and five expire
14 June 1, 2025.

15 SUBCHAPTER C. POWERS AND DUTIES

16 Sec. 3994.0301. GENERAL POWERS AND DUTIES. The district
17 has the powers and duties necessary to accomplish the purposes for
18 which the district is created.

19 Sec. 3994.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The
20 district, using any money available to the district for the
21 purpose, may provide, design, construct, acquire, improve,
22 relocate, operate, maintain, or finance an improvement project or
23 service authorized under this chapter or Chapter 372 or 375, Local
24 Government Code.

25 (b) The district may contract with a governmental or private
26 entity to carry out an action under Subsection (a).

27 (c) The implementation of a district project or service is a

1 governmental function or service for the purposes of Chapter 791,
2 Government Code.

3 Sec. 3994.0303. NONPROFIT CORPORATION. (a) The board by
4 resolution may authorize the creation of a nonprofit corporation to
5 assist and act for the district in implementing a project or
6 providing a service authorized by this chapter.

7 (b) The nonprofit corporation:

8 (1) has each power of and is considered to be a local
9 government corporation created under Subchapter D, Chapter 431,
10 Transportation Code; and

11 (2) may implement any project and provide any service
12 authorized by this chapter.

13 (c) The board shall appoint the board of directors of the
14 nonprofit corporation. The board of directors of the nonprofit
15 corporation shall serve in the same manner as the board of directors
16 of a local government corporation created under Subchapter D,
17 Chapter 431, Transportation Code, except that a board member is not
18 required to reside in the district.

19 Sec. 3994.0304. LAW ENFORCEMENT SERVICES. To protect the
20 public interest, the district may contract with a county or the city
21 to provide additional law enforcement services in the district for
22 a fee.

23 Sec. 3994.0305. MEMBERSHIP IN CHARITABLE ORGANIZATIONS.
24 The district may join and pay dues to a charitable or nonprofit
25 organization that performs a service or provides an activity
26 consistent with the furtherance of a district purpose.

27 Sec. 3994.0306. ECONOMIC DEVELOPMENT PROGRAMS. (a) The

1 district may engage in activities that accomplish the economic
2 development purposes of the district.

3 (b) The district may establish and provide for the
4 administration of one or more programs to promote state or local
5 economic development and to stimulate business and commercial
6 activity in the district, including programs to:

7 (1) make loans and grants of public money; and

8 (2) provide district personnel and services.

9 (c) The district may create economic development programs
10 and exercise the economic development powers provided to
11 municipalities by:

12 (1) Chapter 380, Local Government Code; and

13 (2) Subchapter A, Chapter 1509, Government Code.

14 Sec. 3994.0307. PARKING FACILITIES. (a) The district may
15 acquire, lease as lessor or lessee, construct, develop, own,
16 operate, and maintain parking facilities or a system of parking
17 facilities, including lots, garages, parking terminals, or other
18 structures or accommodations for parking motor vehicles off the
19 streets and related appurtenances.

20 (b) The district's parking facilities serve the public
21 purposes of the district and are owned, used, and held for a public
22 purpose even if leased or operated by a private entity for a term of
23 years.

24 (c) The district's parking facilities are parts of and
25 necessary components of a street and are considered to be a street
26 or road improvement.

27 (d) The development and operation of the district's parking

1 facilities may be considered an economic development program.

2 Sec. 3994.0308. ADDING OR EXCLUDING LAND. The district may
3 add or exclude land in the manner provided by Subchapter J, Chapter
4 49, Water Code, or by Subchapter H, Chapter 54, Water Code.

5 Sec. 3994.0309. DISBURSEMENTS AND TRANSFERS OF MONEY. The
6 board by resolution shall establish the number of directors'
7 signatures and the procedure required for a disbursement or
8 transfer of district money.

9 Sec. 3994.0310. RAIL FACILITIES. The district may
10 relocate, construct, acquire, improve, maintain, and operate rail
11 facilities and improvements in aid of those facilities.

12 Sec. 3994.0311. EMINENT DOMAIN. The district may exercise
13 the power of eminent domain in the manner provided by Section
14 49.222, Water Code.

15 Sec. 3994.0312. DIVISION OF DISTRICT. (a) The district may
16 be divided into two or more new districts only if the district:

17 (1) has no outstanding bonded debt; and

18 (2) is not imposing ad valorem taxes.

19 (b) This chapter applies to any new district created by the
20 division of the district, and a new district has all the powers and
21 duties of the district.

22 (c) Any new district created by the division of the district
23 may not, at the time the new district is created, contain any land
24 outside the area described by Section 2 of the Act enacting this
25 chapter.

26 (d) The board, on its own motion or on receipt of a petition
27 signed by the owner or owners of a majority of the assessed value of

1 the real property in the district, may adopt an order dividing the
2 district.

3 (e) An order dividing the district must:

4 (1) name each new district;

5 (2) include the metes and bounds description of the
6 territory of each new district;

7 (3) appoint initial directors for each new district;

8 and

9 (4) provide for the division of assets and liabilities
10 between or among the new districts.

11 (f) On or before the 30th day after the date of adoption of
12 an order dividing the district, the district shall file the order
13 with the Texas Commission on Environmental Quality and record the
14 order in the real property records of each county in which the
15 district is located.

16 (g) Any new district created by the division of the district
17 must hold an election as required by this chapter to obtain voter
18 approval before the district may impose a maintenance tax or issue
19 bonds payable wholly or partly from ad valorem taxes.

20 (h) Municipal consent to the creation of the district and to
21 the inclusion of land in the district granted under Section
22 3994.0506 acts as municipal consent to the creation of any new
23 district created by the division of the district and to the
24 inclusion of land in the new district.

25 SUBCHAPTER D. ASSESSMENTS

26 Sec. 3994.0401. PETITION REQUIRED FOR FINANCING SERVICES
27 AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a

1 service or improvement project with assessments under this chapter
2 unless a written petition requesting that service or improvement
3 has been filed with the board.

4 (b) A petition filed under Subsection (a) must be signed by
5 the owners of a majority of the assessed value of real property in
6 the district subject to assessment according to the most recent
7 certified tax appraisal roll for the county.

8 Sec. 3994.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a)
9 The board by resolution may impose and collect an assessment for any
10 purpose authorized by this chapter in all or any part of the
11 district.

12 (b) An assessment, a reassessment, or an assessment
13 resulting from an addition to or correction of the assessment roll
14 by the district, penalties and interest on an assessment or
15 reassessment, an expense of collection, and reasonable attorney's
16 fees incurred by the district:

17 (1) are a first and prior lien against the property
18 assessed;

19 (2) are superior to any other lien or claim other than
20 a lien or claim for county, school district, or municipal ad valorem
21 taxes; and

22 (3) are the personal liability of and a charge against
23 the owners of the property even if the owners are not named in the
24 assessment proceedings.

25 (c) The lien is effective from the date of the board's
26 resolution imposing the assessment until the date the assessment is
27 paid. The board may enforce the lien in the same manner that the

1 board may enforce an ad valorem tax lien against real property.

2 (d) The board may make a correction to or deletion from the
3 assessment roll that does not increase the amount of assessment of
4 any parcel of land without providing notice and holding a hearing in
5 the manner required for additional assessments.

6 Sec. 3994.0403. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT.
7 Section 375.161, Local Government Code, does not apply to the
8 district.

9 SUBCHAPTER E. TAXES AND BONDS

10 Sec. 3994.0501. TAX ELECTION REQUIRED. (a) The district
11 must hold an election in the manner provided by Chapter 49, Water
12 Code, or, if applicable, Chapter 375, Local Government Code, to
13 obtain voter approval before the district may impose an ad valorem
14 tax.

15 (b) Section 375.243, Local Government Code, does not apply to
16 the district.

17 Sec. 3994.0502. OPERATION AND MAINTENANCE TAX. (a) If
18 authorized by a majority of the district voters voting at an
19 election under Section 3994.0501, the district may impose an
20 operation and maintenance tax on taxable property in the district
21 in the manner provided by Section 49.107, Water Code, for any
22 district purpose, including to:

23 (1) maintain and operate the district;

24 (2) construct or acquire improvements; or

25 (3) provide a service.

26 (b) The board shall determine the operation and maintenance
27 tax rate. The rate may not exceed the rate approved at the

1 election.

2 Sec. 3994.0503. AUTHORITY TO BORROW MONEY AND TO ISSUE
3 BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on
4 terms determined by the board.

5 (b) The district may issue, by public or private sale,
6 bonds, notes, or other obligations payable wholly or partly from ad
7 valorem taxes, assessments, impact fees, revenue, contract
8 payments, grants, or other district money, or any combination of
9 those sources of money, to pay for any authorized district purpose.

10 (c) The limitation on the outstanding principal amount of
11 bonds, notes, or other obligations provided by Section 49.4645,
12 Water Code, does not apply to the district.

13 (d) The district may issue, by public or private sale,
14 bonds, notes, or other obligations payable wholly or partly from
15 assessments in the manner provided by Subchapter A, Chapter 372,
16 Local Government Code, if the improvements financed by an
17 obligation issued under this section will be conveyed to or
18 operated and maintained by a county, a municipality, or other
19 retail utility provider pursuant to an agreement with the district
20 entered into before the issuance of the obligation.

21 Sec. 3994.0504. BONDS SECURED BY REVENUE OR CONTRACT
22 PAYMENTS. The district may issue, without an election, bonds
23 secured by:

24 (1) revenue other than ad valorem taxes, including
25 contract revenues; or

26 (2) contract payments, provided that the requirements
27 of Section 49.108, Water Code, have been met.

1 Sec. 3994.0505. BONDS SECURED BY AD VALOREM TAXES;
2 ELECTIONS. (a) If authorized at an election under Section
3 3994.0501, the district may issue bonds payable from ad valorem
4 taxes.

5 (b) At the time the district issues bonds payable wholly or
6 partly from ad valorem taxes, the board shall provide for the annual
7 imposition of a continuing direct annual ad valorem tax, without
8 limit as to rate or amount, for each year that all or part of the
9 bonds are outstanding as required and in the manner provided by
10 Sections 54.601 and 54.602, Water Code.

11 (c) All or any part of any facilities or improvements that
12 may be acquired by a district by the issuance of its bonds may be
13 submitted as a single proposition or as several propositions to be
14 voted on at the election.

15 Sec. 3994.0506. CONSENT OF MUNICIPALITY AND DEVELOPMENT
16 AGREEMENT REQUIRED. (a) The board may not hold an election to
17 authorize the issuance of bonds until:

18 (1) the governing body of the city by ordinance or
19 resolution consents to the creation of the district and to the
20 inclusion of land in the district; and

21 (2) the district, the city, and the owner or owners of
22 a majority of the assessed value of real property in the district
23 negotiate and execute a mutually approved and accepted development
24 and operating agreement, including any limitations imposed by the
25 city.

26 (b) The city's consent under Subsection (a) must be granted
27 in the manner provided by Section 54.016, Water Code, for including

1 land within the corporate limits or extraterritorial jurisdiction
2 of a city.

3 SUBCHAPTER I. DISSOLUTION

4 Sec. 3994.0901. DISSOLUTION. (a) The board shall dissolve
5 the district on written petition filed with the board by the owners
6 of:

7 (1) 66 percent or more of the assessed value of the
8 property subject to assessment by the district based on the most
9 recent certified county property tax rolls; or

10 (2) 66 percent or more of the surface area of the
11 district, excluding roads, streets, highways, utility
12 rights-of-way, other public areas, and other property exempt from
13 assessment by the district according to the most recent certified
14 county property tax rolls.

15 (b) The board by majority vote may dissolve the district at
16 any time.

17 (c) The district may not be dissolved by its board under
18 Subsection (a) or (b) if the district:

19 (1) has any outstanding bonded indebtedness until that
20 bonded indebtedness has been repaid or defeased in accordance with
21 the order or resolution authorizing the issuance of the bonds;

22 (2) has a contractual obligation to pay money until
23 that obligation has been fully paid in accordance with the
24 contract; or

25 (3) owns, operates, or maintains public works,
26 facilities, or improvements unless the district contracts with
27 another person for the ownership, operation, or maintenance of the

1 public works, facilities, or improvements.

2 (d) Sections 375.261, 375.262, and 375.264, Local
3 Government Code, do not apply to the district.

4 SECTION 2. The Veale Ranch Municipal Management District
5 No. 1 initially includes all territory contained in the following
6 area:

7 All that certain 3790.36 acre tract or parcel of land situated in
8 Tarrant and Parker Counties of the State of Texas and being part of
9 the H. T. & B. RR Co. Survey, Section Number 3, Abstract Number 648,
10 the N. Underwood Survey, Abstract Number 1579, the I. & G. N. RR Co.
11 Survey, Abstract Number 2002, the W. Robinson Survey, Abstract
12 Number 1107, the I. & G. N. RR Co. Survey, Abstract Number 2224, the
13 I & G. N. RR Co. Survey, Abstract Number 1991, in said Parker
14 County; and being part of the I. & G. N. RR Co. Survey, Abstract
15 Number not yet assigned this date, the I & G. N. RR Co. Survey,
16 Abstract Number not yet assigned this date, the W. Robinson Survey,
17 Abstract Number 1274, the H. Lane Survey, Abstract Number 928, the
18 T. & N. O. RR Survey, Abstract Number 1567, the S. A. & M. G. RR Co.
19 Survey, Abstract Number 1479, the Socorro Farming Co. Survey,
20 Abstract Number 1844, the G. H. & H. RR Survey, Abstract Number 623,
21 the D. Dixon Survey, Abstract Number 442, the D. T. Finley Survey,
22 Abstract Number 1900, the D. T. Finley Survey, Abstract Number
23 1903, and all of the W. Atkins Survey, Abstract Number 1961 in said
24 Tarrant County, said tract being part of a called 3893.555 acre
25 tract as described in a deed to Iona L.L.C., filed 24 April 2003,
26 and recorded in volume 2096 page 106 of the Official Property
27 Records of said Parker County, Texas, (hereinafter referred to as

1 OPRPC), and recorded in instrument D203145633 of the Official
2 Records of said Tarrant County (hereinafter referred to as ORTC),
3 and said tract being all of a called 11.000 acre tract as described
4 in deed to Iona Land, L.P., filed 03 May 2005, and recorded in
5 instrument number D205124001, and said tract being all of the
6 remainder of a called 62.050 acre tract of land and all of a called
7 0.847 acre tract of land as described in a deed to Iona East L.L.C.,
8 filed 21 April 2015, recorded in Document Number 215081241 of said
9 ORTC, said tract also being all of a called 25.00 acre tract as
10 described in a deed to Iona East L.L.C., filed 21 April 2015,
11 recorded in Document Number 215081239 of said ORTC, and being more
12 particularly described as follows;

13 BEGINNING at a nail found at the base of a pipe fence corner post for
14 the most southerly southeast corner of the tract being described,
15 said nail having NAD83 Grid coordinates of N-6918724.96,
16 E-2268232.52, and said nail being the most southerly southeast
17 corner of said Iona 3893.555 acre tract, same being the northeast
18 corner of a called 584.049 acre tract of land to Aledo Real Estate
19 Landholdings Group LLC, filed 30 May 2007, recorded in Document
20 Number 207185948 of said ORTC, said nail also being on the west line
21 of a called 1214.617 acre tract of land as described in a deed to
22 Johnny Hampton (Bud) Vinson II and Cheryl R. Vinson, filed 24 May
23 2004, recorded in Document Number 204159103 of said ORTC;

24 THENCE: South 89 degrees 26 minutes 17 seconds West, with the south
25 line of said Iona 3893.555 acre tract and the north line of said
26 Aledo tract, and along and near a barbed wire fence, a distance of
27 5820.74 feet to a found 1/2 inch iron rod for the most southerly

S.B. No. 2209

1 southwest corner of said Iona 3893.555 acre tract, same being the
2 northwest corner of the Bella Flora, an Addition to said Tarrant
3 County, according to plat of the same authorized 12 November 2013,
4 and recorded in document number D213294652 of the Plat Records of
5 said Tarrant County, and said rod being in the east line of a called
6 231-522/100 acre tract of land as described in a deed to Forest C.
7 Barber, Jr., filed 12 November 2004, recorded in Document Number
8 204353915 of said ORTC;

9 THENCE: North 00 degrees 33 minutes 10 seconds West, with the west
10 line of said Iona 3893.555 acre tract and the east line of said
11 Barber tract, and along and near a barbed wire fence, a distance of
12 2870.96 feet to a found 1 inch pipe for an inner ell corner of said
13 Iona 3893.555 acre tract, same being the northeast corner of said
14 Barber tract;

15 THENCE: North 89 degrees 46 minutes 26 seconds West, with a south
16 line of said Iona 3893.55 acre tract and the north line of said
17 Barber tract and along and near a barbed wire fence, a distance of
18 1327.34 feet to a set 1/2 inch rebar for a southwest corner of said
19 Iona 3893.555 acre tract, same being the southeast corner of Tract
20 36, of the Creeks of Aledo Subdivision, filed 09 April 2003,
21 recorded in volume 2095 page 1608, of said OPRPC, and said rebar
22 being North 89 degrees 48 minutes 04 seconds East, a distance of
23 367.85 feet from a found 1 inch rod by a Set Stone being the
24 northeast corner of the J.F. Gomer Survey, Abstract Number 496;

25 THENCE: North 34 degrees 15 minutes 21 seconds West, with the
26 northeast line of said Tract 36, a distance of 569.06 feet to a set
27 1/2 inch rebar for an angle point in said northeast line;

1 THENCE: North 34 degrees 02 minutes 46 seconds West, with the
2 northeast line of said Tract 36, a distance of 420.94 feet to a
3 found capped iron rod at the base of a pipe fence corner post on the
4 northeast corner of said Tract 36, same being the southeast corner
5 of Tract 37, of the Creeks of Aledo Subdivision, filed 28 March
6 2001, recorded in volume 1919 page 1365 of said OPRPC;

7 THENCE: North 34 degrees 04 minutes 37 seconds West, with the
8 northeast line of said Tract 37, a distance of 483.85 feet to a set
9 1/2 inch rebar for an angle point in said northeast line;

10 THENCE: North 34 degrees 03 minutes 53 seconds West, with the
11 northeast line of said Tract 37, a distance of 418.88 feet to a set
12 1/2 inch rebar at the north corner of said Tract 37, same being the
13 east corner of Tract 38, of the Creeks of Aledo Subdivision, filed
14 22 May 2002, recorded in volume 2012 page 926 of said OPRPC;

15 THENCE: North 34 degrees 01 minutes 19 seconds West, with the
16 northeast line of said Tract 38, a distance of 289.75 feet to a pipe
17 fence corner post at the north corner of said Tract 38, same being
18 the east corner of Tract 39, of the Creeks of Aledo Subdivision,
19 filed 22 May 2002, recorded in volume 2012 page 926 of said OPRPC;

20 THENCE: North 34 degrees 06 minutes 35 seconds West, with the
21 northeast line of said Tract 39, a distance of 379.38 feet to a
22 found 1/2 inch iron rod at the base of a fence corner post, said post
23 being at the north corner of Tract 39, same being the east corner of
24 Tract 40, of the Creeks of Aledo Subdivision, filed 10 April 2002,
25 recorded in volume 2002 page 1945 of said OPRPC;

26 THENCE: North 34 degrees 08 minutes 47 seconds West, with the
27 northeast line of said Tract 40, a distance of 709.67 feet to a set

1 1/2 inch rebar for the north corner of said Tract 40, same being the
2 most easterly east corner of Tract 25 of the Creeks of Aledo
3 Subdivision, filed 10 April 2002, recorded in volume 2002 page 1945
4 of said OPRPC;

5 THENCE: North 34 degrees 06 minutes 45 seconds West, with the
6 northeast line of said Tract 25, a distance of 607.13 feet to a set
7 1/2 inch rebar for the north corner of said Tract 25, same being the
8 east corner of Tract 27 of the Creeks of Aledo Subdivision, filed 28
9 March 2001, recorded in volume 1919 page 1364 of said OPRPC;

10 THENCE: North 33 degrees 58 minutes 11 seconds West, with the
11 northeast line of said Tract 27, passing at 5.03 feet a found iron
12 pipe on the northeast line of said Tract 27 and continuing a total a
13 distance of 316.12 feet to a set 1/2 inch rebar for an angle point in
14 said northeast line;

15 THENCE: North 34 degrees 08 minutes 10 seconds West, with the
16 northeast line of said Tract 27, a distance of 79.78 feet to a found
17 iron rod for the north corner of said Tract 27, same being the east
18 corner of Tract 29 of the Creeks of Aledo Subdivision, filed 28
19 March 2001, recorded in volume 1919 page 1364 of said OPRPC;

20 THENCE: North 34 degrees 15 minutes 17 seconds West, with the
21 northeast line of said Tract 29, a distance of 322.40 feet to a set
22 1/2 inch rebar at the base of a pipe fence corner post for an ell
23 corner of said Iona 3893.555 acre tract, same being a corner of said
24 Tract 29;

25 THENCE: North 81 degrees 29 minutes 34 West, with the north line of
26 said Tract 29, passing at 95.36 feet a found iron rod at the
27 northwest corner of said Tract 29, same being the northeast corner

1 of said Tract 30 and passing at 744.18 feet a found iron rod at the
2 northwest corner of said Tract 30, same being the northeast corner
3 of Tract 28 and continuing a total distance of 1026.64 feet to a set
4 1/2 inch rebar on the northwest corner of said Tract 28, same being
5 the northeast corner of Tract 43 of the Creeks of Aledo Subdivision,
6 filed 26 April 2000, in said OPRPC;

7 THENCE: North 83 degrees 10 minutes 18 seconds West, with the north
8 line of Tract 43, passing at 250.45 feet at a set 1/2 inch rebar on
9 the northwest corner of said Tract 43, same being the northeast
10 corner of Tract 44 of said Creeks of Aledo Subdivision, filed 26
11 April 2000, in said OPRPC, and continuing with the north line of
12 said Tract 44, a total distance of 458.63 feet to a set 1/2 inch
13 rebar for a corner of this tract;

14 THENCE: North, a distance of 1969.64 feet to a set 1/2 inch rebar
15 for a corner of this tract;

16 THENCE: North 34 degrees 04 minutes 42 seconds West, a distance of
17 606.04 feet to a set 1/2 inch rebar for a corner of this tract;

18 THENCE: North 89 degrees 58 minutes 37 seconds West, and passing at
19 327.98 feet a found iron rod being the northeast corner of a called
20 5.00 acre tract as described in deed to Robert Leland Ekstrom, filed
21 04 May 2010, and recorded in volume 2776 page 1198 of the official
22 public records of said Parker County, and continuing on said course
23 with the north line of said Ekstrom 5 acre tract and passing at
24 1080.38 feet a found iron rod being the northwest corner of said
25 Esktrom 5 acre tract, and continuing on said course a total distance
26 of 1239.90 feet to a set 1/2 inch rebar for a corner of this tract;

27 THENCE: South 24 degrees 30 minutes 06 seconds West, a distance of

1 1362.24 feet to a set 1/2 inch rebar for a corner of this tract;
2 THENCE: West, a distance of 635.99 feet to a set 1/2 inch rebar for
3 the most westerly southwest corner of this tract, said rebar being
4 on the east line of Farm to Market Road Number 1187, same being the
5 west line of said Iona Tract said rebar being North 00 degrees 48
6 minutes 31 seconds East, a distance of 1000.26 feet from a found 1\2
7 inch rebar being the southwest corner of a 120.88 acre tract;
8 THENCE: North 00 degrees 48 minutes 31 seconds East, with the east
9 line of said road 1187, a distance of 2051.06 feet to a set 1/2 inch
10 rebar for a corner of this tract, and said rebar being on the
11 southeast line of Aledo Iona Road;
12 THENCE: With the south line of said Aledo Iona Road the following
13 seventeen (17) calls:
14 1. North 33 degrees 11 minutes 47 seconds East, a distance of
15 1752.65 feet to a set 1\2" rebar;
16 2. North 36 degrees 53 minutes 00 seconds East, a distance of
17 813.13 feet to a pipe fence corner post;
18 3. North 57 degrees 20 minutes 59 seconds East, a distance of
19 970.84 feet to a pipe fence corner post;
20 4. North 77 degrees 47 minutes 00 seconds East, a distance of
21 434.81 feet to a pipe fence corner post;
22 5. North 85 degrees 44 minutes 03 seconds East, a distance of
23 448.55 feet to a pipe fence corner post;
24 6. North 77 degrees 08 minutes 49 seconds East, a distance of
25 622.41 feet to a pipe fence corner post;
26 7. North 84 degrees 37 minutes 50 seconds East, a distance of
27 850.19 feet to a set 1\2" rebar;

- 1 8. South 86 degrees 35 minutes 40 seconds East, a distance of 58.49
2 feet to a set 1\2" rebar;
- 3 9. North 84 degrees 17 minutes 28 seconds East, a distance of
4 1593.30 feet to a fence corner post;
- 5 10. North 84 degrees 12 minutes 06 seconds East, a distance of
6 1463.59 feet to a fence corner post;
- 7 11. North 84 degrees 26 minutes 03 seconds East, a distance of
8 377.37 feet to a fence corner post;
- 9 12. North 84 degrees 18 minutes 18 seconds East, a distance of
10 378.43 feet to a set 1\2" rebar;
- 11 13. North 86 degrees 52 minutes 33 seconds East, a distance of
12 261.06 feet to a set 1\2" rebar;
- 13 14. South 88 degrees 14 minutes 59 seconds East, a distance of
14 212.79 feet to a set 1\2" rebar;
- 15 15. South 84 degrees 02 minutes 19 seconds East, a distance of
16 189.05 feet to a set 1\2" rebar;
- 17 16. South 80 degrees 23 minutes 48 seconds East, a distance of
18 724.30 feet to a set 1\2" rebar;
- 19 17. North 09 degrees 38 minutes 43 seconds East, a distance of
20 41.36 feet to a set 1\2" rebar for a corner of this tract, said
21 rebar being on the south line of the Union Pacific Railroad,
22 formerly known as the Texas & Pacific Railway;
- 23 THENCE: With the south line of said Railroad the following eighteen
24 (18) calls:
 - 25 1. South 80 degrees 21 minutes 17 seconds East, a distance of
26 549.51 feet to a set 1\2" rebar for an angle point, said rebar
27 being on the west line of said Lane Survey, same being the east

- 1 line of said Robinson Survey;
- 2 2. South 00 degrees 31 minutes 22 seconds East, with the west line
3 of said Lane Survey, and the east line of said Robinson Survey,
4 a distance of 25.40 feet to a set 1\2" rebar for a corner;
- 5 3. South 80 degrees 21 minutes 17 seconds East, a distance of
6 1999.95 feet to a set 1\2" rebar for a start of a curve to the
7 right;
- 8 4. With said curve to the right, an arc length of 766.60 feet, with
9 a central angle of 25 degrees 35 minutes 43 seconds, and a
10 radius of 1716.07 feet, and a chord bearing and distance of
11 South 67 degrees 33 minutes 26 seconds East, 760.25 feet to a
12 set 1\2 inch rebar for the end of said curve to the right;
- 13 5. South 54 degrees 45 minutes 35 seconds East, a distance of
14 411.67 feet to a set 1\2 inch rebar for the start of a curve to
15 the left;
- 16 6. With said curve to the left, an arc length of 1133.46 feet, with
17 a central angle of 31 degrees 40 minutes 10 seconds, and a
18 radius of 2050.63 feet, with a chord bearing and distance of
19 South 70 degrees 35 minutes 40 seconds East, 1119.09 feet to a
20 set 1\2 inch rebar for the end of said curve to the left;
- 21 7. South 86 degrees 25 minutes 45 seconds East, a distance of
22 2213.78 feet to a set 1\2 inch rebar for the start of a curve to
23 the left;
- 24 8. With said curve to the left, an arc length of 192.54 feet, with
25 a central angle of 05 degrees 24 minutes 18 seconds, and a
26 radius of 2041.02 feet, with a chord bearing and distance of
27 South 89 degrees 07 minutes 54 seconds East, 192.47 feet to a

- 1 set 1\2 inch rebar for the end of said curve to the left, said
2 rebar being on the west line of said Socorro Survey, same being
3 the east line of said S.A.&M.G. RR Co Survey, A-1479;
- 4 9. North 00 degrees 33 minutes 35 seconds West, with the west line
5 of said Socorro Survey, and with the east line of said
6 S.A.&M.G. RR Survey, a distance of 25.01 feet to a set 1\2 inch
7 rebar for the start of a curve to the left;
- 8 10. With said curve to the left, an arc length of 576.88 feet, with
9 a central angle of 16 degrees 23 minutes 43 seconds, and a
10 radius of 2016.02 feet, with a chord bearing and distance of
11 North 79 degrees 57 minutes 09 seconds East, 574.92 feet to a
12 set 1\2 inch rebar for the end of said curve to the left;
- 13 11. South 18 degrees 14 minutes 42 seconds East, a distance of
14 50.01 feet to a set 1\2 inch rebar for the start of a curve to
15 the left;
- 16 12. With said curve to the left, an arc length of 238.39 feet, with
17 a central angle of 06 degrees 36 minutes 40 seconds, and a
18 radius of 2066.03 feet, with a chord bearing and distance of
19 North 68 degrees 26 minutes 58 seconds East, 238.26 feet to a
20 set 1\2 inch rebar for the end of said curve to the left;
- 21 13. North 65 degrees 08 minutes 20 seconds East, a distance of
22 460.91 feet to a set 1\2 inch rebar for the start of a curve to
23 the right;
- 24 14. With said curve to the right, an arc length of 789.93 feet,
25 with a central angle of 11 degrees 17 minutes 02 seconds, and a
26 radius of 4011.02 feet, with a chord bearing and distance of
27 North 72 degrees 14 minutes 04 seconds East, 788.66 feet to a

- 1 set 1\2 inch rebar for the end of said curve to the right;
- 2 15. North 12 degrees 07 minutes 25 seconds West, a distance of
3 50.01 feet to a set 1\2 inch rebar for the start of a curve to
4 the right;
- 5 16. With said curve to the right, an arc length of 83.77 feet, with
6 a central angle of 01 degrees 10 minutes 55 seconds, and a
7 radius of 4061.03 feet, with a chord bearing and distance of
8 North 78 degrees 28 minutes 03 seconds East, 83.77 feet to a
9 set 1\2 inch rebar for the end of said curve to the right, same
10 being the start of a compound curve to the right;
- 11 17. With said compound curve to the right, an arc length of 1607.42
12 feet, with a central angle of 17 degrees 33 minutes 43
13 seconds, and a radius of 5244.19 feet, with a chord bearing
14 and distance of North 88 degrees 43 minutes 51 seconds East,
15 1601.13 feet to a set 1\2 inch rebar for the end of said
16 compound curve to the right;
- 17 18. South 82 degrees 08 minutes 49 seconds East, and passing at
18 280.72 feet a found 1 inch pipe by a fence corner post on the
19 east line of said G.H.&H. RR Survey, same being the west line
20 of said Dixon Survey, and being the northeast corner of said
21 Iona 3893.555 acre tract, same being the northwest corner of
22 said Iona East 25.00 acre tract, and continuing on said
23 course, a total distance of 1633.04 feet to a set 1/2 inch
24 rebar for the most northerly northeast corner of this tract,
25 same being the northeast corner of said Iona East 25.00 acre
26 tract, said rebar being on the west line of Farm to Market Road
27 2871 and said rebar being the start of a curve to the left,

1 having a central angle of 22 degrees 31 minutes 58 seconds, a
2 radius of 2417.57 feet, and a chord bearing and distance of
3 South 11 degrees 35 minutes 48 seconds East, 944.64 feet;
4 THENCE: With the west line of said FM Road 2871, and with said curve
5 to the left, an arc length of 950.76 feet to a found capped iron rod
6 for the most easterly southeast corner of this tract, said rod being
7 the southeast corner of said Iona East 0.847 acre tract and said rod
8 being the remainder northeast corner of a called 3.429 acre tract as
9 described in deed to Benbrook Christian Fellowship, filed 16 June
10 2005, and recorded in county clerks number D205170789 of said ORTC;
11 THENCE: South 64 degrees 26 minutes 52 seconds West, with the south
12 line of said Iona East 0.847 acre tract part of the way, a distance
13 of 475.37 feet to a found 1/2 inch iron rod for a corner of this
14 tract, said rod being a corner of a called 11.350 acre tract as
15 described in deed to Benbrook Christian Fellowship, filed 11
16 November 2003, and recorded in county clerks number D203422046 of
17 said ORTC;
18 THENCE: South 47 degrees 54 minutes 42 seconds West, with the north
19 line of said 11.350 acre tract, a distance of 222.02 feet to a set
20 1/2 inch iron rod for a corner of this tract, same being a corner of
21 said 11.350 acre tract;
22 THENCE: South 31 degrees 23 minutes 01 seconds West, with the north
23 line of said 11.350 acre tract, and with a barbed wire fence, a
24 distance of 625.02 feet to a set 1/2 inch rebar for the most
25 southerly southeast corner of said Iona East 62.050 Acre tract,
26 same being the southwest corner of said 11.350 acre tract;
27 THENCE: South 89 degrees 36 minutes 36 seconds West, with the south

1 line of said Iona East 62.050 acre tract, a distance of 597.88 feet
2 to a set 1/2 inch rebar for the southwest corner of said Iona East
3 62.050 Acre tract, same being the northwest corner of Lot 1, Block
4 1, of the Benbrook Water and Sewer Authority Tank Site, filed in
5 cabinet A, slide 4324, of the plat records of said Tarrant County,
6 said rebar also being on the east line of said Iona 3893.555 acre
7 tract;

8 THENCE: South 00 degrees 21 minutes 32 seconds East, with the east
9 line of said Iona 3893.555 acre tract, and with the west line of
10 said Benbrook Water and Sewer Authority Tank Site, a distance of
11 8.83 feet to a found capped iron rod for the most southerly
12 southeast corner of said Iona 3893.555 acre tract, same being the
13 northeast corner of a called 117.198 acres tract of land as
14 described in a deed to PB Ventana 1 LLC, filed 17 June 2015,
15 recorded in Document Number 215129625, of said ORTC;

16 THENCE: South 89 degrees 26 minutes 37 seconds West, with the south
17 line of said Iona tract and the north line of said PB Ventana tract,
18 and with a barbed wire fence, a distance of 3712.74 feet to a found 1
19 inch iron rod for an inner ell corner of said Iona 3893.555 acre
20 tract, same being the northwest corner of a called 162.310 acre
21 tract as described in a deed to PB Long Term Hold 1, LP, filed 17
22 June 2015, recorded in Document Number 215129626 of said ORTC;

23 THENCE: South 00 degrees 32 minutes 18 seconds East, with the east
24 line of said Iona 3893.555 acre tract and the west line of said PB
25 Long Term tract, and along and near a barbed wire fence part of the
26 way, a distance of 6921.26 feet to a found 1 inch iron rod for a
27 southeast corner of said Iona 3893.555 acre tract, same being an

1 inner ell corner of said Vinson tract;
2 THENCE: South 89 degrees 27 minutes 33 Seconds West, with the south
3 line of said Iona 3893.555 acre tract and the north line of said
4 Vinson tract, a distance of 3180.16 feet to a found 1 inch iron rod
5 for an ell corner of said Iona 3893.555 acre tract, same being the
6 most westerly northwest corner of said Vinson tract;
7 THENCE: South 00 degrees 32 minutes 52 seconds East, with the east
8 line of said Iona 3893.555 acre tract and the west line of said
9 Vinson tract, a distance of 3556.23 feet to the POINT OF BEGINNING
10 and containing 3790.36 acres of land.

11 NAD 83 Grid Bearings and Distances reflect Surface Measurements.

12 SECTION 3. (a) The legal notice of the intention to
13 introduce this Act, setting forth the general substance of this
14 Act, has been published as provided by law, and the notice and a
15 copy of this Act have been furnished to all persons, agencies,
16 officials, or entities to which they are required to be furnished
17 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
18 Government Code.

19 (b) The governor, one of the required recipients, has
20 submitted the notice and Act to the Texas Commission on
21 Environmental Quality.

22 (c) The Texas Commission on Environmental Quality has filed
23 its recommendations relating to this Act with the governor,
24 lieutenant governor, and speaker of the house of representatives
25 within the required time.

26 (d) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

1 to the notice, introduction, and passage of this Act have been
2 fulfilled and accomplished.

3 SECTION 4. (a) Section 3994.0311, Special District Local
4 Laws Code, as added by Section 1 of this Act, takes effect only if
5 this Act receives a two-thirds vote of all the members elected to
6 each house.

7 (b) If this Act does not receive a two-thirds vote of all the
8 members elected to each house, Subchapter C, Chapter 3994, Special
9 District Local Laws Code, as added by Section 1 of this Act, is
10 amended by adding Section 3994.0311 to read as follows:

11 Sec. 3994.0311. NO EMINENT DOMAIN POWER. The district may
12 not exercise the power of eminent domain.

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

16 SECTION 5. This Act takes effect immediately if it receives
17 a vote of two-thirds of all the members elected to each house, as
18 provided by Section 39, Article III, Texas Constitution. If this
19 Act does not receive the vote necessary for immediate effect, this
20 Act takes effect September 1, 2021.