

By: Hagenbuch

S.B. No. 3043

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Craver Ranch Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments and fees; granting a limited 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 4020 to read as follows:

CHAPTER 4020. CRAVER RANCH MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 4020.0101. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Denton.

(3) "Director" means a board member.

(4) "District" means the Craver Ranch Municipal Management District No. 1.

Sec. 4020.0102. NATURE OF DISTRICT. The Craver Ranch Municipal Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 4020.0103. 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 chapter.

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

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

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

16 Sec. 4020.0104. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

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

22 (b) The district is created to serve a public use and
23 benefit.

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

26 (1) developing and diversifying the economy of the
27 state;

1 (2) eliminating unemployment and underemployment; and
2 (3) developing or expanding transportation and
3 commerce.

4 (d) The district will:

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

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

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

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

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

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

26 Sec. 4020.0105. INITIAL DISTRICT TERRITORY. (a) The
27 district is initially composed of the territory described by

Section 2 of the Act enacting this chapter.

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

(1) organization, existence, or validity;

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

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

(4) legality or operation.

Sec. 4020.0106. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES. All or any part of the area of the district is eligible to be included in:

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

(2) a tax abatement reinvestment zone created under Chapter 312, Tax Code.

Sec. 4020.0107. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICTS LAW. Except as otherwise provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 4020.0108. PRECONDITION. (a) The district may not exercise any powers granted to the district by this chapter or other law unless a development agreement between the city and the primary landowner in the district that establishes the standards that apply to development in the district, in addition to those contained in zoning, subdivision, and other applicable ordinances of the city,

has been executed.

(b) After September 1, 2030, if a development agreement described by Subsection (a) has not been executed, the board shall dissolve the district in the manner provided by Section 4020.0901(b) if the board receives a written dissolution request from the city.

Sec. 4020.0109. CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 4020.0201. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors who serve staggered terms of four years.

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

Sec. 4020.0202. COMPENSATION; EXPENSES. (a) A director is entitled to receive fees of office and reimbursement for actual expenses as provided by Section 49.060, Water Code.

(b) Sections 375.069 and 375.070, Local Government Code, do not apply to the board.

Sec. 4020.0203. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>Jessica Burton</u>
<u>2</u>	<u>Paul Aycock</u>
<u>3</u>	<u>Isabelle Holbrook</u>
<u>4</u>	<u>Ana Martin</u>

5 Justine Spurgin

(b) Of the initial directors, the terms of directors appointed for positions one through three expire June 1, 2027, and the terms of directors appointed for positions four and five expire June 1, 2029.

SUBCHAPTER C. POWERS AND DUTIES

Sec. 4020.0301. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 4020.0302. IMPROVEMENT PROJECTS AND SERVICES. (a) The district, using any money available to the district for the purpose, may provide, design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project or service authorized under a development agreement described by Section 4020.0108, under this chapter, or under Chapter 375, Local Government Code.

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

(c) The implementation of a district project or service is a governmental function or service for the purposes of Chapter 791, Government Code.

Sec. 4020.0303. NONPROFIT CORPORATION. (a) The board by resolution may authorize the creation of a nonprofit corporation to assist and act for the district in implementing a project or providing a service authorized by this chapter.

(b) The nonprofit corporation:

(1) has each power of and is considered to be a local

government corporation created under Subchapter D, Chapter 431, Transportation Code; and

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

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

Sec. 4020.0304. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The district may join and pay dues to a charitable or nonprofit organization that performs a service or provides an activity consistent with the furtherance of a district purpose.

Sec. 4020.0305. ECONOMIC DEVELOPMENT PROGRAMS. (a) The district may engage in activities that accomplish the economic development purposes of the district.

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

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

(2) provide district personnel and services.

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

(1) Chapter 380, Local Government Code; and

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

2 Sec. 4020.0306. PARKING FACILITIES. (a) The district may
3 acquire, lease as lessor or lessee, construct, develop, own,
4 operate, and maintain parking facilities or a system of parking
5 facilities, including lots, garages, parking terminals, or other
6 structures or accommodations for parking motor vehicles off the
7 streets and related appurtenances.

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

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

15 (d) The development and operation of the district's parking
16 facilities may be considered an economic development program.

17 Sec. 4020.0307. DISBURSEMENTS AND TRANSFERS OF MONEY. The
18 board by resolution shall establish the number of directors'
19 signatures and the procedure required for a disbursement or
20 transfer of district money.

21 Sec. 4020.0308. ADDING OR EXCLUDING LAND. Except as
22 provided by Section 4020.0309, the district may add or exclude land
23 in the manner provided by Subchapter J, Chapter 49, Water Code, or
24 by Subchapter H, Chapter 54, Water Code.

25 Sec. 4020.0309. DIVISION OF DISTRICT. (a) The district may
26 be divided into two or more new districts only if the district has
27 no outstanding bonded debt.

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

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

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

12 (e) An order dividing the district must:

13 (1) name each new district;

14 (2) include the metes and bounds description of the
15 territory of each new district;

16 (3) appoint initial directors for each new district;
17 and

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

20 (f) On or before the 30th day after the date of adoption of
21 an order dividing the district, the district shall file the order
22 with the Texas Commission on Environmental Quality and record the
23 order in the real property records of each county in which the
24 district is located.

25 (g) Municipal consent to the creation of the district and to
26 the inclusion of land in the district granted under Section
27 4020.0503 acts as municipal consent to the creation of any new

district created by the division of the district and to the inclusion of land in the new district.

Sec. 4020.0310. CERTAIN RESIDENTIAL PROPERTY NOT EXEMPT. Section 375.161, Local Government Code, does not apply to the district.

Sec. 4020.0311. NO AD VALOREM TAX. The district may not impose an ad valorem tax.

Sec. 4020.0312. EMINENT DOMAIN. The district may exercise the power of eminent domain in the manner provided by Section 49.222, Water Code.

SUBCHAPTER D. ASSESSMENTS

Sec. 4020.0401. PETITION REQUIRED FOR FINANCING SERVICES AND IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a service or improvement project with assessments under this chapter unless a written petition requesting that service or improvement has been filed with the board.

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

Sec. 4020.0402. ASSESSMENTS; LIENS FOR ASSESSMENTS. (a) The board by resolution may impose and collect an assessment for any purpose authorized by this chapter in all or any part of the district.

(b) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or

reassessment, an expense of collection, and reasonable attorney's fees incurred by the district:

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

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

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

(c) The lien is effective from the date of the board's resolution imposing the assessment until the date the assessment is paid. The board may enforce the lien in the same manner that a taxing unit, as that term is defined by Section 1.04, Tax Code, may enforce an ad valorem tax lien against real property.

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

SUBCHAPTER E. BONDS

Sec. 4020.0501. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may borrow money on terms determined by the board.

(b) The district may issue, by public or private sale, bonds, notes, or other obligations payable wholly or partly from assessments, revenue, contract payments, grants, or other district money, or any combination of those sources of money, to pay for any

authorized district purpose.

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

Sec. 4020.0502. BONDS SECURED BY REVENUE OR CONTRACT PAYMENTS. The district may issue, without an election, bonds secured by:

- (1) revenue, including contract revenues; or
- (2) contract payments, provided that the requirements of Section 49.108, Water Code, have been met.

Sec. 4020.0503. CONSENT OF MUNICIPALITY REQUIRED. (a) The board may not issue bonds until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has consented by ordinance or resolution to the creation of the district and to the inclusion of land in the district.

(b) This section applies only to the district's first issuance of bonds.

SUBCHAPTER I. DISSOLUTION

Sec. 4020.0901. DISSOLUTION. (a) The board shall dissolve the district on written petition filed with the board by the owners of:

- (1) at least two-thirds of the assessed value of the

property subject to assessment by the district based on the most recent certified county property tax rolls; or

(2) at least two-thirds of the surface area of the district, excluding roads, streets, highways, utility rights-of-way, other public areas, and other property exempt from assessment by the district according to the most recent certified county property tax rolls.

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

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

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

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

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

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

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

LEGAL DESCRIPTION

2801.468 Acres

BEING all of that tract of land situated in the P.G. Yarborough Survey, Abstract No. 1447, the J. Morton Survey, Abstract No. 121, the W. Norment Survey, Abstract No. 965, the J.W. Jagoe Survey, Abstract No. 1640, the A.W. Patton Survey, Abstract No. 990 and the W. A. Thompson Survey, Abstract No. 1238, City of Sanger, Denton County, Texas, and being all of a called 0.862 acre tract of land described in the deed to Raymond & Jewel Vinson, recorded in Instrument No. 2008-66099, Official Records of Denton County, Texas, and all of a called 623.211 acre tract of land described in the deed to Daredevil Communications LLC, recorded in Instrument No. 2018-109219, said Official Records, and all of a called 66.247 acre tract of land described as Tract III, in the deed to Gregory J. Egner, Jr., Trustee of the Egner Family Living Trust, recorded in Instrument No. 2016-23869, said Official Records, and all of a called 1892.409 acre tract of land described as Tract I and all of a called 219.478 acre tract of land described as Tract II, in the deed to NTCH-NM, LLC, recorded in Instrument No. 2024-44505, said Official Records, and being more particularly described as follows:
BEGINNING at a wooden right-of-way monument found in the east right-of-way line of FM 2164 (Variable width right-of-way), at a westerly corner of said 623.211 acre tract, and the common southwest corner of Wild West Addition, recorded in Cabinet G, Page 150, Plat Records of Denton County, Texas;

THENCE North 89° 00' 03" East, with a north line of said 623.211 acre tract, a distance of 1562.78 feet to a 1/2-inch iron rod with a cap

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1 stamped 'RPLS 6677" set (hereinafter referred to as capped iron rod
2 set) at a T-Post at the southeast corner of said Wild West Addition;
3 THENCE North 00° 29' 29" West, with a westerly line of said 623.211
4 acre tract, a distance of 1460.42 feet to a wood fence corner post
5 found at the southwest corner of a called 11.015 acre tract
6 described in deed to Jason Walden and wife, Marianne K. Benton
7 Sharp, recorded in Instrument No. 2014-107288, said Official
8 Records;

9 THENCE North 89° 02' 03" East, with the north line of said 623.211
10 acre tract, a distance of 2688.93 feet to a 1/2-inch capped iron rod
11 found at the northwest corner of a called 10.021 acre tract
12 described as Tract one in deed to Augie's Addition, L.L.C.,
13 recorded in Instrument No. 2008-40851, said official Records;

14 THENCE South 01° 10' 35" East, with an easterly line of said 623.211
15 acre tract, a distance of 1174.75 feet to a 1/2-inch capped iron rod
16 found at the southwest corner of said 10.021 acre tract;

17 THENCE North 89° 09' 19" East, with a northerly line of said 623.211
18 acre tract, a distance of 741.27 feet to a 1/2-inch capped iron rod
19 found at the southeast corner of said 10.021 acre tract, at the
20 northeast corner of said 623.211 acre tract, at the northwest
21 corner of said 1892.409 acre tract, and at the common southwest
22 corner of a called 20.190 acre tract of land described in deed to
23 Richard W. Freeman and Wife, Janice H. Freeman, recorded in
24 Instrument No. 2009-147025, said Official Records;

25 THENCE North 88° 27' 29" East, with a north line of said 1892.409
26 acre tract, a distance of 2530.35 feet to a wooden fence corner post
27 found at the southeast corner of Quail Ridge Estates, recorded in

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1 Cabinet R, Slide 274, said Plat Records, and in the west line of
2 Culp Branch Addition, recorded in Cabinet B, Page 323, said Plat
3 Records;

4 THENCE South 01° 28' 30" East, with an easterly line of said 1892.409
5 acre tract, a distance of 1977.73 feet to a 1-inch iron rod found at
6 the southwest corner of a called 28.870 acre tract described in deed
7 to Richard Alan Estes and Gaye Lynn Estes, Trustees of the Estes
8 Family Living Trust, recorded in Instrument No. 2014-47520, said
9 Official Records;

10 THENCE North 89° 02' 14" East, with a northerly line of said 1892.409
11 acre tract, a distance of 1883.14 feet to a 1/2-inch capped iron rod
12 found (illegible) at the southeast corner of said 28.870 acre
13 tract;

14 THENCE North 01° 10' 24" West, with a westerly line of said 1892.409
15 acre tract, a distance of 2799.94 feet to a 1-inch iron pipe found
16 in the east line of said Culp Branch Addition;

17 THENCE North 01° 08' 36" West, continuing with the westerly line of
18 said 1892.409 acre tract, a distance of 1324.91 feet to a 5/8-inch
19 iron rod found at the northeast corner of a called 42.98 acre tract
20 described as Tract II, in deed to Dave & Dave LTD, Co., recorded in
21 Instrument No. 2001-80814, said Official Records, and at a
22 southerly corner of Lake Ride Estates, recorded in Cabinet W, Page
23 651, said Plat Records;

24 THENCE North 01° 23' 13" West, continuing with the westerly line of
25 said 1892.409 acre tract, a distance of 465.52 feet to a metal fence
26 corner post found at a northwesterly corner of said 1892.409 acre
27 tract and in a southerly line of said Lake Ridge Estates;

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1 THENCE North 88° 59' 10" East, with a northerly line of said 1892.409
2 acre tract, a distance of 2876.25 feet to a metal fence corner post
3 found at a northeasterly corner of said 1892.409 acre tract and at
4 the southeast corner of a called 10.56 acre tract described in deed
5 to Ronny Ryan Allen, recorded in Instrument No. 2011-59595, said
6 Official Records, and in the west line of a called 16.00 acre tract
7 described in deed to Jack Albert Jr. & Wendy Harrod Hall, Trustees
8 of the Jack & Wendy Hall Living Trust, recorded in Instrument
9 No. 2018-135544, said Official Records;

10 THENCE South 03° 18' 46" East, with an easterly line of said 1892.409
11 acre tract, a distance of 422.97 feet to a metal fence corner post
12 found at the southwest corner of said 16.00 acre tract;

13 THENCE North 88° 56' 44" East, with the northerly line of said
14 1892.409 acre tract, a distance of 2390.11 feet to a 1/2-inch capped
15 iron rod found (illegible) at the southeast corner of a called
16 33.021 acre tract described in deed to Dan C. Reding & Elizabeth J.
17 Reding, recorded in Instrument No. 2011-92590, said Official
18 Records, and at the southwest corner of a called 90.32 acre tract
19 described in deed to NTCH NM LLC, recorded in Instrument
20 No. 2015-91618, said Official Records;

21 THENCE North 89° 00' 59" East, continuing with the northerly line of
22 said 1892.409 acre tract, a distance of 2359.32 feet to a wood
23 right-of-way monument found in the west right-of-way line of FM
24 2153 (Prescriptive right-of-way), at the northeast corner of said
25 1892.409 acre tract and the common southeast corner of said 90.32
26 acre tract;

27 THENCE South 01° 04' 48" East, with the east line of said 1892.409

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1 acre tract and the west right-of-way line of FM 2153 (Prescriptive
2 right-of-way), a distance of 3615.71 feet to a capped iron rod set;
3 THENCE South 00° 48' 48" East, continuing with the east line of said
4 1892.409 acre tract and the west right-of-way line of FM 2153
5 (Prescriptive right-of-way), a distance of 572.81 feet, to a mag
6 nail found in a fence corner post at the northeast corner of a
7 called 15.00 acre tract described in deed to Bijan Janami,
8 Shahrivar Sobhanian & Shahla Nouri Kohani, recorded in Instrument
9 No. 2024-50795, said Official Records;
10 THENCE South 89° 13' 22" West, with a southerly line of said 1892.409
11 acre tract, a distance of 2156.68 feet to a 1-inch iron rod found at
12 the northwest corner of said 15.00 acre tract;
13 THENCE South 01° 04' 05" East, with the easterly line of said
14 1892.409 acre tract, a distance of 303.17 feet to a 1-inch iron pipe
15 found at the southwest corner of said 15.00 acre tract;
16 THENCE South 01° 34' 19" East, continuing with the easterly line of
17 said 1892.409 acre tract, a distance of 331.29 feet to a 1/2-inch
18 capped iron rod found (illegible) at the northwest corner of a
19 called 16.364 acre tract described in deed to Spire Tower US LLC,
20 recorded in Instrument No. 2024-48396, said Official Records;
21 THENCE South 01° 29' 45" East, continuing with the easterly line of
22 said 1892.409 acre tract, a distance of 242.84 feet to a 1/2-inch
23 iron rod found at the most westerly southwest corner of said 16.364
24 acre tract;
25 THENCE South 73° 44' 27" East, continuing with the easterly line of
26 said 1892.409 acre tract, a distance of 237.66 feet to a capped iron
27 rod set;

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1 THENCE South 82° 07' 13" East, continuing with the easterly line of
2 said 1892.409 acre tract, a distance of 266.22 feet to a 3/8-inch
3 iron rod found at the most southerly southwest corner of said 16.364
4 acre tract and the northwest corner of Parks Addition, recorded in
5 Instrument No. 2010-206, said Official Records;

6 THENCE with the east line of said 1892.409 acre tract and the west
7 line of said Parks Addition, the following courses:

- 8 1. South 11° 04' 31" East, a distance of 138.03 feet;
- 9 2. South 32° 46' 02" East, a distance of 51.03 feet;
- 10 3. South 48° 18' 56" East, a distance of 56.57 feet;
- 11 4. South 68° 05' 51" East, a distance of 30.19 feet;
- 12 5. South 81° 20' 09" East, a distance of 27.00 feet;
- 13 6. South 88° 48' 25" East, a distance of 243.52 feet to a
14 1/2-inch iron rod found at the northwest corner of a called 37.7184
15 acre tract described in deed to Larry Hibberd & Spouse, Darlene
16 Hibberd, recorded in Instrument No. 2000-4481, said Official
17 Records;

18 THENCE with the east line of said 1892.409 acre tract and the west
19 line of said 37.7184 acre tract, the following courses:

- 20 1. South 08° 13' 25" East, a distance of 631.62 feet;
- 21 2. South 04° 44' 10" East, a distance of 210.34 feet;
- 22 3. South 14° 00' 51" East, a distance of 106.56 feet;
- 23 4. South 19° 03' 47" East, a distance of 77.78 feet;
- 24 5. South 18° 22' 42" East, a distance of 176.66 feet;
- 25 6. South 28° 35' 49" East, a distance of 57.16 feet;
- 26 7. South 35° 51' 23" East, a distance of 64.50 feet;
- 27 8. South 76° 20' 21" East, a distance of 117.45 feet;

1 9. North 86° 19' 20" East, a distance of 145.94 feet;
2 10. South 61° 14' 20" East, a distance of 116.10 feet;
3 11. South 22° 57' 45" East, a distance of 147.48 feet to a
4 capped iron rod set;
5 THENCE North 89° 32' 36" East, with a northerly line of said 1892.401
6 acre tract, a distance of 572.51 feet to a point in the west
7 right-of-way line of FM 2153 (prescriptive right-of-way), at a
8 northeasterly corner of said 1892.401 acre tract, from which a
9 1/2-inch iron rod found bears South 89° 32' 36" West, a distance of
10 1.41 feet;
11 THENCE South 00° 48' 48" East, a distance of 3094.50 feet to a capped
12 iron rod set at the beginning of a non-tangential curve to the left;
13 With said curve to the left, having a radius of 1191.00 feet, a
14 central angle of 09° 26' 19", an arc length of 196.20 feet, a chord
15 that bears South 04° 26' 21" East, a distance of 195.98 feet to a mag
16 nail set in Shepard Road (No Record Found, Prescriptive
17 right-of-way), at the end of said curve;
18 THENCE with the south line of said 1892.409 acre tract and in said
19 Shepard Road, the following courses:
20 1. South 89° 50' 46" West, a distance of 1858.57 feet to a mag
21 nail set;
22 2. South 89° 28' 44" West, a distance of 945.64 feet to a
23 1/2-inch iron rod found;
24 3. South 89° 23' 55" West, a distance of 1927.35 feet to a mag
25 nail set;
26 THENCE North 00° 44' 22" West, with a westerly line of said 1892.409
27 acre tract, a distance of 2953.22 feet to a metal fence corner post

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found at the northeast corner of a called 318.00 acre tract described in deed to Jones-Brown-Davis Limited Partnership, recorded in Instrument No. 2002-146053, said Official Records; THENCE with the south line of said 1892.409 acre tract, the following courses:

1. South 88° 03' 15" West, a distance of 4794.40 feet to a capped iron rod set at a T-Post;

2. North 00° 55' 35" West, a distance of 1017.61 feet to a metal fence corner post found at the northeast corner of a called 202.501 acre tract described in deed to Eric Seymour & Elizabeth Seymour, recorded in Instrument No. 2013-79507, said Official Records;

3. South 88° 36' 29" West, a distance of 2289.40 feet to a 1/2-inch capped iron rod stamped "ALLIANCE" found at the northwest corner of said 202.501 acre tract and at the northeast corner of a called 9.987 acres tract described as Tract I in deed to Gregory J. Egner, Jr. Trustee of the Egner Family Living Trust, recorded in Instrument No. 2016-23869, said Official Records;

4. South 87° 55' 15" West, a distance of 249.50 feet to a 1/2-inch iron rod found at the southwest corner of said 1892.409 acre tract and the southeast corner of said 66.247 acre tract;

THENCE South 88° 41' 14" West, with the south line of said 66.247 acre tract, a distance of 2067.47 feet to a wood fence corner post found at the southwest corner of said 66.247 acre tract and at the northwest corner of a called 15.00 acre tract described in deed to Richard G. Buckner, recorded in Instrument No. 2015-20724, said Official Records, and in the east line of said 623.211 acre tract;

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1 THENCE South 00° 40' 20" East, partially with the east line of said
2 623.211 acre tract and the east line of said 219.478 acre tract, a
3 distance of 1127.14 feet to a 1/2-inch iron rod found at the
4 northwest corner of a called 5.00 acre tract described as Tract I,
5 in deed to Edward Flores & Wife, Diena Flores, recorded in
6 Instrument No. 1984-39110 (Volume 1449, Page 258), Deed Records of
7 Denton County, Texas, in Indian Wells Road (No Record Found,
8 Prescriptive right-of-way assumed);

9 THENCE South 00° 42' 40" East, continuing with the east line of said
10 219.478 acre tract, a distance of 1515.14 feet to a 1/2-inch iron
11 rod found at the southwest corner of a called 5.53 acre tract
12 described in deed to C&P COUNTRYLIFE LLC, recorded in Instrument
13 No. 2020-164077, said Official Records, and at the northwest corner
14 of a called 9.887 acre tract described in deed to Lendal R. Patton &
15 Wife, Lisa B. Patton, recorded in Instrument No. 1996-011783, said
16 Official Records;

17 THENCE South 00° 27' 46" East, continuing with the east line of said
18 219.478 acre tract, a distance of 824.08 feet to a 1/2-inch iron rod
19 found in Gribble Springs Road (No record found, Prescriptive
20 right-of-way assumed), at the southeast corner of said 219.478 acre
21 tract and the northeast corner of a called 2.00 acre tract described
22 in deed to Mark Laird & Kristie Laird, recorded in Instrument
23 No. 2017-94146, said Official Records;

24 THENCE South 89° 05' 08" West, with the south line of said 219.478
25 acre tract, a distance of 3024.85 feet to a 1/2-inch iron rod found
26 at the southwest corner of said 219.478 acre tract;

27 THENCE North 00° 57' 06" West, with a westerly line of said 219.478

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1 acre tract, a distance of 1380.73 feet to a metal fence corner post
2 found at the northeast corner of a called 15.000 acre tract
3 described in deed to Timothy Gene Trietsch, Karen Reynolds, Michael
4 Trietsch & Patricia Temple, recorded in Instrument
5 No. 2022-120814, said Official Records;

6 THENCE South 89° 17' 21" West, with a southerly line of said 219.478
7 acre tract, a distance of 653.46 feet to a 1/2-inch iron rod found
8 at the northwest corner of said 15.000 acre tract, and at the
9 northeast corner of a called 4.84 acre tract described in deed to
10 Rodney Lane & Marlana Lane, recorded in Instrument No. 2013-17328,
11 said Official Records;

12 THENCE South 89° 28' 10" West, continuing with a southerly line of
13 said 219.478 acre tract, a distance of 600.27 feet to a wood fence
14 corner post found at the southeast corner of said 0.862 acre tract;

15 THENCE South 88° 55' 28" West, with the south line of said 0.862 acre
16 tract, a distance of 183.01 feet to a 1/2-inch iron rod found at the
17 southwest corner of said 0.862 acre tract, in the east right-of-way
18 line of FM 2164 (variable width right-of-way);

19 THENCE North 31° 05' 48" East, partially with the west line of said
20 0.862 acre tract, a distance of 61.86 feet to a capped iron rod set
21 at the beginning of a curve to the left;

22 With said curve to the left, with the west line of said 219.478 acre
23 tract and the east right-of-way line of FM 2164 (variable width
24 right-of-way), having a radius of 1000.40 feet, a central angle of
25 32° 06' 00", an arc length of 560.47 feet, a chord that bears North
26 15° 02' 48" East, a distance of 553.17 feet to a capped iron rod set
27 at the end of said curve;

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1 THENCE partially with the west line of said 219.478 acre tract and
2 with the west line of said 623.211 acre tract and the east
3 right-of-way line of FM 2164 (variable width right-of-way), the
4 following courses:

5 1. North $01^{\circ} 00' 12''$ West, passing the northwest corner of
6 said 219.478 acre tract at a distance of 657.88 feet and the
7 southwest corner of said 623.211 acre tract, for a total distance of
8 1804.13 feet to a capped iron rod set;

9 2. North $13^{\circ} 02' 02''$ East, a distance of 103.08 feet to a
10 capped iron rod set;

11 3. North $01^{\circ} 00' 08''$ West, a distance of 951.10 feet to a
12 capped iron rod set at the beginning of a curve to the right;

13 4. With said curve to the right, having a radius of 1076.30
14 feet, a central angle of $17^{\circ} 26' 23''$, an arc length of 327.60 feet, a
15 chord that bears North $07^{\circ} 43' 03''$ East, a distance of 326.34 feet to
16 a capped iron rod set at the end of said curve, from which a wood
17 right-of-way monument found bears South $13^{\circ} 13' 34''$ West, a distance
18 of 2.43 feet;

19 5. North $04^{\circ} 51' 24''$ East, a distance of 101.94 feet to a
20 capped iron rod set at the beginning of a non-tangential curve to
21 the right;

22 6. With said curve to the right, having a radius of 1101.30
23 feet, a central angle of $33^{\circ} 47' 29''$, an arc length of 649.51 feet, a
24 chord that bears North $38^{\circ} 32' 07''$ East, a distance of 640.14 feet to
25 a capped iron rod set at the end of said curve;

26 7. North $55^{\circ} 25' 52''$ East, a distance of 404.80 feet to a
27 capped iron rod set at the beginning of a curve to the left;

1 8. With said curve to the left, having a radius of 1186.30
2 feet, a central angle of 55° 16' 59", an arc length of 1144.63 feet,
3 a chord that bears North 27° 47' 22" East, a distance of 1100.74 feet
4 to a 1/2-inch capped iron rod found;

5 9. North 00° 08' 52" East, a distance of 333.40 feet to the
6 POINT OF BEGINNING and enclosing 2801.468 acres (122,031,951 square
7 feet) of land, more or less.ra

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

15 (b) The governor, one of the required recipients, has
16 submitted the notice and Act to the Texas Commission on
17 Environmental Quality.

18 (c) The Texas Commission on Environmental Quality has filed
19 its recommendations relating to this Act with the governor,
20 lieutenant governor, and speaker of the house of representatives
21 within the required time.

22 (d) All requirements of the constitution and laws of this
23 state and the rules and procedures of the legislature with respect
24 to the notice, introduction, and passage of this Act have been
25 fulfilled and accomplished.

26 SECTION 4. (a) Section 4020.0312, Special District Local
27 Laws Code, as added by Section 1 of this Act, takes effect only if

1 this Act receives a two-thirds vote of all the members elected to
2 each house.

3 (b) If this Act does not receive a two-thirds vote of all the
4 members elected to each house, Subchapter C, Chapter 4020, Special
5 District Local Laws Code, as added by Section 1 of this Act, is
6 amended by adding Section 4020.0312 to read as follows:

7 Sec. 4020.0312. NO EMINENT DOMAIN POWER. The district may
8 not exercise the power of eminent domain.

9 SECTION 5. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2025.