

By: Laubenberg

H.B. No. 3559

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Rockwall County Municipal Utility Districts Nos. 6, 7, 8, and 9; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8136 to read as follows:

CHAPTER 8136. ROCKWALL COUNTY MUNICIPAL UTILITY DISTRICTS

NOS. 6, 7, 8, and 9

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8136.001. DEFINITIONS. In this chapter:

(1) "Board" or "boards" means, as appropriate, the board of directors of one or all of the districts.

(2) "Director" means a member of the board.

(3) "District" or "districts" means, as appropriate, one or all of the Rockwall County Municipal Utility Districts Nos. 6, 7, 8, and 9.

Sec. 8136.002. NATURE OF DISTRICT. Each district is a municipal utility district in Rockwall County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 8136.003. CONFIRMATION ELECTION REQUIRED. If the creation of a district is not confirmed at a confirmation election held under Section 8136.023 before September 1, 2007:

1 (1) the district is dissolved September 1, 2007,
2 except that:

3 (A) any debts incurred shall be paid;

4 (B) any assets that remain after the payment of
5 debts shall be transferred to Rockwall County; and

6 (C) the organization of the district shall be
7 maintained until all debts are paid and remaining assets are
8 transferred; and

9 (2) the provisions of this chapter relating to that
10 district expire September 1, 2010.

11 Sec. 8136.004. INITIAL DISTRICT TERRITORY. (a) Each
12 district is initially composed of the territory described by
13 Section 2 of the Act creating this chapter.

14 (b) The boundaries and field notes of each district, as
15 described in Section 2 of the Act creating this chapter, form a
16 closure. A mistake made in the field notes or in copying the field
17 notes in the legislative process does not affect:

18 (1) the organization, existence, or validity of the
19 district;

20 (2) the right of the district to impose taxes; or

21 (3) the legality or operation of the district or the
22 board.

23 Sec. 8136.005. APPLICABILITY OF OTHER LAW. Except as
24 otherwise provided by this chapter, Chapters 49 and 54, Water Code,
25 apply to the districts.

26 [Sections 8136.006-8136.020 reserved for expansion]

1 SUBCHAPTER A1. TEMPORARY PROVISIONS

2 Sec. 8136.021. TEMPORARY DIRECTORS. (a) The temporary
3 board of each district consists of the following persons:

4 (1) Rockwall County Municipal Utility District No. 6:

5 (A) Sherry Kent Skinner;

6 (B) Chris Smith;

7 (C) Jill Thrasher;

8 (D) Kevin B. Tucker; and

9 (E) Berry Watts;

10 (2) Rockwall County Municipal Utility District No. 7:

11 (A) Larry Christensen;

12 (B) Martha Ann Cook;

13 (C) Terry Jones;

14 (D) Sandy Sinks; and

15 (E) Michael W. Skinner;

16 (3) Rockwall County Municipal Utility District No. 8:

17 (A) David M. Cook, Sr.;

18 (B) Lisa Gheen;

19 (C) Linda Nelson;

20 (D) Charles Sinks II (Chuck); and

21 (E) Karen D. Wilson; and

22 (4) Rockwall County Municipal Utility District No. 9:

23 (A) Nicholas Helge;

24 (B) Thaddeus James Parker (Thad);

25 (C) Jennifer Lynne Clark;

26 (D) Michael Joseph McCrea, Jr. (Mike); and

27 (E) Andrea Brandon Roland.

1 (b) If a temporary director fails to qualify for office, the
2 remaining temporary directors of that district shall appoint a
3 person to fill the vacancy.

4 (c) Temporary directors serve until the earlier of:

5 (1) the date directors are elected under Section
6 8136.023; or

7 (2) the date the provisions of this chapter relating
8 to that district expire under Section 8136.003.

9 Sec. 8136.022. ORGANIZATIONAL MEETING OF TEMPORARY
10 DIRECTORS. As soon as practicable after all the temporary
11 directors of a district have qualified under Section 49.055, Water
12 Code, the temporary directors of that district shall meet at a
13 location in the district agreeable to a majority of the directors of
14 that district. If a location cannot be agreed upon, the meeting
15 shall be at the Rockwall County Courthouse. At the meeting, the
16 temporary directors shall elect officers from among the temporary
17 directors and conduct any other district business.

18 Sec. 8136.023. CONFIRMATION AND INITIAL DIRECTORS'
19 ELECTION. The temporary directors of each district shall hold an
20 election to confirm the creation of the district and to elect five
21 directors as provided by Section 49.102, Water Code.

22 Sec. 8136.024. INITIAL ELECTED DIRECTORS; TERMS. The
23 directors of each district elected under Section 8136.023 shall
24 draw lots to determine which two shall serve until the first
25 regularly scheduled election of directors under Section 8136.052
26 and which three shall serve until the second regularly scheduled
27 election of directors.

1 Sec. 8136.025. EXPIRATION OF SUBCHAPTER. This subchapter
2 expires September 1, 2010.

3 [Sections 8136.026-8136.050 reserved for expansion]

4 SUBCHAPTER B. BOARD OF DIRECTORS

5 Sec. 8136.051. DIRECTORS; TERMS. (a) Each district is
6 governed by a board of five directors.

7 (b) Directors serve staggered four-year terms.

8 Sec. 8136.052. ELECTION OF DIRECTORS. On the uniform
9 election date in May of each even-numbered year, the appropriate
10 number of directors of each district shall be elected.

11 [Sections 8136.053-8136.100 reserved for expansion]

12 SUBCHAPTER C. POWERS AND DUTIES

13 Sec. 8136.101. GENERAL POWERS. Each district has all of the
14 rights, powers, privileges, authority, functions, and duties
15 provided by the general law of this state, including Chapters 49 and
16 54, Water Code, applicable to municipal utility districts created
17 under Section 59, Article XVI, Texas Constitution.

18 Sec. 8136.102. ROAD PROJECTS. To the extent authorized by
19 Section 52, Article III, Texas Constitution, each district may
20 construct, maintain, or operate paved roads or works, facilities,
21 or improvements in aid of those roads, inside the district.

22 Sec. 8136.103. ADDING LAND BY PETITION OF LANDOWNER. Each
23 district may only add land to the district in the manner provided by
24 Section 49.301, Water Code, if a landowner petitions for the
25 addition of land that is:

26 (1) adjacent to the boundaries of the district; or

27 (2) separated from the district by public land or

1 right-of-way.

2 Sec. 8136.104. EMINENT DOMAIN. (a) Each district may
3 exercise the power of eminent domain within the boundaries of the
4 district for all public purposes.

5 (b) Each district may exercise the power of eminent domain
6 outside the boundaries of the district only for the purpose of
7 constructing, acquiring, operating, repairing, or maintaining
8 water supply lines or sanitary sewer lines.

9 (c) Each district shall exercise the power of eminent domain
10 in the same manner as required for a county.

11 [Sections 8136.105-8136.150 reserved for expansion]

12 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

13 Sec. 8136.151. TAX TO REPAY BONDS. Each district may impose
14 a tax to pay the principal of or interest on bonds issued to finance
15 projects under Section 8136.102.

16 [Sections 8136.152-8136.200 reserved for expansion]

17 SUBCHAPTER E. BONDS

18 Sec. 8136.201. AUTHORITY TO ISSUE BONDS AND OTHER
19 OBLIGATIONS. (a) Each district may issue bonds or other
20 obligations as provided by Chapters 49 and 54, Water Code, to
21 finance the construction, maintenance, or operation of projects
22 under Sections 8136.101 and 8136.102.

23 (b) A district may not issue bonds to finance projects
24 authorized by Section 8136.102 unless the issuance is approved by a
25 vote of a two-thirds majority of the voters of the district voting
26 at an election called for that purpose.

27 (c) Bonds or other obligations issued or incurred to finance

1 projects authorized by Section 8136.102 may not exceed one-fourth
2 of the assessed value of the real property in the district.

3 (d) Sections 49.181 and 49.182, Water Code, do not apply to
4 a project undertaken by a district under Section 8136.102 or to
5 bonds issued by the district to finance the project.

6 SECTION 2. Each district initially includes, respectively,
7 the territory contained in the following areas as indicated:

8 (1) Rockwall County Municipal Utility District No. 6:
9 BEING a tract of land situated in the S.B. Crabtree Survey, Abstract
10 No. 57, M. Crabtree Survey, Abstract No. 61 and the J. Parker
11 Survey, Abstract No. 178, in the Town of Fate, Rockwall County,
12 Texas, and being part of a tract of land described in a deed to Fate
13 Land, L.P., a Texas Limited Partnership, recorded in Volume 02919,
14 Page 00099 of the Deed Records of Rockwall County, Texas
15 (D.R.R.C.T.), and being all of a called 15.004 acre tract of land
16 described in a deed to Fate Land, L.P., recorded in Volume 02859,
17 Page 00029, D.R.R.C.T., and being more particularly described as
18 follows:

19 BEGINNING at a point in the east right-of way line of State Highway
20 No. 66 (60' right-of-way) for the southmost corner of 119.39 acre
21 tract of land described as Tract III in a deed to The Crown Hill
22 Trusts, recorded in Volume 1287, Page 187, D.R.R.C.T., from which a
23 1/2-inch iron rod found is located South 35 degrees 52 minutes 53
24 seconds West, a distance of 0.98 feet, said point also being the
25 west corner of a tract of land described to the City of Fate,
26 recorded in Volume 83, Page 557, D.R.R.C.T.;

27 THENCE North 01 degree 48 minutes 07 seconds West, along the east

1 right-of-way line of State Highway No. 66, a distance of 970.81 feet
2 to a point at the southwest corner of a called 1.00 acre tract of
3 land described in a deed to Johnny C. Gibbs and wife Sandra L. Gibbs
4 recorded in Volume 82, Page 85 of said Deed Records;

5 THENCE North 88 degrees 11 minutes 50 seconds East, along the south
6 line of said Gibbs tract and generally along a fence part-way, a
7 distance of 435.15 feet to a point for the southeast corner of said
8 Gibbs tract;

9 THENCE North 01 degree 48 minutes 10 seconds West, along the east
10 line of said Gibbs tract, a distance of 100.00 feet to a point for
11 the northeast corner thereof;

12 THENCE South 88 degrees 11 minutes 50 seconds West, along the north
13 line of said Gibbs tract and generally along a fence part-way, a
14 distance of 435.15 feet to a point in the east right-of-way line of
15 State Highway No. 66 for the northwest corner of said Gibbs tract;

16 THENCE North 01 degree 48 minutes 07 seconds West, along the east
17 right-of-way line of State Highway No. 66, a distance of 709.10 feet
18 to a point for the beginning of a tangent curve to the right, from
19 which a TxDOT concrete monument is located South 01 degree 48
20 minutes 07 seconds East, a distance of 1.41 feet;

21 THENCE Northeasterly, continuing along the east right-of-way line
22 of State Highway No. 66 and along the curve to the right which has a
23 chord that bears North 16 degrees 29 minutes 34 seconds East for
24 440.72 feet, a central angle of 36 degrees 35 minutes 22 seconds and
25 a radius of 702.00 feet, for an arc distance of 448.30 feet to a
26 point for the end of said curve, from which a TxDot concrete
27 monument is located South 03 degrees 50 minutes 05 seconds West, a

1 distance of 1.41 feet;
2 THENCE North 34 degrees 47 minutes 15 seconds East, continuing
3 along the easterly right-of-way line of State Highway No. 66, a
4 distance of 986.53 feet to a point for the beginning of a tangent
5 curve to the left, from which a TxDOT concrete monument is located
6 South 01 degree 40 minutes 43 seconds East, a distance of 1.69 feet;
7 THENCE Northeasterly, continuing along the easterly right-of-way
8 line of State Highway No. 66 and along the curve to the left which
9 has a chord that bears North 16 degrees 59 minutes 08 seconds East
10 for 486.72 feet, a central angle of 35 degrees 36 minutes 15 seconds
11 and a radius of 796.00 feet, for an arc distance of 494.64 feet to
12 the end of said curve;
13 THENCE North 00 degrees 49 minutes 00 seconds West, along the east
14 right-of-way line of State Highway No. 66, a distance of 1270.15
15 feet to a 1/2-inch iron rod found for the northwest corner of said
16 50.44 acre tract and the southwest corner of Luby Acres, an addition
17 to the Town of Fate according to the plat thereof recorded in
18 Cabinet B, Page 2 of the Map Records of Rockwall County, Texas;
19 THENCE North 88 degrees 12 minutes 44 seconds East, along the south
20 line of Luby Acres, a distance of 1739.21 feet to the southeast
21 corner of said Luby Acres;
22 THENCE North 01 degree 11 minutes 30 seconds West, along the west
23 line of said Fate Land tract, and the east line of said Luby Acres, a
24 distance of 750.20 feet to a 1/2-inch iron rod found for the
25 northeast corner of said Luby Acres;
26 THENCE North 01 degree 20 minutes 58 seconds West, continuing along
27 the west line of said Fate Land tract, a distance of 1327.26 feet to

1 a 1/2-inch iron rod found for the northwest corner thereof;
2 THENCE North 88 degrees 42 minutes 34 seconds East, along the north
3 line of said Fate Land tract, a distance of 2111.82 feet to a point
4 for the northeast corner of said Fate Land tract;
5 THENCE South 01 degree 20 minutes 57 seconds East, a distance of
6 2869.76 feet to a point in the northwest right-of-way of the Union
7 Pacific Railway (100' right-of-way);
8 THENCE South 46 degrees 07 minutes 06 seconds West, along the
9 northwest right-of-way line of the Union Pacific Railway, a
10 distance of 1290.89 feet to a point for corner;
11 THENCE North 89 degrees 57 minutes 29 seconds West, a distance of
12 1167.48 feet to a 5/8-inch iron rod found for corner, said rod being
13 the southeast corner of said 15.004 acre tract;
14 THENCE South 01 degree 11 minutes 30 seconds East, along the east
15 line of said 119.34 acre tract, a distance of 1101.83 feet to a
16 point in the northwest right-of-way line of the Union Pacific
17 Railway (100' right-of-way) for the southeast corner of said 119.34
18 acre tract;
19 THENCE South 46 degrees 07 minutes 06 seconds West, along the
20 northwest line of the Union Pacific Railway, a distance of 2669.57
21 feet to a 1/2-inch iron rod found for the southeast corner of said
22 City of Fate tract;
23 THENCE North 01 degree 44 minutes 40 seconds West, along the east
24 line of said City of Fate tract, a distance of 629.85 feet to a
25 1/2-inch iron rod found for the north corner of said City of Fate
26 tract;
27 THENCE South 35 degrees 52 minutes 53 seconds West, along the

1 northwest line of said City of Fate tract, a distance of 1037.55
2 feet to the POINT OF BEGINNING and containing 15,533,075 square
3 feet, or 356.590 acres of land, more or less.

4 (2) Rockwall County Municipal Utility District No. 7:
5 BEING a tract of land situated in the S.B. CRABTREE SURVEY, ABSTRACT
6 NO. 57, and the D. THEDFORD SURVEY, ABSTRACT NO. 208, and the J.R.
7 BRISCOE SURVEY, ABSTRACT NO. 42, in the City of Fate, Rockwall
8 County, Texas, and being all of a called 64.83 acre tract of land
9 described as Tract IV, and all of a called 64.07 acre tract of land
10 described as Tract V in a deed to The Crown Hill Trusts recorded in
11 Volume 1287, Page 187 of the Deed Records of Rockwall County, Texas,
12 and being more particularly described as follows:

13 BEGINNING at a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087"
14 found in the southwest corner of said 64.83 acres tract and the
15 southeast corner of a called 35.371 acres tract described as South
16 Tract in a deed to Frank C. Slay recorded in Volume 56, Page 93 of
17 said Deed Records, also being a point on the north right-of-way line
18 of Farm-to-Market Road 551;

19 THENCE North 01 degree 31 minutes 16 seconds West, along the common
20 line between said 64.83 acres tract and Slay tract, a distance of
21 1,802.86 feet to a ½-inch iron rod found for the northeast corner of
22 said Slay tract and the northwest corner of said 64.83 acre tract at
23 a point in the southeasterly right-of-way line of said Interstate
24 Highway No. 30 (variable right-of-way);

25 THENCE North 43 degrees 59 minutes 58 seconds East, along the
26 southeasterly line of said Interstate 30, a distance of 471.60 feet
27 to a ½-inch iron rod found for the west corner of a tract of land as

1 described to Suburban Propane, L.P., recorded in Volume 1101, Page
2 046, of said Deed Records;

3 THENCE South 46 degrees 53 minutes 08 seconds East, along the
4 southwest line of said Propane tract, a distance of 147.93 feet to a
5 ½-inch iron rod found for the southwest corner of said propane
6 tract;

7 THENCE North 89 degrees 21 minutes 48 seconds East, along the south
8 line of said Propane tract, a distance of 374.05 feet to a 5/8-inch
9 iron rod found for the southeast corner of said Propane tract;

10 THENCE North 00 degree 57 minutes 34 second West, along the
11 east line of said Propane tract, a distance of 550.63 feet to a
12 5/8-inch iron rod found for the northeast corner of said Propane
13 tract at a point on the southeasterly line of said Interstate 30;

14 THENCE North 43 degrees 59 minutes 58 seconds East, along the
15 southeasterly line of said Interstate 30, a distance of 353.64 feet
16 to a TxDot concrete monument found for corner;

17 THENCE South 88 degrees 14 minutes 04 seconds East, along a cut-back
18 line in said Interstate Highway No. 30 right-of-way, a distance of
19 75.37 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087"
20 found for corner;

21 THENCE North 41 degrees 40 minutes 56 seconds East, continuing
22 along said cut-back, a distance of 25.20 feet to a 1/2-inch iron rod
23 found in the center of Blackland Road, (undedicated public road);

24 THENCE South 53 degrees 28 minutes 01 second East, generally along
25 the center of Blackland Road, a distance of 904.64 feet to a
26 1/2-inch iron rod found for the north corner of a tract of land as
27 described to Macedonia Baptist Church, called 1.04 acres, recorded

1 in Volume 70, Page 224, of said Deed Records;

2 THENCE South 01 degree 25 minutes 24 seconds East, along the west
3 line of said church tract, a distance of 317.23 feet to a 5/8-inch
4 iron rod with cap marked "PETITT-RPLS 4087" found for the south
5 corner of said church tract;

6 THENCE North 67 degrees 25 minutes 06 seconds East, along the
7 south line of said church tract, a distance of 306.42 feet to a
8 5/8-inch iron rod found in the center of said Black land Road for
9 the east corner of said church tract;

10 THENCE South 52 degrees 54 minutes 18 seconds East, along the
11 northeasterly boundary of said 64.07 acre tract and along generally
12 along the center of Blackland Road, a distance of 669.01 feet to a
13 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for an
14 angle point, from which a 5/8-inch iron rod found is located South
15 60 degrees 57 minutes 12 seconds West, a distance of 23.88 feet;

16 THENCE South 45 degrees 33 minutes 23 seconds East, continuing
17 along the northeasterly boundary of said 64.07 acre tract and
18 generally along the center of Blackland Road, a distance of
19 1,690.88 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS
20 4087" found at center of Greenbriar Road (undedicated public road);

21 THENCE South 45 degrees 21 minutes 04 seconds West, generally along
22 the center of Greenbriar Road, a distance of 775.91 feet to a
23 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for an
24 angle point;

25 THENCE South 88 degrees 24 minutes 03 seconds West, continuing
26 generally along the center of Greenbriar Road, a distance of
27 1,421.23 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS

1 4087" found in the east line of a called 10.00 acre tract of land
2 described in a deed to Curtis M. Brunson and wife Nelda Brunson
3 recorded in Volume 138, Page 797 of said Deed Records;

4 THENCE North 01 degree 25 minutes 24 seconds West, along the east
5 line of said Brunson tract, a distance of 2,037.61 feet to a
6 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found in the
7 general center of a ditch for corner;

8 THENCE South 54 degrees 02 minutes 46 seconds West, generally along
9 the center of said ditch and along the north line of said Brunson
10 tract and the north line of a called 4.788 acre tract of land
11 described in a deed to Curtis M. Brunson recorded in Volume 130,
12 page 710 of said Deed Records, a distance of 461.00 feet to an angle
13 point;

14 THENCE South 30 degrees 55 minutes 20 seconds West, continuing
15 generally along the center of said ditch and along the westerly
16 north line of said 4.788 acre tract, the north line of a called
17 5.3801 acre tract described in a deed to Todd Winters recorded in
18 Volume 1571, Page 301 of said Deed Records, the north line of a
19 called 5.02 acre tract described in a deed to David W. Wright and
20 wife Linda Wright recorded in Volume 85, Page 144 of said Deed
21 Records, and the north line of a called 4.02 acre tract described in
22 a deed to David W. Wright and wife Linda Wright recorded in Volume
23 91, Page 442 of said Deed Records, a distance of 1,803.25 feet to a
24 1/2-inch iron rod found for corner;

25 THENCE South 00 degrees 25 minutes 35 seconds East, along the west
26 line of said Wright 4.02 acre tract, a distance of 176.50 feet to a
27 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found in the

1 north right-of-way line of said F. M. Road 551;
2 THENCE North 89 degrees 49 minutes 50 seconds West, along the north
3 right-of-way line of F. M. Road 551, a distance of 526.99 feet to
4 the POINT OF BEGINNING and containing 5,653,805 square feet or
5 129.794 acres of land, more or less.

6 (3) Rockwall County Municipal Utility District No. 8:
7 BEING a tract of land situated in the R. B. IRVINE SURVEY, ABSTRACT
8 NO. 120, and the J. HODGES SURVEY, ABSTRACT NO. 103, in the City of
9 Fate, Rockwall County, Texas, and being part of a called 1074.12
10 acre tract of land as described to Fate Land, LP, recorded in Volume
11 02919, Page 00099 of the Deed Records of Rockwall County, Texas, and
12 also in County Clerks File No. 00275581, of said Deed Records, and
13 being more particularly described as follows:

14 BEGINNING at a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087"
15 found for the southwest corner of a 348.201 acres tract of land as
16 described in deed from Fate Land, LP to PRA/Fate Development,
17 Corp., recorded in Volume 02919, Page 00188, Deed Records, Rockwall
18 County, Texas, said rod also being in the approximate center of Ben
19 Payne Road (undedicated public road) intersecting at a point on the
20 north right-of-way line of State Highway No. 66 (60' right-of-way);
21 THENCE along a curve to the right and being on the north
22 right-of-way line of said State Highway No. 66, which has a chord
23 that bears South 87 degrees 46 minutes 18 seconds West for 64.15
24 feet, a central angle of 01 degree 57 minutes 18 seconds and a
25 radius of 1880.00 feet, for an arc distance of 64.15 feet to a TxDOT
26 concrete monument found for the end of said curve;
27 THENCE South 88 degrees 44 minutes 57 seconds West, continuing

1 along the north right-of-way line of State Highway No. 66, a
2 distance of 239.33 feet to a 5/8-inch iron rod with cap marked
3 "PETITT-RPLS 4087" found for the southeast corner of a tract of land
4 described in a deed to Cash Water Supply Corporation recorded in
5 Volume 161, Page 393 of said Deed Records;

6 THENCE North 01 degree 15 minutes 03 seconds West, along the east
7 line of said Cash tract, a distance of 53.11 feet to a 5/8-inch iron
8 rod with cap marked "PETITT-RPLS 4087" found for the northeast
9 corner of said Cash tract;

10 THENCE South 88 degrees 44 minutes 57 seconds West, along the north
11 line of said Cash tract and the north line of a called 0.057 acre
12 tract of land described in a deed to North Texas Municipal Water
13 Supply Corporation recorded in Volume 59, Page 19 of said Deed
14 Records, a distance of 100.00 feet to a 5/8-inch iron rod with cap
15 marked "PETITT-RPLS 4087" found for the northwest corner of said
16 North Texas tract;

17 THENCE South 01 degree 15 minutes 03 seconds East, along the west
18 line of said North Texas tract, a distance of 53.11 feet to a
19 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found in the
20 north right-of-way line of State Highway No. 66 for the southwest
21 corner of said North Texas tract;

22 THENCE South 88 degrees 44 minutes 57 seconds West, along the north
23 right-of-way line of State Highway No. 66, a distance of 643.53 feet
24 to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for
25 the southeast corner of a called 2.0 acre tract of land described in
26 a deed to Gerald Lindsey Payne recorded in Volume 74, Page 358 of
27 said Deed Records;

1 THENCE North 01 degree 06 minutes 53 seconds West, along the east
2 line of said Payne tract, passing at a distance of 5.58 feet a
3 1/2-inch iron rod found, a distance of 422.68 feet to a 5/8-inch
4 iron rod with cap marked "PETITT-RPLS 4087" found for the northeast
5 corner of said Payne tract;

6 THENCE South 88 degrees 21 minutes 05 seconds West, along the north
7 line of said Payne tract, a distance of 8.33 feet for corner;

8 THENCE North 01 degree 55 minutes 01 second West, a distance of
9 100.00 feet to a corner;

10 THENCE South 88 degrees 21 minutes 05 seconds West, a
11 distance of 100.00 feet for corner;

12 THENCE North 01 degree 55 minutes 01 second West, a distance of
13 400.00 feet to a corner;

14 THENCE South 88 degrees 21 minutes 05 seconds West, a distance of
15 100.00 feet for corner at a point on the east line of a called 54
16 acre tract of land described in a deed to William G. A. Stevenson
17 recorded in Volume 162, Page 625, Deed Records, Rockwall County,
18 Texas;

19 THENCE North 01 degree 55 minutes 01 second West, along the east
20 line of said Stevenson tract, a distance of 736.10 feet to a
21 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for the
22 northeast corner of said Stevenson tract;

23 THENCE South 88 degrees 46 minutes 28 seconds West, along the north
24 line of said Stevenson tract, a distance of 1856.29 feet to a point
25 in the center of a creek;

26 THENCE along the center of said creek as follows:

27 North 00 degrees 35 minutes 20 seconds East, a distance of 647.00

1 feet ;
2 North 05 degrees 03 minutes 21 seconds West, a distance of 374.71
3 feet ;
4 North 03 degrees 31 minutes 09 seconds East, a distance of 571.38
5 feet to a corner ;
6 North 44 degrees 54 minutes 58 seconds East, a distance of 279.47
7 feet to a point on the common north line of said IRVINE SURVEY and
8 the south line of the NORVELL SURVEY, ABSTRACT NO. 170, and also
9 being the southwest corner of a called 231.5198 acres tract of land
10 as described in a deed to Kenneth Baker and Cara L. Baker, husband
11 and wife, recorded in Volume 948, Page 70, of said Deed Records ;
12 THENCE North 89 degrees 22 minutes 49 seconds East, along the common
13 line of said survey's, and the south line of said Baker tract, a
14 distance of 2879.38 feet to a 5/8-inch iron rod with cap marked
15 "PETITT-RPLS 4087" found in the center of a public road known as Ben
16 Payne Road (undedicated right-of-way) for the southeast corner of
17 said Baker tract ;
18 THENCE North 00 degrees 52 minutes 17 seconds West, along the most
19 southerly east line of said Baker tract and along the center of said
20 public road, a distance of 1030.54 feet to a 5/8-inch iron rod with
21 cap marked "PETITT-RPLS 4087" found for the southwest corner of a
22 1.571 acre tract of land described in a deed to Marjorie Elane
23 Wheeler recorded in Volume 0846, Page 033 of said Deed Records ;
24 THENCE North 89 degrees 05 minutes 33 seconds East, along the south
25 line of said Wheeler tract, the south line of a tract of land
26 described in a deed to Elmer T. Campbell and Reesie W. Campbell
27 recorded in Volume 61, Page 132 of said Deed Records, the south line

1 of tract of land described in a deed to Loretta Cameron recorded in
2 Volume 104, Page 917 of said Deed Records, the south line of a 3.77
3 acre tract of land described in a deed to Kelli J. Love and Jim C.
4 Love recorded in Volume 1104, Page 132 of said Deed Records and the
5 south line of a called 31.009 acre tract of land described in a deed
6 to Charles R. Noland and wife Janna D. Noland recorded in Volume
7 531, Page 176 of said Deed Records, and generally along the center
8 of a public road, a distance of 1055.55 feet to a 5/8-inch iron rod
9 with cap marked "PETITT-RPLS 4087" found for the corner at a point
10 on the west line of said PRA/Fate Development tract, and a point on
11 the south line of said Noland tract;

12 THENCE along the west line of said PRA/Fate Development tract the
13 following courses:

14 South 02 degrees 08 minutes 40 seconds West, a distance of 102.52
15 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
16 found for corner;

17 South 11 degrees 44 minutes 05 seconds East, a distance of 130.00
18 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
19 found for corner;

20 South 23 degrees 00 minutes 18 seconds East, a distance of 100.00
21 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
22 found for corner;

23 South 36 degrees 28 minutes 24 seconds East, a distance of 260.00
24 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
25 found for corner;

26 South 07 degrees 41 minutes 36 seconds East, a distance of 250.00
27 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"

1 found for corner;
2 South 27 degrees 30 minutes 52 seconds East, a distance of 185.00
3 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
4 found for corner;
5 South 00 degrees 27 minutes 43 seconds East, a distance of 125.00
6 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
7 found for corner;
8 South 25 degrees 36 minutes 22 seconds East, a distance of 450.00
9 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
10 found for corner;
11 South 14 degrees 12 minutes 57 seconds East, a distance of 350.00
12 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
13 found for corner;
14 South 22 degrees 45 minutes 44 seconds East, a distance of 270.00
15 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
16 found for corner;
17 South 15 degrees 19 minutes 35 seconds East, a distance of 555.00
18 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
19 found for corner;
20 South 44 degrees 21 minutes 08 seconds East, a distance of 100.00
21 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
22 found for corner;
23 South 13 degrees 19 minutes 35 seconds East, a distance of 49.11
24 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
25 found for the beginning of a non-tangent curve to the right;
26 Southwesterly, along said non-tangent curve to the right which has
27 a chord that bears South 83 degrees 25 minutes 03 seconds West for

1 380.07 feet, a central angle of 10 degrees 38 minutes 17 seconds and
2 a radius of 2050.00 feet, for an arc distance of 380.62 feet to a
3 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" found for the
4 end of said curve;

5 South 88 degrees 44 minutes 11 seconds West, a distance of 1573.02
6 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
7 found for an ell corner on the west line of said PRA/Fate
8 Development tract;

9 South 01 degree 15 minutes 49 seconds East, along the general center
10 of said Ben Payne Road, a distance of 1660.93 feet to a the POINT OF
11 BEGINNING and containing 11,566,723 square feet or 265.535 acres of
12 land.

13 (4) Rockwall County Municipal Utility District No. 9:
14 BEING a tract of land situated in the J. GARDENSHIRE SURVEY,
15 ABSTRACT NO. 95, and the J. MCKINNEY SURVEY, ABSTRACT NO. 151, in
16 the City of Fate, Rockwall County, Texas, and being part of a called
17 1074.12 acres tract of land as described in a deed to Fate Land, LP,
18 recorded in Volume 02919, Page 00099 of the Deed Records of Rockwall
19 County, Texas, and being more particularly described as follows:

20 BEGINNING at a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087"
21 found at the intersection of the west right-of-way line of State
22 Highway No. 66 (60' right-of-way) with the center line of Prince
23 Lane (undedicated public road), said point being the northeast
24 corner of said 1074.12 acres tract and the southeast corner of a
25 tract of land described in a deed to Tommy J. Woods recorded in
26 Volume 899, Page 231 of said Deed Records;

27 THENCE South 00 degrees 49 minutes 00 seconds East, along the west

1 right-of-way line of State Highway No. 66, a distance of 1642.72
2 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found
3 for corner;
4 THENCE South 89 degrees 11 minutes 00 seconds West, a distance of
5 1660.59 feet to the beginning of a tangent curve to the left;
6 THENCE Southwesterly, along said tangent curve to the left which
7 has a chord that bears South 53 degrees 38 minutes 35 seconds West
8 for 1743.93 feet, a central angle of 71 degrees 05 minutes 08
9 seconds and a radius of 1500.00 feet, for an arc distance of 1861.02
10 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found
11 for the northeast corner of a tract of land as described in a deed to
12 PRA/Fate Development, Corp., recorded in Volume 02919, Page 00188,
13 of said Deed Records;
14 THENCE South 89 degrees 03 minutes 45 seconds West, along the north
15 line of said PRA/Fate Development tract, a distance of 2420.13 feet
16 to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for
17 corner at a point on the west line of a called 31.009 acre tract of
18 land described in a deed to Charles R. Noland and wife Janna D.
19 Noland recorded in Volume 531, Page 176 of said Deed Records, said
20 found rod also being the northwest corner of said PRA/Fate
21 Development tract;
22 THENCE North 01 degree 03 minutes 22 seconds West, along the east
23 line of said Noland tract, a distance of 649.48 feet to a 1-inch
24 iron pipe found in the south line of a called 311.550 acre tract of
25 land described as Tract B in a deed to Jessie Elizabeth Mills and
26 John C. Mills Jr. as Trustees for the Mills Family Trust, for the
27 northeast corner of said Noland tract;

1 THENCE North 87 degrees 52 minutes 37 seconds East, along the south
2 line of said Mills tract and generally along a fence, a distance of
3 225.97 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS
4 4087" found for the southeast corner of said Mills tract;

5 THENCE North 00 degrees 46 minutes 11 seconds West, along the east
6 line of said Mills tract, a distance of 666.10 feet to a 5/8-inch
7 iron rod found for the southwest corner of a called 20.00 acre tract
8 of land described in a deed to Otis Cox or Mildred Cox, Trustees or
9 their successors in trust, recorded in Volume 715, Page 118, Deed
10 Records, Rockwall County, Texas;

11 THENCE North 88 degrees 56 minutes 38 seconds East, along the south
12 line of said 20.00 acre Cox tract and the south line of a called
13 20.02 acre tract of land described in a deed to Otis Cox or Mildred
14 Cox, Trustees or their successors in trust, Volume 715, Page 121,
15 Deed Records, Rockwall County, Texas, a distance of 1319.97 feet to
16 a 1/2-inch iron rod found for the southeast corner of said 20.02
17 acre Cox tract;

18 THENCE North 01 degree 47 minutes 08 seconds West, along the east
19 line of said 20.02 acre Cox tract, a distance of 1328.53 feet to a
20 1/2-inch iron rod found in the south line of a called 5.076 acre
21 tract of land described in a deed to Nicolas Livaudais and wife
22 Sylvia Livaudais recorded in Volume 1860, Page 157 of said Deed
23 Records for the northeast corner of said 20.02 acre Cox tract;

24 THENCE North 89 degrees 05 minutes 00 seconds East, along the south
25 line of said Livaudais tract and generally along the center of
26 Prince Lane, a distance of 3978.54 feet to the POINT OF BEGINNING
27 and containing 9,668,333 square feet, or 221.95 acres of land, more

1 or less.

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

9 (b) The governor, one of the required recipients, has
10 submitted the notice and Act to the Texas Commission on
11 Environmental Quality.

12 (c) The Texas Commission on Environmental Quality has filed
13 its recommendations relating to this Act with the governor, the
14 lieutenant governor, and the speaker of the house of
15 representatives within the required time.

16 (d) All requirements of the constitution and laws of this
17 state and the rules and procedures of the legislature with respect
18 to the notice, introduction, and passage of this Act are fulfilled
19 and accomplished.

20 SECTION 4. This Act takes effect immediately if it receives
21 a vote of two-thirds of all the members elected to each house, as
22 provided by Section 39, Article III, Texas Constitution. If this
23 Act does not receive the vote necessary for immediate effect, this
24 Act takes effect September 1, 2005.