

By: Deuell

S.B. No. 515

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Sunrise Municipal Utility District of Hunt County; 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 8107 to read as follows:

CHAPTER 8107. SUNRISE MUNICIPAL UTILITY DISTRICT OF HUNT COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8107.001. DEFINITIONS. In this chapter:

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

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

(3) "District" means the Sunrise Municipal Utility District of Hunt County.

Sec. 8107.002. NATURE OF DISTRICT. The district is a municipal utility district in Hunt County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution. The district is created to serve a public use and benefit.

Sec. 8107.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8107.023 before September 1, 2007:

(1) the district is dissolved September 1, 2007,

1 except that:

2 (A) any debts incurred shall be paid;

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

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

8 (2) this chapter expires September 1, 2010.

9 Sec. 8107.004. INITIAL DISTRICT TERRITORY. (a) The  
10 district is initially composed of the territory described by  
11 Section 2 of the Act creating this chapter.

12 (b) The boundaries and field notes contained in Section 2 of  
13 the Act creating this chapter form a closure. A mistake made in the  
14 field notes or in copying the field notes in the legislative process  
15 does not affect:

16 (1) the organization, existence, or validity of the  
17 district;

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

19 (3) the legality or operation of the board.

20 Sec. 8107.005. APPLICABILITY OF OTHER LAW. Except as  
21 otherwise provided by this chapter, all applicable laws including  
22 the following laws apply to the district:

23 (1) Chapters 49 and 54, Water Code; and

24 (2) Chapter 257, Transportation Code, and other  
25 general laws applicable to road districts created under Section 52,  
26 Article III, Texas Constitution, to the extent those provisions can  
27 apply to the district.

1       Sec. 8107.006. PROHIBITION AGAINST IMPAIRMENT OF DISTRICT.

2       A county in which the district is located or a municipality in whose  
3       extraterritorial jurisdiction the district is located may not adopt  
4       an ordinance or resolution or take any other action that:

5               (1) impairs the ability of the district to exercise  
6       its powers under this chapter or other law; or

7               (2) limits the ability of the district to finance,  
8       construct, or operate its water, wastewater, drainage, or road  
9       systems.

10       [Sections 8107.007-8107.020 reserved for expansion]

11               SUBCHAPTER A1. TEMPORARY PROVISIONS

12       Sec. 8107.021. TEMPORARY DIRECTORS. (a) The temporary  
13       board consists of:

14               (1) Eugene Bragg Smith III;

15               (2) Christopher M. Cook;

16               (3) Roger Lee Andres;

17               (4) Joseph John Radecki; and

18               (5) David Ian Rouble.

19       (b) If a temporary director fails to qualify for office, the  
20       temporary directors who have qualified shall appoint a person to  
21       fill the vacancy. If at any time there are fewer than three  
22       qualified temporary directors, the Texas Commission on  
23       Environmental Quality shall appoint the necessary number of persons  
24       to fill all vacancies on the board.

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

26               (1) the date directors are elected under Section  
27       8107.023; or

1           (2) the date this chapter expires under Section  
2 8107.003.

3           Sec. 8107.022. ORGANIZATIONAL MEETING OF TEMPORARY  
4 DIRECTORS. As soon as practicable after all the temporary  
5 directors have qualified under Section 49.055, Water Code, the  
6 temporary directors shall convene the organizational meeting of the  
7 district at a location in the district agreeable to a majority of  
8 the directors. If a location cannot be agreed upon, the  
9 organizational meeting shall be at the Hunt County Courthouse.

10           Sec. 8107.023. CONFIRMATION AND INITIAL DIRECTORS'  
11 ELECTION. The temporary directors shall hold an election to  
12 confirm the creation of the district and to elect five directors as  
13 provided by Section 49.102, Water Code.

14           Sec. 8107.024. INITIAL ELECTED DIRECTORS; TERMS. The  
15 directors elected under Section 8107.023 shall draw lots to  
16 determine which two shall serve until the first regularly scheduled  
17 election of directors under Section 8107.052 and which three shall  
18 serve until the second regularly scheduled election of directors.

19           Sec. 8107.025. EXPIRATION OF SUBCHAPTER. This subchapter  
20 expires September 1, 2010.

21           [Sections 8107.026-8107.050 reserved for expansion]

22                   SUBCHAPTER B. BOARD OF DIRECTORS

23           Sec. 8107.051. DIRECTORS; TERMS. (a) The district is  
24 governed by a board of five directors.

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

26           Sec. 8107.052. ELECTION OF DIRECTORS. On the uniform  
27 election date in May of each even-numbered year, the appropriate

1 number of directors shall be elected.

2 [Sections 8107.053-8107.100 reserved for expansion]

3 SUBCHAPTER C. POWERS AND DUTIES

4 Sec. 8107.101. ROAD PROJECTS. (a) The district may  
5 construct, acquire, improve, maintain, or operate macadamized,  
6 graveled, paved, or concreted streets, roads, or turnpikes, or  
7 improvements in aid of those streets, roads, or turnpikes,  
8 including bridges, inside or outside the district.

9 (b) The improvements may include drainage or landscaping  
10 improvements, lights, signs, signals, sidewalks, or hiking or  
11 biking trails that are incidental to the roads or turnpikes and  
12 their construction, maintenance, or operation.

13 (c) A project authorized by this section must meet only the  
14 construction standards adopted by the North Central Texas Council  
15 of Governments, or its successor agency.

16 (d) The district may, following approval of a construction  
17 contract by the board, reimburse expenditures as provided by  
18 Sections 257.003(a) and (b), Transportation Code, without any  
19 additional approval under Section 257.003, Transportation Code.

20 Sec. 8107.102. JOINT ROAD PROJECTS. A district contract  
21 for a joint project with a state agency, a political subdivision, or  
22 a corporation created under Chapter 431, Transportation Code, may:

23 (1) provide for joint payment of project costs; or

24 (2) require the state agency or political subdivision  
25 to design, construct, or improve a project, including landscaping  
26 for the project, as provided by the contract.

27 Sec. 8107.103. ROAD CONTRACTS. The district may contract

1 for a road project in the same manner as a road district under  
2 Chapter 257, Transportation Code, except that competitive bidding  
3 for a contract is governed by Subchapter I, Chapter 49, Water Code.

4 Sec. 8107.104. WATER CONTROL AND STORAGE PROJECTS. (a) The  
5 district may construct, acquire, improve, enlarge, extend, repair,  
6 or maintain dams, levees, walls, dikes, embankments, canals,  
7 reservoirs, lakes, or other improvements as necessary to control,  
8 store, or preserve water in the district for any useful purpose.

9 (b) The district may overflow and inundate public lands and  
10 other public property in the district.

11 (c) A project authorized by this section is subject to all  
12 applicable permitting and regulatory requirements.

13 Sec. 8107.105. CERTIFICATE OF CONVENIENCE AND NECESSITY.

14 (a) The district may pay out of bond proceeds or other available  
15 district money all expenses, including legal, engineering, and  
16 other fees, related to obtaining a new certificate of convenience  
17 and necessity under Chapter 13, Water Code, authorizing the  
18 district to provide retail water or sewer service inside or outside  
19 the district.

20 (b) The district may pay out of bond proceeds or other  
21 available district money all expenses, including the purchase  
22 price, related to acquiring certificate of convenience and  
23 necessity rights from another retail public utility to allow the  
24 district to provide retail water or sewer service in the district.

25 Sec. 8107.106. CONTRACT WITH POLITICAL SUBDIVISION FOR  
26 WATER OR SEWER SERVICES. (a) The district may enter into a  
27 contract to allow a political subdivision to provide retail water

1 or sewer service in the district. The contract may contain terms  
2 the board considers desirable, fair, and advantageous to the  
3 district.

4 (b) The contract may provide that the district will  
5 construct or acquire and convey to the political subdivision a  
6 water supply or treatment system, a water distribution system, or a  
7 sanitary sewage collection or treatment system, as necessary to  
8 provide water or sewer service in the district.

9 (c) The district may use bond proceeds or other available  
10 district money to pay for its obligations and for services and  
11 facilities provided under the contract.

12 (d) If the contract requires the district to make payments  
13 from taxes other than operation and maintenance taxes, the contract  
14 is subject to Section 49.108, Water Code.

15 Sec. 8107.107. EMINENT DOMAIN. The district may acquire by  
16 condemnation any land, easements, or other property, inside or  
17 outside the district boundaries, for any district project or  
18 purpose.

19 [Sections 8107.108-8107.150 reserved for expansion]

20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

21 Sec. 8107.151. OPERATION AND MAINTENANCE TAX. (a) The  
22 district may impose a tax for any district operation and  
23 maintenance purpose in the manner provided by Section 49.107, Water  
24 Code.

25 (b) Section 49.107(f), Water Code, does not apply to  
26 reimbursements for projects constructed or acquired under Section  
27 8107.101.

1       Sec. 8107.152. TAX TO REPAY BONDS. The district may impose  
2 a tax to pay the principal of and interest on bonds issued under  
3 Section 8107.201.

4       [Sections 8107.153-8107.200 reserved for expansion]

5                               SUBCHAPTER E. BONDS

6       Sec. 8107.201. AUTHORITY TO ISSUE BONDS AND OTHER  
7 OBLIGATIONS; TAX. (a) The district may issue bonds or other  
8 obligations as provided by Chapters 49 and 54, Water Code, and to  
9 finance:

10               (1) the construction, maintenance, or operation of  
11 projects under Sections 8107.101, 8107.102, and 8107.104; or

12               (2) the district's contractual obligations under  
13 Section 8107.106.

14       (b) The district may not issue bonds or other obligations  
15 secured in whole or in part by ad valorem taxation to finance  
16 projects authorized by Section 8107.101 or 8107.102 unless the  
17 issuance is approved by a vote of a two-thirds majority of the  
18 voters of the district voting at an election called for that  
19 purpose.

20       (c) Bonds or other obligations issued or incurred to finance  
21 projects authorized by Section 8107.101 or 8107.102 may not exceed  
22 one-fourth of the assessed value of the real property in the  
23 district.

24       (d) Sections 49.181 and 49.182, Water Code, do not apply to  
25 a project undertaken by the district under Section 8107.101 or  
26 8107.102 or to bonds issued by the district to finance the project.

27       [Sections 8107.202-8107.250 reserved for expansion]



1        SUBCHAPTER F. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

2        Sec. 8107.251. DIVISION OF DISTRICT; REQUIREMENTS. (a) At  
3 any time before the district issues indebtedness secured by taxes  
4 or net revenues, the district, including any annexed territory, may  
5 be divided into two or more new districts.

6        (b) A new district created by division of the district must  
7 be at least 100 acres.

8        (c) The board may consider a proposal to divide the district  
9 on:

10            (1) a petition of a landowner in the district; or

11            (2) a motion by the board.

12        (d) If the board decides to divide the district, the board  
13 shall:

14            (1) set the terms of the division, including names for  
15 the new districts and a plan for the payment or performance of any  
16 outstanding district obligations; and

17            (2) prepare a metes and bounds description for each  
18 proposed district.

19        Sec. 8107.252. ELECTION FOR DIVISION OF DISTRICT. (a)  
20 After the board has complied with Section 8107.251(d), the board  
21 shall hold an election in the district to determine whether the  
22 district should be divided as proposed.

23        (b) The board shall give notice of the election not later  
24 than the 20th day before the date of the election. The notice must  
25 state:

26            (1) the date and location of the election; and

27            (2) the proposition to be voted on.

1        (c) If a majority of the votes are cast in favor of the  
2 division:

3            (1) the district shall be divided; and

4            (2) not later than the 30th day after the date of the  
5 election, the district shall provide written notice of the division  
6 to:

7                    (A) the Texas Commission on Environmental  
8 Quality;

9                    (B) the attorney general;

10                   (C) the commissioners court of each county in  
11 which a new district is located; and

12                   (D) any municipality having extraterritorial  
13 jurisdiction over territory in each new district.

14        (d) If a majority of the votes are not cast in favor of the  
15 division, the district may not be divided.

16        Sec. 8107.253. ELECTION OF DIRECTORS OF NEW DISTRICTS. (a)  
17 Not later than the 90th day after the date of an election in favor of  
18 the division of the district, the board shall:

19            (1) appoint itself as the board of one of the new  
20 districts; and

21            (2) appoint five directors for each of the other new  
22 districts.

23        (b) Directors appointed under Subsection (a)(1) serve the  
24 staggered terms to which they were elected in the original  
25 district. Directors appointed under Subsection (a)(2) serve until  
26 the election for directors under Subsection (c).

27        (c) On the uniform election date in May of the first

1 even-numbered year after the year in which the directors are  
2 appointed, an election shall be held to elect five directors in each  
3 district for which directors were appointed under Subsection  
4 (a)(2). The directors shall draw lots to determine which two shall  
5 serve two-year terms and which three shall serve four-year terms.

6 (d) Except as provided by Subsection (c), directors serve  
7 staggered four-year terms. On the uniform election date in May of  
8 each even-numbered year, the appropriate number of directors shall  
9 be elected.

10 Sec. 8107.254. CONTINUING POWERS AND OBLIGATIONS OF NEW  
11 DISTRICTS. (a) Each new district may incur and pay debts and has  
12 all powers of the original district created by this chapter.

13 (b) If the district is divided as provided by this  
14 subchapter, the current obligations and any bond authorizations of  
15 the district are not impaired. Debts shall be paid by revenues or  
16 by taxes or assessments imposed on real property in the district as  
17 if the district had not been divided or by contributions from each  
18 new district as stated in the terms set by the board under Section  
19 8107.251(d).

20 (c) Any other district obligation shall be divided pro rata  
21 among the new districts on an acreage basis or on other terms that  
22 are satisfactory to the new districts.

23 Sec. 8107.255. CONTRACT AUTHORITY OF NEW DISTRICTS. The new  
24 districts may contract with each other for:

- 25 (1) water and wastewater services; or  
26 (2) any other matter the boards of the new districts  
27 consider appropriate.

1 SECTION 2. The district initially includes all the  
2 territory contained in the following described area:

3 Being a 1317.28 acre tract of land situated in the J.C. Newell  
4 Survey, Abstract number 794, W.L. Burton Survey, Abstract number  
5 52, John Montgomery Survey, Abstract number 701, Jas. A. Jones  
6 Survey, Abstract number 545, J.M. Rush Survey, Abstract number 894,  
7 and the J. McAdams Survey, Abstract number 652, County of Hunt and  
8 being a portion of a called 1,592.369 acre tract of land as  
9 described in deed to JRC/Quinlan Ranch LTD. As recorded in Volume  
10 438, Page 356 of the Deed Records of Hunt County, Texas, said  
11 1,425.22 acre tract being more particularly described as follows:

12 BEGINNING at a point in the north line of a called 1592.369 acre  
13 tract of land as described in deed to JRC/Quinlan Ranch, Ltd. as  
14 recorded in Volume 438, Page 356 of said Deed Records, and in the  
15 south right of way line of State Highway 276 (a variable width  
16 right-of-way), said point being the northeast corner of this tract;  
17 THENCE South 00°23'07" East, leaving north line of said JCR/Quinlan  
18 Ranch tract and south right of way line of said State Highway 276, a  
19 distance of 4968.81 feet to a point for corner in the north line of a  
20 called 72.5 acre tract of land as described in deed to Renshaw  
21 Revocable Living Trust as recorded in Volume 317, Page 807 of said  
22 Deed Records, from which a 3/4" found iron pipe bears North  
23 89°36'53" West, a distance of 845.21 feet;

24 THENCE South 89°36'53" West, along the north line of said called  
25 72.5 acre tract, a distance of 688.12 feet to a 3/4 inch iron pipe  
26 found for the northwest corner of said called 72.5 acre tract;

27 THENCE South 00°23'07" East, along the west line of said called 72.5

1 acre tract, a distance of 2057.78 feet to a 5/8 inch iron rod set  
2 with yellow plastic cap stamped "COTTON SURVEYING" for the  
3 southwest corner of said called 72.5 acre tract and being in the  
4 north line of a called 36.63 acre tract of land as described in deed  
5 to Szabo as recorded in Volume 194, Page 55 of said Deed Records,  
6 said iron rod also being in the approximate centerline of said  
7 County Road 2300 and having a 3/8 inch iron pipe which bears North  
8 10°02'50" West, a distance of 21.03 feet;

9 THENCE South 89°20'30" West, along the north line of called 36.63  
10 acre tract of land and the approximate centerline of said County  
11 Road 2300, a distance of 369.89 feet to a 1/2 inch iron rod found for  
12 the northwest corner of said called 36.63 acre tract and the  
13 northeast corner of a called 29.992 acre tract of land as described  
14 in deed to Clounts as recorded in Volume 194, Page 58 of said Deed  
15 Records;

16 THENCE South 89°36'46" West, along the north line of said called  
17 29.992 acre tract, passing the northwest corner of said called  
18 29.992 acre tract and the northeast corner of a called 11.927 acre  
19 tract of land as described in deed to Szabo as recorded in Volume  
20 194, Page 53 of said Deed Records, in all a total distance of  
21 2036.12 feet to a fence corner post found for the northwest corner  
22 of said called 11.927 acre tract;

23 THENCE South 01°27'54" West, along the west line of said called  
24 29.992 acre tract, passing a 5/8 inch iron rod found at a distance  
25 of 832.00 feet, in all a total distance of 858.86 feet to a 5/8 inch  
26 iron rod found for the southwest corner of said called 11.927 acre  
27 tract, and being in the north line of a called 12.627 acre tract of

1 land as described in deed to Kirby as recorded in Volume 477, Page  
2 337 of said Deed Records and being in the approximate centerline of  
3 said County Road 2300;

4 THENCE North 89°45'20" West, along the north line of said called  
5 12.627 acre tract and along the approximate centerline of said  
6 County Road 2300, passing the northwest corner of said called  
7 12.627 acre tract and the northeast corner of a called 24.5 acre  
8 tract of land as described in deed to Parks as recorded in Volume  
9 957, Page 221 of said Deed Records, in all a total distance of  
10 909.16 feet to a 5/8 inch iron rod set with yellow plastic cap  
11 stamped "COTTON SURVEYING" for the northwest corner of said called  
12 24.5 acre tract and the northeast corner of a called 6.4194 acre  
13 tract of land as described in deed to Dewey as recorded in Volume  
14 378, Page 315 of said Deed Records;

15 THENCE North 87°56'19" West, along the north line of said called  
16 6.4194 acre tract, a distance of 615.35 feet to a 5/8 inch iron rod  
17 set with yellow plastic cap stamped "COTTON SURVEYING" for the  
18 northwest corner of said called 6.4194 acre tract and the northeast  
19 corner of a called 270.921 acre tract of land as described in deed  
20 to Young as recorded in Volume 692, Page 50 of said Deed Records;

21 THENCE South 89°11'14" West, along the north line of said called  
22 270.921 acre tract, a distance of 2905.80 feet to a 3/8 inch iron  
23 rod found for the northwest corner of said called 270.921 acre tract  
24 and being in the east line of Lot 19 of Whispering Oaks Subdivision,  
25 Phase I, an addition to Hunt County, Texas, according to the map or  
26 plat thereof recorded in Cabinet C, Slide 304 of the Hunt County  
27 Plat Records;

1 THENCE North 00°03'37" West, along the east line of said Lot 19, a  
2 distance of 504.00 feet to a 5/8 inch iron rod set with yellow  
3 plastic cap stamped "COTTON SURVEYING" for the northeast corner of  
4 said Lot 19, said iron rod being North 83°34'30" East, a distance of  
5 55.79 feet from a 1/2 inch iron rod found;

6 THENCE North 89°18'29" West, along the north line of said Lot 19,  
7 passing the northwest corner of said Lot 19 and the northernmost  
8 northeast corner of Lot 20 of said Phase I, a distance of 1460.68  
9 feet to a 3/4 inch iron pipe found for the southeast corner of a  
10 called 80.37 acre tract of land as described in deed to Harry  
11 Epperson and Joan Epperson, Trustees as recorded in Volume 144,  
12 Page 646 of said Deed Records, said pipe also being North 89°53'43"  
13 East, a distance of 111.37 feet from a 5/8 inch iron rod found for  
14 the northwest corner of said Lot 20;

15 THENCE North 00°03'47" East, along the east line of said called  
16 80.37 acre tract, a distance of 2568.29 feet to a 1/2 inch iron rod  
17 found for the northeast corner of said called 80.37 acre tract and  
18 the southeast corner of a called 78.67 acre tract of land as  
19 described in deed to JRC/Quinlan Ranch LTD. (Exhibit A-2) as  
20 recorded in Volume 438, Page 363 of said Deed Records, said iron rod  
21 also being the southwest corner of a called 150 acre tract of land  
22 as described in deed to Lost Creek Outfitters, L.L.C. as recorded in  
23 Volume 697, Page 007 of said Deed Records;

24 THENCE South 89°53'53" West, along the north line of said called  
25 80.37 acre tract, a distance of 1278.56 feet to a 5/8 inch iron rod  
26 set with yellow plastic cap stamped "COTTON SURVEYING" in the  
27 approximate centerline of County Road 2400, and being in the west

1 line of a called 20.00 acre tract of land as described in deed to  
2 Grant as recorded in Volume 120, Page 936 of said Deed Records, said  
3 iron rod also being North 00°04'26" East, a distance of 2568.36 feet  
4 from a 1 inch iron pipe found for the southwest corner of said  
5 called 80.37 acre tract;

6 THENCE along the approximate centerline of said County Road 2400  
7 the following calls:

8 North 01°45'38" West, passing an ell corner of a called 46.631  
9 acres tract of land as described in deed to Grant as recorded in  
10 Volume 1110, Page 696 of said Deed Records, the southwest corner of  
11 a called 12.0 acre tract of land as described in deed to Grant as  
12 recorded in Volume 912, Page 411 of said Deed Records, the Northeast  
13 corner of said called 12.0 acre tract, in all a total distance of  
14 2364.71 feet to a 5/8 inch iron rod set with yellow plastic cap  
15 stamped "COTTON SURVEYING";

16 North 18°21'42" East, a distance of 190.00 feet to a 5/8 inch  
17 iron rod set with yellow plastic cap stamped "COTTON SURVEYING" in  
18 the south line of a remainder portion of a called 102.67 acre tract  
19 of land as described in deed to S.A. Hales as recorded in Volume  
20 515, Page 597 of said Deed Records;

21 THENCE South 89°24'55" East, along the south line of said remainder  
22 tract, passing the southeast corner of said remainder tract and the  
23 southwest corner of a called 20 acre tract of land as described in  
24 deed to Hunt as recorded in Volume 775, Page 498 of said Deed  
25 records, in all a total distance of 896.43 feet to a 1/2 inch iron  
26 rod found for the southeast corner of said called 20 acre tract and  
27 the southwest corner of a called 6.253 acre tract of land as



1 described in deed to Hunt as recorded in Volume 775, Page 501 of  
2 said Deed Records;

3 THENCE South 89°01'59" East, along the south line of said called  
4 6.253 acre tract, a distance of 132.22 feet to a 3/8 inch iron rod  
5 found for the southeast corner of said called 6.253 acre tract and  
6 the southwest corner of a called 8.13 acre tract of land as  
7 described in deed to Lawdermilk as recorded in Volume 732, Page 842  
8 of said Deed Records;

9 THENCE South 89°31'01" East, along the south line of said called  
10 8.13 acre tract, a distance of 172.49 feet to a 1/2 inch iron rod  
11 found for the southeast corner of said called 8.13 acre tract and  
12 the southwest corner of a called 8.13 acre tract of land as  
13 described in deed to Cleek as recorded in Volume 732, Page 848 of  
14 said Deed Records;

15 THENCE North 89°31'17" East, along the south line of said Cleek  
16 tract, a distance of 172.39 feet to a 5/8 inch iron rod set with  
17 yellow plastic cap stamped "COTTON SURVEYING" for the northeast  
18 corner of said called 78.67 acre tract and being South 89°31'17"  
19 West, a distance of 79.31 feet from a 1/2 inch iron rod found for the  
20 southeast corner of said Cleek tract, said iron rod set also being  
21 the northwest corner of aforesaid 150 acre tract;

22 THENCE North 87°56'10" East, along the south line of said called  
23 25.644 acre tract, a distance of 559.96 feet to a 5/8 inch iron rod  
24 set with yellow plastic cap stamped for the southeast corner of said  
25 called 25.644 acre tract;

26 THENCE along the east line of said called 25.644 acre tract the  
27 following calls:

1           North 00°53'33" East, a distance of 357.26 feet to a 5/8 inch  
2 iron rod set with yellow plastic cap stamped "COTTON SURVEYING";  
3           North 04°55'29" East, a distance of 221.30 feet to a 1/2 inch  
4 iron rod found;  
5           North 23°05'27" West, a distance of 87.08 feet to a 1/2 inch  
6 iron rod found  
7           North 41°44'02" West, a distance of 22.35 feet to a 1/2 inch  
8 iron rod found;  
9           North 08°07'35" East, a distance of 283.65 feet to a 3/4 inch  
10 iron rod found for the northernmost northwest corner of said called  
11 150 acre tract and the southwest corner of lot 1 of Hyde park  
12 estates, an addition to Hunt County, Texas, according to the map or  
13 plat thereof recorded in cabinet c, slide 206 of the plat records of  
14 Hunt County, Texas;  
15 THENCE South 85°52'29" East, along the south line of lots 1,2,3, and  
16 4 of said Hyde Park estates, a distance of 748.10 feet to a 3/4 inch  
17 iron pipe found;  
18 THENCE South 89°57'36" East, continuing along the south line of said  
19 lot 4, a distance of 13.59 feet to a 5/8 inch iron rod set with  
20 yellow plastic cap stamped "COTTON SURVEYING" for the northwest  
21 corner Nolan Estates as recorded in volume 686, page 64 and 67 of  
22 said deed records;  
23 THENCE South 00°41'58" West, along the west line of said Nolan  
24 Estates, passing a 3/8" iron rod found at a distance of 830.80 feet  
25 the southwest corner of said Nolan Estates and the northwest corner  
26 of a tract of land as described in deed to Donald Roden as recorded  
27 in volume 922, page 007 of said deed records, in all a total

1 distance of 1356.03 feet to a 3/4 inch iron rod found for the  
2 southwest corner of said Roden tract;  
3 THENCE North 89°55'02" East, along the south line of said Roden  
4 tract, passing a 1/2 inch iron rod found at a distance of 2650.20  
5 feet the occupied west line of county road 2316, in all a total  
6 distance of 2670.14 feet to a 5/8 inch iron rod set with yellow  
7 plastic cap stamped "COTTON SURVEYING" for the southeast corner of  
8 said Roden tract and being in the approximate centerline of said  
9 county road;  
10 THENCE North 00°30'47" East, along the approximate centerline of  
11 said county road, a distance of 750.00 feet to a point;  
12 THENCE North 11°41'35" East, along the approximate centerline of  
13 said county road, a distance of 401.26 feet to a point;  
14 THENCE South 76°10'08" East, along the approximate centerline of  
15 said county road, a distance of 664.61 feet to a point;  
16 THENCE North 20°54'45" East, along the approximate centerline of  
17 said county road, a distance of a distance of 1071.29 feet to a 5/8  
18 inch iron rod set with yellow plastic cap stamped "COTTON  
19 SURVEYING" for the southwest corner of a called 8.964 acre tract of  
20 land as described in deed to Sullivan as recorded in volume 545,  
21 page 398 of said deed records;  
22 THENCE North 85°30'54" East, along the south line of said called  
23 8.964 acre tract, passing a 3/4 inch iron pipe found at a distance  
24 of 29.58 feet the occupied southeast line of said county road 2316,  
25 in all a total distance of 855.00 feet to a 3/4 inch iron pipe found  
26 for the southeast corner of said called 8.964 acre tract;  
27 THENCE North 01°46'11" East, along the east line of said called

S.B. No. 515

1 8.964 acre tract, passing the northeast corner of said called 8.964  
2 acre tract and the southeast corner of the remainder portion of a  
3 called 14.33 acre tract of land as described in deed to Hart as  
4 recorded in Volume 232, Page 11 of said deed records, in all a total  
5 distance of 693.18 feet to a 5/8 inch iron rod set with yellow  
6 plastic cap stamped "COTTON SURVEYING" for the southwest corner of  
7 parcel 103, Texas Department of Transportation C.S.J. Number  
8 1017-03-022;

9 THENCE along the south line of said Texas Department of  
10 Transportation C.S.J. number 1017-03-022 tract and being the along  
11 south right-of-way line of State Highway 276 the following calls:

12 South 89°58'25" East a distance of 963.35 feet to a found  
13 Texas Department of Transportation monument;

14 South 70°41'00" East a distance of 105.95 feet to a found  
15 Texas Department of Transportation monument;

16 South 89°58'25" East a distance of 200.00 feet to a found  
17 Texas Department of Transportation monument;

18 North 70°44'07" East a distance of 75.68 feet to a found Texas  
19 Department of Transportation monument;

20 South 89°58'25" East a distance of 1178.57 feet to a 5/8 inch  
21 iron rod set with yellow plastic cap stamped "COTTON SURVEYING";

22 South 78°39'51" East a distance of 50.99 feet to a 5/8 inch  
23 iron rod set with yellow plastic cap stamped "COTTON SURVEYING";

24 South 89°58'25" East a distance of 200.00 feet to a 5/8 inch  
25 iron rod set with yellow plastic cap stamped "COTTON SURVEYING";

26 North 78°42'58" East a distance of 50.99 feet to a 5/8 inch  
27 iron rod set with yellow plastic cap stamped "COTTON SURVEYING";

1 South 89°58'25" East a distance of 83.05 feet to the PLACE OF  
2 BEGINNING and containing 57,380,710.2 square feet or 1317.28 acres  
3 more or less and being subject to any and all easements that may  
4 affect.

5 SAVE & EXCEPT THE FOLLOWING TWO TRACTS:

6 SAVE & EXCEPT TRACT 1

7 Being a 10.671 acre tract of land situated in the W.L. Burton  
8 Survey, Abstract number 52, County of Hunt and being all of a called  
9 10.721 acre tract of land as described in deed to JRC/Quinlan Ranch  
10 LTD. as Tract 2 Save and Except (1) as recorded in Volume 438, Page  
11 356 of the Deed Records of Hunt County, Texas, said 10.671 acre  
12 tract being more particularly described as follows:

13 COMMENCING at a 3/8 inch iron rod found for the southernmost  
14 southwest corner of a called 1,592.369 acre tract of land as  
15 described in deed to JRC/Quinlan Ranch LTD. As recorded in Volume  
16 438, Page 356 of said Deed Records, the northwest corner of a called  
17 270.921 acre tract of land as described in deed to Young as recorded  
18 in Volume 692, Page 50 of said Deed Records and being in the east  
19 line of Lot 19 of Whispering Oaks Subdivision, Phase I, an addition  
20 to Hunt County, Texas, according to the map or plat thereof recorded  
21 in Cabinet C, Slide 304 of the Hunt County Plat Records, THENCE  
22 North 89°11'14" East, along the north line of said called 270.921  
23 acre tract, a distance of 2656.70 feet;

24 THENCE over and across said called 1,592.369 acre tract the  
25 following calls:

26 North 00°48'46" West, a distance of 977.37 feet to a 5/8 inch  
27 iron rod set with yellow plastic cap stamped "COTTON SURVEYING" for

1 the PLACE OF BEGINNING, same being the southeast corner of said  
2 called 10.721 acre tract;

3 South 89°17'34" West, along the south line of said called  
4 10.721 acre tract, a distance of 981.25 feet to a 5/8 inch iron rod  
5 found for the southwest corner of said called 10.721 acre tract;

6 North 03°33'56" East, along the west line of said called  
7 10.721 acre tract, a distance of 485.98 feet to a 5/8" iron rod  
8 found for the northwest corner of said called 10.721 acre tract;

9 North 89°34'24" East, along the north line of said called  
10 10.721 acre tract, passing a 5/8 inch iron rod found at a distance  
11 of 938.57 feet the occupied west line of County Road 2316, in all a  
12 total distance of 946.00 feet to a 5/8 inch iron rod set with yellow  
13 plastic cap stamped "COTTON SURVEYING" for the northeast corner of  
14 said called 10.721 acre tract;

15 South 00°35'40" East, along the approximate centerline of  
16 said County Road 2316 and the east line of said called 10.721 acre  
17 tract, a distance of 480.00 feet to the PLACE OF BEGINNING and  
18 containing 464,811 square feet, 10.671 acres more or less and being  
19 subject to any and all easements that may affect.

20 SAVE & EXCEPT TRACT 2

21 Being a 1.002 acre tract of land situated in the W.L. Burton Survey,  
22 Abstract number 52, County of Hunt and being all of a called 1.0  
23 acre tract of land as described in deed to JRC/Quinlan Ranch LTD. as  
24 Tract 2 Save and Except (2) as recorded in Volume 438, Page 356 of  
25 the Deed Records of Hunt County, Texas, said 1.0002 acre tract being  
26 more particularly described as follows:

27 COMMENCING at a 3/8 inch iron rod found for the southernmost

S.B. No. 515

1 southwest corner of a called 1,592.369 acre tract of land as  
2 described in deed to JRC/Quinlan Ranch LTD. As recorded in Volume  
3 438, Page 356 of said Deed Records, the northwest corner of a called  
4 270.921 acre tract of land as described in deed to Young as recorded  
5 in Volume 692, Page 50 of said Deed Records and being in the east  
6 line of Lot 19 of Whispering Oaks Subdivision, Phase I, an addition  
7 to Hunt County, Texas, according to the map or plat thereof recorded  
8 in Cabinet C, Slide 304 of the Hunt County Plat Records;

9 THENCE North 89°11'14" East, along the north line of said called  
10 270.921 acre tract, a distance of 2656.70 feet;

11 THENCE over and across said called 1,592.369 acre tract the  
12 following calls:

13 North 00°48'46" West, a distance of 977.37 feet to a 5/8 inch  
14 iron rod set with yellow plastic cap stamped "COTTON SURVEYING" for  
15 the southeast corner of A called 10.721 acre tract as described in  
16 deed to JRC/Quinlan Ranch LTD. As Tract 2 Save and Except (1) as  
17 recorded in Volume 438, Page 356 of said Deed Records;

18 North 00°35'40" West, along the east line of said called  
19 10.721 acre tract, a distance of 480.00 feet to a 5/8 inch iron rod  
20 set with yellow plastic cap stamped "COTTON SURVEYING" for the  
21 northeast corner of said called 10.721 acre tract;

22 North 03°01'02" West, a distance of 196.11 feet to a 5/8 inch  
23 iron rod set with yellow plastic cap stamped "COTTON SURVEYING" for  
24 the PLACE OF BEGINNING, same being the southeast corner of said  
25 called 1.0 acre tract;

26 South 89°39'34" West, along the south line of said called 1.0  
27 acre tract, a distance of 291.13 feet to a 3/8 inch iron rod found

1 for the southwest corner of said called 1.0 acre tract;

2 North 01°43'43" West, along the west line of said called 1.0  
3 acre tract, a distance of 150.00 feet to a found nail for the  
4 northwest corner of said called 1.0 acre tract;

5 North 89°39'34" East, along the north line of said called 1.0  
6 acre tract, a distance of 291.13 feet to a 1 inch pipe found for the  
7 northeast corner of said called 1.0 acre tract;

8 South 01°43'43" East, along the east line of said called 1.0  
9 acre tract, a distance of 150.00 feet to the PLACE OF BEGINNING and  
10 containing 43,656 square feet, 1.002 acres more or less and being  
11 subject to any and all easements that may affect.

12 Total area described equals 1,317.28 acres, less the save and  
13 except tract 1 containing an area of 10.671 acres and the save and  
14 except tract 2 containing an area of 1.002 acres, for a total  
15 district area of 1305.607 acres of land more or less.

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

23 (b) The governor, one of the required recipients, has  
24 submitted the notice and Act to the Texas Commission on  
25 Environmental Quality.

26 (c) The Texas Commission on Environmental Quality has filed  
27 its recommendations relating to this Act with the governor, the



1 lieutenant governor, and the speaker of the house of  
2 representatives within the required time.

3 (d) All requirements of the constitution and laws of this  
4 state and the rules and procedures of the legislature with respect  
5 to the notice, introduction, and passage of this Act are fulfilled  
6 and accomplished.

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