

1-1 By: Deuell S.B. No. 516
1-2 (In the Senate - Filed February 15, 2005; February 28, 2005,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; April 12, 2005, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 4, Nays 0;
1-6 April 12, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 516 By: Deuell

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to the creation of the Union Valley Ranch Municipal
1-11 Utility District of Hunt County; providing authority to impose a
1-12 tax and issue bonds; granting the power of eminent domain.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-14 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-15 Code, is amended by adding Chapter 8108 to read as follows:

1-16 CHAPTER 8108. UNION VALLEY RANCH MUNICIPAL UTILITY DISTRICT OF
1-17 HUNT COUNTY

1-18 SUBCHAPTER A. GENERAL PROVISIONS

1-19 Sec. 8108.001. DEFINITIONS. In this chapter:

1-20 (1) "Board" means the board of directors of the
1-21 district.

1-22 (2) "Director" means a member of the board.

1-23 (3) "District" means the Union Valley Ranch Municipal
1-24 Utility District of Hunt County.

1-25 Sec. 8108.002. NATURE OF DISTRICT. The district is a
1-26 municipal utility district in Hunt County created under and
1-27 essential to accomplish the purposes of Section 52, Article III,
1-28 and Section 59, Article XVI, Texas Constitution. The district is
1-29 created to serve a public use and benefit.

1-30 Sec. 8108.003. CONFIRMATION ELECTION REQUIRED. If the
1-31 creation of the district is not confirmed at a confirmation
1-32 election held under Section 8108.023 before September 1, 2007:

1-33 (1) the district is dissolved September 1, 2007,
1-34 except that:

1-35 (A) any debts incurred shall be paid;

1-36 (B) any assets that remain after the payment of
1-37 debts shall be transferred to Hunt County; and

1-38 (C) the organization of the district shall be
1-39 maintained until all debts are paid and remaining assets are
1-40 transferred; and

1-41 (2) this chapter expires September 1, 2010.

1-42 Sec. 8108.004. INITIAL DISTRICT TERRITORY. (a) The
1-43 district is initially composed of the territory described by
1-44 Section 2 of the Act creating this chapter.

1-45 (b) The boundaries and field notes contained in Section 2 of
1-46 the Act creating this chapter form a closure. A mistake made in the
1-47 field notes or in copying the field notes in the legislative process
1-48 does not affect:

1-49 (1) the organization, existence, or validity of the
1-50 district;

1-51 (2) the right of the district to impose taxes; or

1-52 (3) the legality or operation of the board.

1-53 Sec. 8108.005. APPLICABILITY OF OTHER LAW. Except as
1-54 otherwise provided by this chapter, all applicable laws, including
1-55 the following laws, apply to the district:

1-56 (1) Chapters 49 and 54, Water Code; and

1-57 (2) general laws applicable to road districts created
1-58 under Section 52, Article III, Texas Constitution, to the extent
1-59 those provisions can apply to the district.

1-60 [Sections 8108.006-8108.020 reserved for expansion]

1-61 SUBCHAPTER A1. TEMPORARY PROVISIONS

1-62 Sec. 8108.021. TEMPORARY DIRECTORS. (a) The temporary
1-63 board consists of:

2-1 (1) Charles Scott Brown;
 2-2 (2) W. Thurston Witt, Jr.;
 2-3 (3) Stephen Herbert Hill;
 2-4 (4) Tomas Castella; and
 2-5 (5) Jamie LaurAnn Kaufmann.
 2-6 (b) If a temporary director fails to qualify for office, the
 2-7 temporary directors who have qualified shall appoint a person to
 2-8 fill the vacancy. If at any time there are fewer than three
 2-9 qualified temporary directors, the Texas Commission on
 2-10 Environmental Quality shall appoint the necessary number of persons
 2-11 to fill all vacancies on the board.
 2-12 (c) Temporary directors serve until the earlier of:
 2-13 (1) the date directors are elected under Section
 2-14 8108.023; or
 2-15 (2) the date this chapter expires under Section
 2-16 8108.003.
 2-17 Sec. 8108.022. ORGANIZATIONAL MEETING OF TEMPORARY
 2-18 DIRECTORS. As soon as practicable after all the temporary
 2-19 directors have qualified under Section 49.055, Water Code, the
 2-20 temporary directors shall convene the organizational meeting of the
 2-21 district at a location in the district agreeable to a majority of
 2-22 the directors. If a location cannot be agreed upon, the
 2-23 organizational meeting shall be at the Hunt County Courthouse.
 2-24 Sec. 8108.023. CONFIRMATION AND INITIAL DIRECTORS'
 2-25 ELECTION. The temporary directors shall hold an election to
 2-26 confirm the creation of the district and to elect five directors as
 2-27 provided by Section 49.102, Water Code.
 2-28 Sec. 8108.024. INITIAL ELECTED DIRECTORS; TERMS. The
 2-29 directors elected under Section 8108.023 shall draw lots to
 2-30 determine which two shall serve until the first regularly scheduled
 2-31 election of directors under Section 8108.052 and which three shall
 2-32 serve until the second regularly scheduled election of directors.
 2-33 Sec. 8108.025. EXPIRATION OF SUBCHAPTER. This subchapter
 2-34 expires September 1, 2010.
 2-35 [Sections 8108.026-8108.050 reserved for expansion]
 2-36 SUBCHAPTER B. BOARD OF DIRECTORS
 2-37 Sec. 8108.051. DIRECTORS; TERMS. (a) The district is
 2-38 governed by a board of five directors.
 2-39 (b) Directors serve staggered four-year terms.
 2-40 Sec. 8108.052. ELECTION OF DIRECTORS. On the uniform
 2-41 election date in May of each even-numbered year, the appropriate
 2-42 number of directors shall be elected.
 2-43 [Sections 8108.053-8108.100 reserved for expansion]
 2-44 SUBCHAPTER C. POWERS AND DUTIES
 2-45 Sec. 8108.101. ROAD PROJECTS. (a) The district may
 2-46 construct, acquire, improve, maintain, or operate macadamized,
 2-47 graveled, paved, or concreted streets or roads, or improvements in
 2-48 aid of those streets or roads, including bridges, inside or outside
 2-49 the district.
 2-50 (b) The improvements may include drainage or landscaping
 2-51 improvements, lights, signs, signals, sidewalks, or hiking or
 2-52 biking trails that are incidental to the roads and their
 2-53 construction, maintenance, or operation.
 2-54 (c) A project authorized by this section must meet only the
 2-55 construction standards adopted by the North Central Texas Council
 2-56 of Governments, or its successor agency.
 2-57 (d) The district may, following approval of a construction
 2-58 contract by the board, reimburse expenditures without obtaining
 2-59 approval from the county.
 2-60 (e) For purposes of this chapter, a project under Section
 2-61 49.222, Water Code, includes a road project.
 2-62 Sec. 8108.102. ROAD CONTRACTS. The district may contract
 2-63 for a road project in the same manner as a road district, except
 2-64 that competitive bidding for a contract is governed by Subchapter
 2-65 I, Chapter 49, Water Code.
 2-66 Sec. 8108.103. CERTIFICATE OF CONVENIENCE AND NECESSITY.
 2-67 (a) The district may pay out of bond proceeds or other available
 2-68 district money all expenses, including legal, engineering, and
 2-69 other fees, related to obtaining a new certificate of convenience

3-1 and necessity under Chapter 13, Water Code, authorizing the
 3-2 district to provide retail water or sewer service inside or outside
 3-3 the district.

3-4 (b) The district may pay out of bond proceeds or other
 3-5 available district money all expenses, including the purchase
 3-6 price, related to acquiring certificate of convenience and
 3-7 necessity rights from another retail public utility to allow the
 3-8 district to provide retail water or sewer service in the district.

3-9 Sec. 8108.104. CONTRACT WITH POLITICAL SUBDIVISION FOR
 3-10 WATER OR SEWER SERVICES. (a) The district may enter into a
 3-11 contract to allow a political subdivision to provide retail water
 3-12 or sewer service in the district. The contract may contain terms
 3-13 the board considers desirable, fair, and advantageous to the
 3-14 district.

3-15 (b) The contract may provide that the district will
 3-16 construct or acquire and convey to the political subdivision a
 3-17 water supply or treatment system, a water distribution system, or a
 3-18 sanitary sewage collection or treatment system as necessary to
 3-19 provide water or sewer service in the district.

3-20 (c) The district may use bond proceeds or other available
 3-21 district money to pay for its obligations and for services and
 3-22 facilities provided under the contract.

3-23 (d) If the contract requires the district to make payments
 3-24 from taxes other than operation and maintenance taxes, the contract
 3-25 is subject to Section 49.108, Water Code.

3-26 [Sections 8108.105-8108.150 reserved for expansion]

3-27 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-28 Sec. 8108.151. OPERATION AND MAINTENANCE TAX. (a) The
 3-29 district may impose a tax for any district operation and
 3-30 maintenance purpose in the manner provided by Section 49.107, Water
 3-31 Code.

3-32 (b) Section 49.107(f), Water Code, does not apply to
 3-33 reimbursements for projects constructed or acquired under Section
 3-34 8108.101.

3-35 Sec. 8108.152. TAX TO REPAY BONDS. The district may impose
 3-36 a tax to pay the principal of and interest on bonds issued under
 3-37 Section 8108.201.

3-38 Sec. 8108.153. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
 3-39 ASSESSMENTS. The district may not impose an impact fee or
 3-40 assessment on the property, including the equipment,
 3-41 rights-of-way, facilities, or improvements, of:

3-42 (1) an electric utility or a power generation company
 3-43 as defined by Section 31.002, Utilities Code;

3-44 (2) a gas utility as defined by Section 101.003 or
 3-45 121.001, Utilities Code;

3-46 (3) a telecommunications provider as defined by
 3-47 Section 51.002, Utilities Code;

3-48 (4) a cable operator as defined by 47 U.S.C. Section
 3-49 522; or

3-50 (5) a person who provides to the public advanced
 3-51 telecommunications services.

3-52 [Sections 8108.154-8108.200 reserved for expansion]

3-53 SUBCHAPTER E. BONDS

3-54 Sec. 8108.201. AUTHORITY TO ISSUE BONDS AND OTHER
 3-55 OBLIGATIONS. (a) The district may issue bonds or other
 3-56 obligations as provided by Chapters 49 and 54, Water Code, and to
 3-57 finance:

3-58 (1) the construction, maintenance, or operation of
 3-59 projects under Section 8108.101; or

3-60 (2) the district's contractual obligations under
 3-61 Section 8108.104.

3-62 (b) The district may not issue bonds or other obligations
 3-63 secured wholly or partly by ad valorem taxation to finance projects
 3-64 authorized by Section 8108.101 unless the issuance is approved by a
 3-65 vote of a two-thirds majority of the voters of the district voting
 3-66 at an election called for that purpose.

3-67 (c) Bonds or other obligations issued or incurred to finance
 3-68 projects authorized by Section 8108.101 may not exceed one-fourth
 3-69 of the assessed value of the real property in the district.

4-1 (d) Sections 49.181 and 49.182, Water Code, do not apply to
4-2 a project undertaken by the district under Section 8108.101 or to
4-3 bonds issued by the district to finance the project.

4-4 [Sections 8108.202-8108.250 reserved for expansion]

4-5 SUBCHAPTER F. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

4-6 Sec. 8108.251. DIVISION OF DISTRICT; REQUIREMENTS. (a) At
4-7 any time before the district issues indebtedness secured by taxes
4-8 or net revenues, the district, including any annexed territory, may
4-9 be divided into two or more new districts.

4-10 (b) A new district created by division of the district must
4-11 be at least 100 acres.

4-12 (c) The board may consider a proposal to divide the district
4-13 on:

4-14 (1) a petition of a landowner in the district; or

4-15 (2) a motion by the board.

4-16 (d) If the board decides to divide the district, the board
4-17 shall:

4-18 (1) set the terms of the division, including names for
4-19 the new districts and a plan for the payment or performance of any
4-20 outstanding district obligations; and

4-21 (2) prepare a metes and bounds description for each
4-22 proposed district.

4-23 Sec. 8108.252. ELECTION FOR DIVISION OF DISTRICT.

4-24 (a) After the board has complied with Section 8108.251(d), the
4-25 board shall hold an election in the district to determine whether
4-26 the district should be divided as proposed.

4-27 (b) The board shall give notice of the election not later
4-28 than the 20th day before the date of the election. The notice must
4-29 state:

4-30 (1) the date and location of the election; and

4-31 (2) the proposition to be voted on.

4-32 (c) If a majority of the votes cast are in favor of the
4-33 division:

4-34 (1) the district shall be divided; and

4-35 (2) not later than the 30th day after the date of the
4-36 election, the district shall provide written notice of the division
4-37 to:

4-38 (A) the Texas Commission on Environmental
4-39 Quality;

4-40 (B) the attorney general;

4-41 (C) the commissioners court of each county in
4-42 which a new district is located; and

4-43 (D) any municipality having extraterritorial
4-44 jurisdiction over territory in each new district.

4-45 (d) If a majority of the votes cast are not in favor of the
4-46 division, the district may not be divided.

4-47 Sec. 8108.253. ELECTION OF DIRECTORS OF NEW DISTRICTS.

4-48 (a) Not later than the 90th day after the date of an election in
4-49 favor of the division of the district, the board shall:

4-50 (1) appoint itself as the board of one of the new
4-51 districts; and

4-52 (2) appoint five directors for each of the other new
4-53 districts.

4-54 (b) Directors appointed under Subsection (a)(1) serve the
4-55 staggered terms to which they were elected in the original
4-56 district. Directors appointed under Subsection (a)(2) serve until
4-57 the election for directors under Subsection (c).

4-58 (c) On the uniform election date in May of the first
4-59 even-numbered year after the year in which the directors are
4-60 appointed, an election shall be held to elect five directors in each
4-61 district for which directors were appointed under Subsection
4-62 (a)(2). The directors shall draw lots to determine which two shall
4-63 serve two-year terms and which three shall serve four-year terms.

4-64 (d) Except as provided by Subsection (c), directors serve
4-65 staggered four-year terms. On the uniform election date in May of
4-66 each even-numbered year, the appropriate number of directors shall
4-67 be elected.

4-68 Sec. 8108.254. CONTINUING POWERS AND OBLIGATIONS OF NEW
4-69 DISTRICTS. (a) Each new district may incur and pay debts and has

5-1 all powers of the original district created by this chapter.

5-2 (b) If the district is divided as provided by this
 5-3 subchapter, the current obligations and any bond authorizations of
 5-4 the district are not impaired. Debts shall be paid by revenues or
 5-5 by taxes or assessments imposed on real property in the district as
 5-6 if the district had not been divided or by contributions from each
 5-7 new district as stated in the terms set by the board under Section
 5-8 8108.251(d).

5-9 (c) Any other district obligation shall be divided pro rata
 5-10 among the new districts on an acreage basis or on other terms that
 5-11 are satisfactory to the new districts.

5-12 Sec. 8108.255. CONTRACT AUTHORITY OF NEW DISTRICTS. The
 5-13 new districts may contract with each other for:

5-14 (1) water and wastewater services; or

5-15 (2) any other matter the boards of the new districts
 5-16 consider appropriate.

5-17 SECTION 2. The Union Valley Ranch Municipal Utility
 5-18 District of Hunt County initially includes all the territory
 5-19 contained in the following described area:

5-20 TRACT 1

5-21 All that certain lot, tract or parcel of land situated in the H. H.
 5-22 HALL SURVEY, ABSTRACT NO. 505 AND F. B. PANKEY SURVEY, ABSTRACT NO.
 5-23 831, Hunt County, Texas and being all of that 50.00 acres described
 5-24 as Tract One "A" and all of that 211.089 acre described as Tract One
 5-25 "B" in a Warranty Deed from Hunt County Venture No. 1, J.V. to
 5-26 Lowell D. English and wife, Ann English and Don W. Turner and wife,
 5-27 Marjorie Turner, dated December 15, 1975 and being recorded in
 5-28 Volume 772, Page 29 of the Deed Records of Hunt County, Texas, and
 5-29 also being conveyed in a Warranty Deed from Lowell D. English and
 5-30 wife, Ann C. English to Bonder Corporation, dated March 31, 1995 and
 5-31 being recorded in Volume 354, Page 316 of the Real Property Records
 5-32 of Hunt County, Texas, and being more particularly described as
 5-33 follows:

5-34 BEGINNING at a 1/2" iron rod found for corner at the base of a fence
 5-35 corner post at the Northeast corner of said 211.089 acre tract, said
 5-36 point being at the Northwest corner of a 101.85 acres tract of land
 5-37 as described in a Deed from L.B. Houston, Jr. to Robert C. Houston,
 5-38 Jr., as recorded in Volume 388, Page 18 of the Real Property Records
 5-39 of Hunt County, Texas;

5-40 THENCE S. 09 deg. 11 min. 33 sec. E. a distance of 3200.33 feet to a
 5-41 1/2" iron rod found for corner in the North right-of-way line of
 5-42 State Highway 276;

5-43 THENCE in a Northwesterly direction along the North right-of-way
 5-44 line of State Highway 276, the following:

5-45 In a Northwesterly direction along a curve to the right having a
 5-46 central angle of 20 deg. 04 min. 31 sec., a radius of 1869.86 feet, a
 5-47 tangent of 330.97 feet, a chord of N. 83 deg. 45 min. 08 sec. W.,
 5-48 651.82 feet, and an arc distance of 655.16 feet to a concrete
 5-49 highway monument found for corner;

5-50 N. 73 deg. 45 min. 18 sec. W. a distance of 822.26 feet to a concrete
 5-51 highway monument found for corner;

5-52 N. 65 deg. 13 min. 22 sec. W. a distance of 404.68 feet to a concrete
 5-53 highway monument found for corner;

5-54 N. 73 deg. 43 min. 46 sec. W. a distance of 400.17 feet to a concrete
 5-55 highway monument found for corner;

5-56 N. 82 deg. 16 min. 29 sec. W. a distance of 404.25 feet to a concrete
 5-57 highway monument found for corner;

5-58 N. 73 deg. 46 min. 55 sec. W. a distance of 1958.92 feet to a
 5-59 concrete highway monument found for corner;

5-60 In a Northwesterly direction along a curve to the right having a
 5-61 central angle of 20 deg. 21 min. 11 sec., a radius of 2824.79 feet, a
 5-62 tangent of 330.97 feet, a chord of N. 63 deg. 27 min. 02 sec. W.,
 5-63 998.18 feet an arc distance of 655.16 feet to a broken concrete
 5-64 monument found for corner;

5-65 THENCE N. 55 deg. 41 min. 02 sec. W. along said right-of-way line, a
 5-66 distance of 7.88 feet to a 1/2" iron rod found for corner at the
 5-67 Southwest corner of said 50.00 acres tract of land, said point also
 5-68 being at the Southeast corner of a 9.85 acres tract of land as
 5-69 described in a Warranty Deed from NCNB Texas National Bank to James

6-1 and Venetia Peach, as recorded in Volume 166, Page 85 of the Deed
6-2 Records of Hunt County, Texas;
6-3 THENCE N. 09 deg. 06 min. 07 sec. W. along the East line of said 9.85
6-4 acres tract, a distance of 942.16 feet to a 2" steel fence corner
6-5 post found at the Northwest corner of said 50.00 acres tract;
6-6 THENCE N. 81 deg. 40 min. 46 sec. E. a distance of 1056.12 feet to a
6-7 1/2" iron rod found for corner at the Southeast corner of a 69.981
6-8 acres tract of land as described in a Warranty Deed from William and
6-9 J. J. Hurley to Patricia P. Hensley as recorded in Volume 349, Page
6-10 883 of the Real Property Records of Hunt County, Texas;
6-11 THENCE N. 80 deg. 55 min. 20 sec. E. a distance of 455.51 feet to a
6-12 1/2" iron rod found for corner at the Northeast corner of said 50.00
6-13 acres tract;
6-14 THENCE N. 81 deg. 56 min. 01 sec. E. a distance of 1963.50 feet to a
6-15 3/8" iron rod found for corner at the Southeast corner of a 30 acres
6-16 tract as described in a Quit Claim Deed to A. G. Tyree, Jr. and Tammy
6-17 Tyree, as recorded in Volume 239, Page 595 of the Deed Records of
6-18 Hunt County, Texas;
6-19 THENCE N. 81 deg. 19 min. 02 sec. E. a distance of 192.04 feet to a
6-20 3/8" iron rod found for corner at the Southwest corner of a 30.26
6-21 acres tract as described in a Deed to Charles Slater, as recorded in
6-22 Volume 581, Page 284 of the Real Property Records of Hunt County,
6-23 Texas;
6-24 THENCE N. 85 deg. 54 min. 51 sec. E. along the South line of said
6-25 Slater tract, a distance of 706.42 feet to a 1/2" iron rod found for
6-26 corner at the Southeast corner of same;
6-27 THENCE N. 88 deg. 06 min. 40 sec. E. a distance of 328.42 feet to a
6-28 1/2" iron rod found for corner at the Southeast corner of a 15.0
6-29 acres tract of land as described in a Deed to Thomas and Lavenda
6-30 Swafford, as recorded in Volume 911, Page 585 of the Deed Records of
6-31 Hunt County, Texas;
6-32 THENCE N. 89 deg. 21 min. 57 sec. E. a distance of 346.13 feet to the
6-33 POINT OF BEGINNING and containing 261.67 acres of land.
6-34 TRACT 2
6-35 All that certain lot, tract or parcel of land situated in the H. H.
6-36 HALL SURVEY, ABSTRACT NO. 505, A. STRICKLAND SURVEY, ABSTRACT NO.
6-37 941 AND F. B. PANKEY SURVEY, ABSTRACT NO. 831, Hunt County, Texas
6-38 and being all of that 311.043 acres described as Tract Two in a
6-39 Warranty Deed from Hunt County Venture No. 1, J.V. to Lowell D.
6-40 English and wife, Ann English and Don W. Turner and wife, Marjorie
6-41 Turner, dated December 15, 1975 and being recorded in Volume 772,
6-42 Page 29 of the Deed Records of Hunt County, Texas, and also being
6-43 conveyed in a Warranty Deed from Lowell D. English and wife, Ann C.
6-44 English to Bonder Corporation, dated March 31, 1995 and being
6-45 recorded in Volume 354, Page 316 of the Real Property Records of
6-46 Hunt County, Texas, and also being all of that 79.81 acres described
6-47 in a Warranty Deed from Clarence Alexander Turner, Lola Estell
6-48 Lanier and Herman Eugene Turner to Doug English, dated June 30,
6-49 1980, and being recorded in Volume 853, Page 12 of the Deed Records
6-50 of Hunt County, Texas, and being more particularly described as
6-51 follows:
6-52 BEGINNING at a P-K nail set in asphalt for corner at the
6-53 intersection of the center of County Road 2422 with the Southwest
6-54 right-of-way line of State Highway 276, said point being at the
6-55 North most Northwest corner of said 311.043 acres tract of land;
6-56 THENCE in a Southeasterly direction along the Southwest
6-57 right-of-way line of State Highway 276, the following:
6-58 S. 52 deg. 03 min. 54 sec. E. a distance of 36.10 feet to a concrete
6-59 highway monument found for corner;
6-60 N. 74 deg. 56 min. 30 sec. E. a distance of 200.06 feet to a concrete
6-61 highway monument found for corner;
6-62 S. 51 deg. 59 min. 56 sec. E. a distance of 235.18 feet to a concrete
6-63 highway monument found for corner;
6-64 N. 19 deg. 29 min. 01 sec. E. a distance of 106.62 feet to a concrete
6-65 highway monument found for corner;
6-66 S. 73 deg. 45 min. 45 sec. E. a distance of 2200.95 feet to a
6-67 concrete highway monument found for corner;
6-68 S. 57 deg. 58 min. 45 sec. E. a distance of 82.46 feet to a concrete
6-69 highway monument found for corner;

7-1 S. 74 deg. 00 min. 58 sec. E. a distance of 620.00 feet to a concrete
7-2 highway monument found for corner;
7-3 S. 84 deg. 40 min. 18 sec. E. a distance of 102.56 feet to a concrete
7-4 highway monument found for corner;
7-5 S. 73 deg. 45 min. 18 sec. E. a distance of 1463.29 feet to a 1/2"
7-6 iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034" set
7-7 for corner;
7-8 S. 86 deg. 17 min. 55 sec. E. a distance of 183.42 feet to a concrete
7-9 highway monument found for corner;
7-10 N. 81 deg. 13 min. 28 sec. E. a distance of 604.60 feet to a 1/2"
7-11 iron rod found for corner at the Northeast corner of said 79.81
7-12 acres tract, said point being at the Northwest corner of a 59.595
7-13 acres tract of land as described in a Warranty Deed from Martha Noel
7-14 Drummond to Glen Cummins, as recorded in Volume 286, Page 107 of the
7-15 Real Property Records of Hunt County, Texas;
7-16 THENCE S. 08 deg. 36 min. 16 sec. E. a distance of 2002.09 feet to a
7-17 1/2" iron rod with yellow plastic cap stamped "R.S.C.I. RPLS 5034"
7-18 set for corner at the Southeast corner of said 79.81 acres tract,
7-19 said point being in the North line of CRAZY HORSE RANCHOS NO. 1
7-20 REVISED, an Addition to Hunt County, Texas, according to the Plat
7-21 thereof recorded in Volume 400, Page 609 of the Plat Records of Hunt
7-22 County, Texas;
7-23 THENCE S. 81 deg. 57 min. 00 sec. W. along the North line of said
7-24 Addition, at 1129.27 feet pass a 1/2" iron rod with yellow plastic
7-25 cap stamped "R.S.C.I. RPLS 5034" set for witness and continuing for
7-26 a total distance of 1164.27 feet to a P-K nail set for corner in
7-27 asphalt pavement of County Road 2412;
7-28 THENCE S. 53 deg. 43 min. 42 sec. E. along the center of County Road
7-29 2412, a distance of 81.47 feet to a P-K nail set for corner in
7-30 asphalt pavement at the North corner of CRAZY HORSE RANCHOS
7-31 INSTALLMENT NO. 2, an Addition to Hunt County, Texas, according to
7-32 the Plat thereof recorded in Volume 400, Page 585 of the Plat
7-33 Records of Hunt County, Texas;
7-34 THENCE S. 37 deg. 16 min. 40 sec. W., at 30.0 feet pass a 1/2" iron
7-35 rod for witness at the base of a fence post, and continuing along
7-36 the Northwest line of said Addition, for a total distance of 1564.57
7-37 feet to a 1/2" iron rod found for corner at the East corner of Lot
7-38 408 of said Addition;
7-39 THENCE N. 53 deg. 02 min. 10 sec. W. (Controlling bearing line)
7-40 along the Northeast line of said Addition, a distance of 3106.74
7-41 feet to a 1/2" iron rod found for corner at the North corner of Lot
7-42 419 of said Addition;
7-43 THENCE S. 35 deg. 59 min. 15 sec. W. along the Northwest line of said
7-44 Lot 419, at 458.53 feet pass a 1/2" iron rod with yellow plastic cap
7-45 stamped "R.S.C.I. RPLS 5034" set for witness and continuing for a
7-46 total distance of 473.33 feet to a 1/2" iron rod with yellow plastic
7-47 cap stamped "R.S.C.I. RPLS 5034" set for corner in the center of
7-48 County Road 2418, at the East corner of HIGHLAND RIDGE, an Addition
7-49 to Hunt County, Texas, according to the Plat thereof recorded in
7-50 Volume 400, Page 1469 of the Plat Records of Hunt County, Texas;
7-51 THENCE N. 53 deg. 00 min. 54 sec. W. along the center of County Road
7-52 2733.58 feet to a 1/2" iron rod found for corner at the intersection
7-53 of said road with the center of County Road 2422;
7-54 THENCE N. 38 deg. 09 min. 40 sec. E. along the center of County Road
7-55 2422, a distance of 1893.64 feet to the POINT OF BEGINNING and
7-56 containing 391.79 acres of land.

7-57 SECTION 3. (a) The legal notice of the intention to
7-58 introduce this Act, setting forth the general substance of this
7-59 Act, has been published as provided by law, and the notice and a
7-60 copy of this Act have been furnished to all persons, agencies,
7-61 officials, or entities to which they are required to be furnished
7-62 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
7-63 Government Code.

7-64 (b) The governor, one of the required recipients, has
7-65 submitted the notice and Act to the Texas Commission on
7-66 Environmental Quality.

7-67 (c) The Texas Commission on Environmental Quality has filed
7-68 its recommendations relating to this Act with the governor, the
7-69 lieutenant governor, and the speaker of the house of

8-1 representatives within the required time.

8-2 (d) All requirements of the constitution and laws of this
8-3 state and the rules and procedures of the legislature with respect
8-4 to the notice, introduction, and passage of this Act are fulfilled
8-5 and accomplished.

8-6 SECTION 4. This Act takes effect immediately if it receives
8-7 a vote of two-thirds of all the members elected to each house, as
8-8 provided by Section 39, Article III, Texas Constitution. If this
8-9 Act does not receive the vote necessary for immediate effect, this
8-10 Act takes effect September 1, 2005.

8-11 * * * * *