

By: Deuell

S.B. No. 1855

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 or outside the  
22 district.

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

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

1           (2) separated from the district by public land or  
2 right-of-way.

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

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

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

12           [Sections 8136.105-8136.150 reserved for expansion]

13           SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

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

17           [Sections 8136.152-8136.200 reserved for expansion]

18           SUBCHAPTER E. BONDS

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

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

1       (c) Bonds or other obligations issued or incurred to finance  
2 projects authorized by Section 8136.102 may not exceed one-fourth  
3 of the assessed value of the real property in the district.

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

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

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

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

S.B. No. 1855

1 THENCE North 01 degree 48 minutes 07 seconds West, along the east  
2 right-of-way line of State Highway No. 66, a distance of 970.81 feet  
3 to a point at the southwest corner of a called 1.00 acre tract of  
4 land described in a deed to Johnny C. Gibbs and wife Sandra L. Gibbs  
5 recorded in Volume 82, Page 85 of said Deed Records;

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

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

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

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

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



1 monument is located South 03 degrees 50 minutes 05 seconds West, a  
2 distance of 1.41 feet;  
3 THENCE North 34 degrees 47 minutes 15 seconds East, continuing  
4 along the easterly right-of-way line of State Highway No. 66, a  
5 distance of 986.53 feet to a point for the beginning of a tangent  
6 curve to the left, from which a TxDOT concrete monument is located  
7 South 01 degree 40 minutes 43 seconds East, a distance of 1.69 feet;  
8 THENCE Northeasterly, continuing along the easterly right-of-way  
9 line of State Highway No. 66 and along the curve to the left which  
10 has a chord that bears North 16 degrees 59 minutes 08 seconds East  
11 for 486.72 feet, a central angle of 35 degrees 36 minutes 15 seconds  
12 and a radius of 796.00 feet, for an arc distance of 494.64 feet to  
13 the end of said curve;  
14 THENCE North 00 degrees 49 minutes 00 seconds West, along the east  
15 right-of-way line of State Highway No. 66, a distance of 1270.15  
16 feet to a 1/2-inch iron rod found for the northwest corner of said  
17 50.44 acre tract and the southwest corner of Luby Acres, an addition  
18 to the Town of Fate according to the plat thereof recorded in  
19 Cabinet B, Page 2 of the Map Records of Rockwall County, Texas;  
20 THENCE North 88 degrees 12 minutes 44 seconds East, along the south  
21 line of Luby Acres, a distance of 1739.21 feet to the southeast  
22 corner of said Luby Acres;  
23 THENCE North 01 degree 11 minutes 30 seconds West, along the west  
24 line of said Fate Land tract, and the east line of said Luby Acres, a  
25 distance of 750.20 feet to a 1/2-inch iron rod found for the  
26 northeast corner of said Luby Acres;  
27 THENCE North 01 degree 20 minutes 58 seconds West, continuing along

1 the west line of said Fate Land tract, a distance of 1327.26 feet to  
2 a 1/2-inch iron rod found for the northwest corner thereof;  
3 THENCE North 88 degrees 42 minutes 34 seconds East, along the north  
4 line of said Fate Land tract, a distance of 2111.82 feet to a point  
5 for the northeast corner of said Fate Land tract;  
6 THENCE South 01 degree 20 minutes 57 seconds East, a distance of  
7 2869.76 feet to a point in the northwest right-of-way of the Union  
8 Pacific Railway (100' right-of-way);  
9 THENCE South 46 degrees 07 minutes 06 seconds West, along the  
10 northwest right-of-way line of the Union Pacific Railway, a  
11 distance of 1290.89 feet to a point for corner;  
12 THENCE North 89 degrees 57 minutes 29 seconds West, a distance of  
13 1167.48 feet to a 5/8-inch iron rod found for corner, said rod being  
14 the southeast corner of said 15.004 acre tract;  
15 THENCE South 01 degree 11 minutes 30 seconds East, along the east  
16 line of said 119.34 acre tract, a distance of 1101.83 feet to a  
17 point in the northwest right-of-way line of the Union Pacific  
18 Railway (100' right-of-way) for the southeast corner of said 119.34  
19 acre tract;  
20 THENCE South 46 degrees 07 minutes 06 seconds West, along the  
21 northwest line of the Union Pacific Railway, a distance of 2669.57  
22 feet to a 1/2-inch iron rod found for the southeast corner of said  
23 City of Fate tract;  
24 THENCE North 01 degree 44 minutes 40 seconds West, along the east  
25 line of said City of Fate tract, a distance of 629.85 feet to a  
26 1/2-inch iron rod found for the north corner of said City of Fate  
27 tract;

S.B. No. 1855

1 THENCE South 35 degrees 52 minutes 53 seconds West, along the  
2 northwest line of said City of Fate tract, a distance of 1037.55  
3 feet to the POINT OF BEGINNING and containing 15,533,075 square  
4 feet, or 356.590 acres of land, more or less.

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

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

20 THENCE North 01 degree 31 minutes 16 seconds West, along the common  
21 line between said 64.83 acres tract and Slay tract, a distance of  
22 1,802.86 feet to a 1/2-inch iron rod found for the northeast corner of  
23 said Slay tract and the northwest corner of said 64.83 acre tract at  
24 a point in the southeasterly right-of-way line of said Interstate  
25 Highway No. 30 (variable right-of-way);

26 THENCE North 43 degrees 59 minutes 58 seconds East, along the  
27 southeasterly line of said Interstate 30, a distance of 471.60 feet

1 to a ½-inch iron rod found for the west corner of a tract of land as  
2 described to Suburban Propane, L.P., recorded in Volume 1101, Page  
3 046, of said Deed Records;

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

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

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

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

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

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

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

1 described to Macedonia Baptist Church, called 1.04 acres, recorded  
2 in Volume 70, Page 224, of said Deed Records;

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

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

11 THENCE South 52 degrees 54 minutes 18 seconds East, along the  
12 northeasterly boundary of said 64.07 acre tract and along generally  
13 along the center of Blackland Road, a distance of 669.01 feet to a  
14 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for an  
15 angle point, from which a 5/8-inch iron rod found is located South  
16 60 degrees 57 minutes 12 seconds West, a distance of 23.88 feet;

17 THENCE South 45 degrees 33 minutes 23 seconds East, continuing  
18 along the northeasterly boundary of said 64.07 acre tract and  
19 generally along the center of Blackland Road, a distance of  
20 1,690.88 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS  
21 4087" found at center of Greenbriar Road (undedicated public road);

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

26 THENCE South 88 degrees 24 minutes 03 seconds West, continuing  
27 generally along the center of Greenbriar Road, a distance of

1 1,421.23 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS  
2 4087" found in the east line of a called 10.00 acre tract of land  
3 described in a deed to Curtis M. Brunson and wife Nelda Brunson  
4 recorded in Volume 138, Page 797 of said Deed Records;

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

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

15 THENCE South 30 degrees 55 minutes 20 seconds West, continuing  
16 generally along the center of said ditch and along the westerly  
17 north line of said 4.788 acre tract, the north line of a called  
18 5.3801 acre tract described in a deed to Todd Winters recorded in  
19 Volume 1571, Page 301 of said Deed Records, the north line of a  
20 called 5.02 acre tract described in a deed to David W. Wright and  
21 wife Linda Wright recorded in Volume 85, Page 144 of said Deed  
22 Records, and the north line of a called 4.02 acre tract described in  
23 a deed to David W. Wright and wife Linda Wright recorded in Volume  
24 91, Page 442 of said Deed Records, a distance of 1,803.25 feet to a  
25 1/2-inch iron rod found for corner;

26 THENCE South 00 degrees 25 minutes 35 seconds East, along the west  
27 line of said Wright 4.02 acre tract, a distance of 176.50 feet to a

1 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found in the  
2 north right-of-way line of said F. M. Road 551;  
3 THENCE North 89 degrees 49 minutes 50 seconds West, along the north  
4 right-of-way line of F. M. Road 551, a distance of 526.99 feet to  
5 the POINT OF BEGINNING and containing 5,653,805 square feet or  
6 129.794 acres of land, more or less.

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

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

1 THENCE South 88 degrees 44 minutes 57 seconds West, continuing  
2 along the north right-of-way line of State Highway No. 66, a  
3 distance of 239.33 feet to a 5/8-inch iron rod with cap marked  
4 "PETITT-RPLS 4087" found for the southeast corner of a tract of land  
5 described in a deed to Cash Water Supply Corporation recorded in  
6 Volume 161, Page 393 of said Deed Records;

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

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

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

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



1 said Deed Records;  
2 THENCE North 01 degree 06 minutes 53 seconds West, along the east  
3 line of said Payne tract, passing at a distance of 5.58 feet a  
4 1/2-inch iron rod found, a distance of 422.68 feet to a 5/8-inch  
5 iron rod with cap marked "PETITT-RPLS 4087" found for the northeast  
6 corner of said Payne tract;  
7 THENCE South 88 degrees 21 minutes 05 seconds West, along the north  
8 line of said Payne tract, a distance of 8.33 feet for corner;  
9 THENCE North 01 degree 55 minutes 01 second West, a distance of  
10 100.00 feet to a corner;  
11 THENCE South 88 degrees 21 minutes 05 seconds West, a  
12 distance of 100.00 feet for corner;  
13 THENCE North 01 degree 55 minutes 01 second West, a distance of  
14 400.00 feet to a corner;  
15 THENCE South 88 degrees 21 minutes 05 seconds West, a distance of  
16 100.00 feet for corner at a point on the east line of a called 54  
17 acre tract of land described in a deed to William G. A. Stevenson  
18 recorded in Volume 162, Page 625, Deed Records, Rockwall County,  
19 Texas;  
20 THENCE North 01 degree 55 minutes 01 second West, along the east  
21 line of said Stevenson tract, a distance of 736.10 feet to a  
22 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for the  
23 northeast corner of said Stevenson tract;  
24 THENCE South 88 degrees 46 minutes 28 seconds West, along the north  
25 line of said Stevenson tract, a distance of 1856.29 feet to a point  
26 in the center of a creek;  
27 THENCE along the center of said creek as follows:

1 North 00 degrees 35 minutes 20 seconds East, a distance of 647.00  
2 feet ;  
3 North 05 degrees 03 minutes 21 seconds West, a distance of 374.71  
4 feet ;  
5 North 03 degrees 31 minutes 09 seconds East, a distance of 571.38  
6 feet to a corner ;  
7 North 44 degrees 54 minutes 58 seconds East, a distance of 279.47  
8 feet to a point on the common north line of said IRVINE SURVEY and  
9 the south line of the NORVELL SURVEY, ABSTRACT NO. 170, and also  
10 being the southwest corner of a called 231.5198 acres tract of land  
11 as described in a deed to Kenneth Baker and Cara L. Baker, husband  
12 and wife, recorded in Volume 948, Page 70, of said Deed Records ;  
13 THENCE North 89 degrees 22 minutes 49 seconds East, along the common  
14 line of said survey's, and the south line of said Baker tract, a  
15 distance of 2879.38 feet to a 5/8-inch iron rod with cap marked  
16 "PETITT-RPLS 4087" found in the center of a public road known as Ben  
17 Payne Road (undedicated right-of-way) for the southeast corner of  
18 said Baker tract ;  
19 THENCE North 00 degrees 52 minutes 17 seconds West, along the most  
20 southerly east line of said Baker tract and along the center of said  
21 public road, a distance of 1030.54 feet to a 5/8-inch iron rod with  
22 cap marked "PETITT-RPLS 4087" found for the southwest corner of a  
23 1.571 acre tract of land described in a deed to Marjorie Elane  
24 Wheeler recorded in Volume 0846, Page 033 of said Deed Records ;  
25 THENCE North 89 degrees 05 minutes 33 seconds East, along the south  
26 line of said Wheeler tract, the south line of a tract of land  
27 described in a deed to Elmer T. Campbell and Reesie W. Campbell

1 recorded in Volume 61, Page 132 of said Deed Records, the south line  
2 of tract of land described in a deed to Loretta Cameron recorded in  
3 Volume 104, Page 917 of said Deed Records, the south line of a 3.77  
4 acre tract of land described in a deed to Kelli J. Love and Jim C.  
5 Love recorded in Volume 1104, Page 132 of said Deed Records and the  
6 south line of a called 31.009 acre tract of land described in a deed  
7 to Charles R. Noland and wife Janna D. Noland recorded in Volume  
8 531, Page 176 of said Deed Records, and generally along the center  
9 of a public road, a distance of 1055.55 feet to a 5/8-inch iron rod  
10 with cap marked "PETITT-RPLS 4087" found for the corner at a point  
11 on the west line of said PRA/Fate Development tract, and a point on  
12 the south line of said Noland tract;

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

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

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

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

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

27 South 07 degrees 41 minutes 36 seconds East, a distance of 250.00

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

1 a chord that bears South 83 degrees 25 minutes 03 seconds West for  
2 380.07 feet, a central angle of 10 degrees 38 minutes 17 seconds and  
3 a radius of 2050.00 feet, for an arc distance of 380.62 feet to a  
4 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" found for the  
5 end of said curve;

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

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

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

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

1 THENCE South 00 degrees 49 minutes 00 seconds East, along the west  
2 right-of-way line of State Highway No. 66, a distance of 1642.72  
3 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found  
4 for corner;

5 THENCE South 89 degrees 11 minutes 00 seconds West, a distance of  
6 1660.59 feet to the beginning of a tangent curve to the left;

7 THENCE Southwesterly, along said tangent curve to the left which  
8 has a chord that bears South 53 degrees 38 minutes 35 seconds West  
9 for 1743.93 feet, a central angle of 71 degrees 05 minutes 08  
10 seconds and a radius of 1500.00 feet, for an arc distance of 1861.02  
11 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found  
12 for the northeast corner of a tract of land as described in a deed to  
13 PRA/Fate Development, Corp., recorded in Volume 02919, Page 00188,  
14 of said Deed Records;

15 THENCE South 89 degrees 03 minutes 45 seconds West, along the north  
16 line of said PRA/Fate Development tract, a distance of 2420.13 feet  
17 to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for  
18 corner at a point on the west line of a called 31.009 acre tract of  
19 land described in a deed to Charles R. Noland and wife Janna D.  
20 Noland recorded in Volume 531, Page 176 of said Deed Records, said  
21 found rod also being the northwest corner of said PRA/Fate  
22 Development tract;

23 THENCE North 01 degree 03 minutes 22 seconds West, along the east  
24 line of said Noland tract, a distance of 649.48 feet to a 1-inch  
25 iron pipe found in the south line of a called 311.550 acre tract of  
26 land described as Tract B in a deed to Jessie Elizabeth Mills and  
27 John C. Mills Jr. as Trustees for the Mills Family Trust, for the

1 northeast corner of said Noland tract;  
2 THENCE North 87 degrees 52 minutes 37 seconds East, along the south  
3 line of said Mills tract and generally along a fence, a distance of  
4 225.97 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS  
5 4087" found for the southeast corner of said Mills tract;  
6 THENCE North 00 degrees 46 minutes 11 seconds West, along the east  
7 line of said Mills tract, a distance of 666.10 feet to a 5/8-inch  
8 iron rod found for the southwest corner of a called 20.00 acre tract  
9 of land described in a deed to Otis Cox or Mildred Cox, Trustees or  
10 their successors in trust, recorded in Volume 715, Page 118, Deed  
11 Records, Rockwall County, Texas;  
12 THENCE North 88 degrees 56 minutes 38 seconds East, along the south  
13 line of said 20.00 acre Cox tract and the south line of a called  
14 20.02 acre tract of land described in a deed to Otis Cox or Mildred  
15 Cox, Trustees or their successors in trust, Volume 715, Page 121,  
16 Deed Records, Rockwall County, Texas, a distance of 1319.97 feet to  
17 a 1/2-inch iron rod found for the southeast corner of said 20.02  
18 acre Cox tract;  
19 THENCE North 01 degree 47 minutes 08 seconds West, along the east  
20 line of said 20.02 acre Cox tract, a distance of 1328.53 feet to a  
21 1/2-inch iron rod found in the south line of a called 5.076 acre  
22 tract of land described in a deed to Nicolas Livaudais and wife  
23 Sylvia Livaudais recorded in Volume 1860, Page 157 of said Deed  
24 Records for the northeast corner of said 20.02 acre Cox tract;  
25 THENCE North 89 degrees 05 minutes 00 seconds East, along the south  
26 line of said Livaudais tract and generally along the center of  
27 Prince Lane, a distance of 3978.54 feet to the POINT OF BEGINNING

1 and containing 9,668,333 square feet, or 221.95 acres of land, more  
2 or less.

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

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

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

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

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