

1-1 By: Deuell S.B. No. 1855
1-2 (In the Senate - Filed April 12, 2005; April 14, 2005, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; May 2, 2005, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 5, Nays 0;
1-6 May 2, 2005, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1855 By: Deuell

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

1-10 relating to the creation of the Rockwall County Municipal Utility
1-11 Districts Nos. 6, 7, 8, and 9; providing authority to impose a tax
1-12 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 8136 to read as follows:

1-16 CHAPTER 8136. ROCKWALL COUNTY MUNICIPAL UTILITY DISTRICTS
1-17 NOS. 6, 7, 8, and 9

1-18 SUBCHAPTER A. GENERAL PROVISIONS

1-19 Sec. 8136.001. DEFINITIONS. In this chapter:

1-20 (1) "Board" or "boards" means, as appropriate, the
1-21 board of directors of one or all of the districts.

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

1-23 (3) "District" or "districts" means, as appropriate,
1-24 one or all of the Rockwall County Municipal Utility Districts Nos.
1-25 6, 7, 8, and 9.

1-26 Sec. 8136.002. NATURE OF DISTRICT. Each district is a
1-27 municipal utility district in Rockwall County created under and
1-28 essential to accomplish the purposes of Section 52, Article III,
1-29 and Section 59, Article XVI, Texas Constitution.

1-30 Sec. 8136.003. CONFIRMATION ELECTION REQUIRED. If the
1-31 creation of a district is not confirmed at a confirmation election
1-32 held under Section 8136.023 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 Rockwall 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) the provisions of this chapter relating to that
1-42 district expire September 1, 2010.

1-43 Sec. 8136.004. INITIAL DISTRICT TERRITORY. (a) Each
1-44 district is initially composed of the territory described by
1-45 Section 2 of the Act creating this chapter.

1-46 (b) The boundaries and field notes of each district, as
1-47 described in Section 2 of the Act creating this chapter, form a
1-48 closure. A mistake made in the field notes or in copying the field
1-49 notes in the legislative process does not affect:

1-50 (1) the organization, existence, or validity of the
1-51 district;

1-52 (2) the right of the district to impose taxes; or

1-53 (3) the legality or operation of the district or the
1-54 board.

1-55 Sec. 8136.005. APPLICABILITY OF OTHER LAW. Except as
1-56 otherwise provided by this chapter, Chapters 49 and 54, Water Code,
1-57 apply to the districts.

1-58 [Sections 8136.006-8136.020 reserved for expansion]

1-59 SUBCHAPTER A1. TEMPORARY PROVISIONS

1-60 Sec. 8136.021. TEMPORARY DIRECTORS. (a) The temporary
1-61 board of each district consists of the following persons:

1-62 (1) Rockwall County Municipal Utility District No. 6:

1-63 (A) Sherry Kent Skinner;

- 2-1 (B) Chris Smith;
- 2-2 (C) Jill Thrasher;
- 2-3 (D) Kevin B. Tucker; and
- 2-4 (E) Berry Watts;
- 2-5 (2) Rockwall County Municipal Utility District No. 7:
- 2-6 (A) Larry Christensen;
- 2-7 (B) Martha Ann Cook;
- 2-8 (C) Terry Jones;
- 2-9 (D) Sandy Sinks; and
- 2-10 (E) Michael W. Skinner;
- 2-11 (3) Rockwall County Municipal Utility District No. 8:
- 2-12 (A) David M. Cook, Sr.;
- 2-13 (B) Lisa Gheen;
- 2-14 (C) Linda Nelson;
- 2-15 (D) Charles Sinks II (Chuck); and
- 2-16 (E) Karen D. Wilson; and
- 2-17 (4) Rockwall County Municipal Utility District No. 9:
- 2-18 (A) Nicholas Helge;
- 2-19 (B) Thaddeus James Parker (Thad);
- 2-20 (C) Jennifer Lynne Clark;
- 2-21 (D) Michael Joseph McCrea, Jr. (Mike); and
- 2-22 (E) Andrea Brandon Roland.

2-23 (b) If a temporary director fails to qualify for office, the
 2-24 remaining temporary directors of that district shall appoint a
 2-25 person to fill the vacancy.

2-26 (c) Temporary directors serve until the earlier of:
 2-27 (1) the date directors are elected under Section
 2-28 8136.023; or
 2-29 (2) the date the provisions of this chapter relating
 2-30 to that district expire under Section 8136.003.

2-31 Sec. 8136.022. ORGANIZATIONAL MEETING OF TEMPORARY
 2-32 DIRECTORS. As soon as practicable after all the temporary
 2-33 directors of a district have qualified under Section 49.055, Water
 2-34 Code, the temporary directors of that district shall meet at a
 2-35 location in the district agreeable to a majority of the directors of
 2-36 that district. If a location cannot be agreed upon, the meeting
 2-37 shall be at the Rockwall County Courthouse. At the meeting, the
 2-38 temporary directors shall elect officers from among the temporary
 2-39 directors and conduct any other district business.

2-40 Sec. 8136.023. CONFIRMATION AND INITIAL DIRECTORS'
 2-41 ELECTION. The temporary directors of each district shall hold an
 2-42 election to confirm the creation of the district and to elect five
 2-43 directors as provided by Section 49.102, Water Code.

2-44 Sec. 8136.024. INITIAL ELECTED DIRECTORS; TERMS. The
 2-45 directors of each district elected under Section 8136.023 shall
 2-46 draw lots to determine which two shall serve until the first
 2-47 regularly scheduled election of directors under Section 8136.052
 2-48 and which three shall serve until the second regularly scheduled
 2-49 election of directors.

2-50 Sec. 8136.025. EXPIRATION OF SUBCHAPTER. This subchapter
 2-51 expires September 1, 2010.

2-52 [Sections 8136.026-8136.050 reserved for expansion]
 2-53 SUBCHAPTER B. BOARD OF DIRECTORS

2-54 Sec. 8136.051. DIRECTORS; TERMS. (a) Each district is
 2-55 governed by a board of five directors.

2-56 (b) Directors serve staggered four-year terms.

2-57 Sec. 8136.052. ELECTION OF DIRECTORS. On the uniform
 2-58 election date in May of each even-numbered year, the appropriate
 2-59 number of directors of each district shall be elected.

2-60 [Sections 8136.053-8136.100 reserved for expansion]
 2-61 SUBCHAPTER C. POWERS AND DUTIES

2-62 Sec. 8136.101. GENERAL POWERS. Each district has all of the
 2-63 rights, powers, privileges, authority, functions, and duties
 2-64 provided by the general law of this state, including Chapters 49 and
 2-65 54, Water Code, applicable to municipal utility districts created
 2-66 under Section 59, Article XVI, Texas Constitution.

2-67 Sec. 8136.102. ROAD PROJECTS. To the extent authorized by
 2-68 Section 52, Article III, Texas Constitution, each district may
 2-69 construct, maintain, or operate paved roads or works, facilities,

3-1 or improvements in aid of those roads, inside the district.

3-2 Sec. 8136.103. ADDING LAND BY PETITION OF LANDOWNER. Each
3-3 district may only add land to the district in the manner provided by
3-4 Section 49.301, Water Code, if a landowner petitions for the
3-5 addition of land that is:

- 3-6 (1) adjacent to the boundaries of the district; or
- 3-7 (2) separated from the district by public land or
3-8 right-of-way.

3-9 Sec. 8136.104. EMINENT DOMAIN. (a) Each district may
3-10 exercise the power of eminent domain within the boundaries of the
3-11 district for all public purposes.

3-12 (b) Each district may exercise the power of eminent domain
3-13 outside the boundaries of the district only for the purpose of
3-14 constructing, acquiring, operating, repairing, or maintaining
3-15 water supply lines or sanitary sewer lines.

3-16 (c) Each district shall exercise the power of eminent domain
3-17 in the same manner as required for a county.

3-18 [Sections 8136.105-8136.150 reserved for expansion]

3-19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-20 Sec. 8136.151. TAX TO REPAY BONDS. Each district may impose
3-21 a tax to pay the principal of or interest on bonds issued to finance
3-22 projects under Section 8136.102.

3-23 [Sections 8136.152-8136.200 reserved for expansion]

3-24 SUBCHAPTER E. BONDS

3-25 Sec. 8136.201. AUTHORITY TO ISSUE BONDS AND OTHER
3-26 OBLIGATIONS. (a) Each district may issue bonds or other
3-27 obligations as provided by Chapters 49 and 54, Water Code, to
3-28 finance the construction, maintenance, or operation of projects
3-29 under Sections 8136.101 and 8136.102.

3-30 (b) A district may not issue bonds to finance projects
3-31 authorized by Section 8136.102 unless the issuance is approved by a
3-32 vote of a two-thirds majority of the voters of the district voting
3-33 at an election called for that purpose.

3-34 (c) Bonds or other obligations issued or incurred to finance
3-35 projects authorized by Section 8136.102 may not exceed one-fourth
3-36 of the assessed value of the real property in the district.

3-37 (d) Sections 49.181 and 49.182, Water Code, do not apply to
3-38 a project undertaken by a district under Section 8136.102 or to
3-39 bonds issued by the district to finance the project.

3-40 SECTION 2. Each district initially includes, respectively,
3-41 the territory contained in the following areas as indicated:

3-42 (1) Rockwall County Municipal Utility District No. 6:
3-43 BEING a tract of land situated in the S.B. Crabtree Survey, Abstract
3-44 No. 57, M. Crabtree Survey, Abstract No. 61 and the J. Parker
3-45 Survey, Abstract No. 178, in the Town of Fate, Rockwall County,
3-46 Texas, and being part of a tract of land described in a deed to Fate
3-47 Land, L.P., a Texas Limited Partnership, recorded in Volume 02919,
3-48 Page 00099 of the Deed Records of Rockwall County, Texas
3-49 (D.R.R.C.T.), and being all of a called 15.004 acre tract of land
3-50 described in a deed to Fate Land, L.P., recorded in Volume 02859,
3-51 Page 00029, D.R.R.C.T., and being more particularly described as
3-52 follows:

3-53 BEGINNING at a point in the east right-of way line of State Highway
3-54 No. 66 (60' right-of-way) for the southmost corner of 119.39 acre
3-55 tract of land described as Tract III in a deed to The Crown Hill
3-56 Trusts, recorded in Volume 1287, Page 187, D.R.R.C.T., from which a
3-57 1/2-inch iron rod found is located South 35 degrees 52 minutes 53
3-58 seconds West, a distance of 0.98 feet, said point also being the
3-59 west corner of a tract of land described to the City of Fate,
3-60 recorded in Volume 83, Page 557, D.R.R.C.T.;

3-61 THENCE North 01 degree 48 minutes 07 seconds West, along the east
3-62 right-of-way line of State Highway No. 66, a distance of 970.81 feet
3-63 to a point at the southwest corner of a called 1.00 acre tract of
3-64 land described in a deed to Johnny C. Gibbs and wife Sandra L. Gibbs
3-65 recorded in Volume 82, Page 85 of said Deed Records;

3-66 THENCE North 88 degrees 11 minutes 50 seconds East, along the south
3-67 line of said Gibbs tract and generally along a fence part-way, a
3-68 distance of 435.15 feet to a point for the southeast corner of said
3-69 Gibbs tract;

4-1 THENCE North 01 degree 48 minutes 10 seconds West, along the east
4-2 line of said Gibbs tract, a distance of 100.00 feet to a point for
4-3 the northeast corner thereof;
4-4 THENCE South 88 degrees 11 minutes 50 seconds West, along the north
4-5 line of said Gibbs tract and generally along a fence part-way, a
4-6 distance of 435.15 feet to a point in the east right-of-way line of
4-7 State Highway No. 66 for the northwest corner of said Gibbs tract;
4-8 THENCE North 01 degree 48 minutes 07 seconds West, along the east
4-9 right-of-way line of State Highway No. 66, a distance of 709.10 feet
4-10 to a point for the beginning of a tangent curve to the right, from
4-11 which a TxDOT concrete monument is located South 01 degree 48
4-12 minutes 07 seconds East, a distance of 1.41 feet;
4-13 THENCE Northeasterly, continuing along the east right-of-way line
4-14 of State Highway No. 66 and along the curve to the right which has a
4-15 chord that bears North 16 degrees 29 minutes 34 seconds East for
4-16 440.72 feet, a central angle of 36 degrees 35 minutes 22 seconds and
4-17 a radius of 702.00 feet, for an arc distance of 448.30 feet to a
4-18 point for the end of said curve, from which a TxDot concrete
4-19 monument is located South 03 degrees 50 minutes 05 seconds West, a
4-20 distance of 1.41 feet;
4-21 THENCE North 34 degrees 47 minutes 15 seconds East, continuing
4-22 along the easterly right-of-way line of State Highway No. 66, a
4-23 distance of 986.53 feet to a point for the beginning of a tangent
4-24 curve to the left, from which a TxDOT concrete monument is located
4-25 South 01 degree 40 minutes 43 seconds East, a distance of 1.69 feet;
4-26 THENCE Northeasterly, continuing along the easterly right-of-way
4-27 line of State Highway No. 66 and along the curve to the left which
4-28 has a chord that bears North 16 degrees 59 minutes 08 seconds East
4-29 for 486.72 feet, a central angle of 35 degrees 36 minutes 15 seconds
4-30 and a radius of 796.00 feet, for an arc distance of 494.64 feet to
4-31 the end of said curve;
4-32 THENCE North 00 degrees 49 minutes 00 seconds West, along the east
4-33 right-of-way line of State Highway No. 66, a distance of 1270.15
4-34 feet to a 1/2-inch iron rod found for the northwest corner of said
4-35 50.44 acre tract and the southwest corner of Luby Acres, an addition
4-36 to the Town of Fate according to the plat thereof recorded in
4-37 Cabinet B, Page 2 of the Map Records of Rockwall County, Texas;
4-38 THENCE North 88 degrees 12 minutes 44 seconds East, along the south
4-39 line of Luby Acres, a distance of 1739.21 feet to the southeast
4-40 corner of said Luby Acres;
4-41 THENCE North 01 degree 11 minutes 30 seconds West, along the west
4-42 line of said Fate Land tract, and the east line of said Luby Acres, a
4-43 distance of 750.20 feet to a 1/2-inch iron rod found for the
4-44 northeast corner of said Luby Acres;
4-45 THENCE North 01 degree 20 minutes 58 seconds West, continuing along
4-46 the west line of said Fate Land tract, a distance of 1327.26 feet to
4-47 a 1/2-inch iron rod found for the northwest corner thereof;
4-48 THENCE North 88 degrees 42 minutes 34 seconds East, along the north
4-49 line of said Fate Land tract, a distance of 2111.82 feet to a point
4-50 for the northeast corner of said Fate Land tract;
4-51 THENCE South 01 degree 20 minutes 57 seconds East, a distance of
4-52 2869.76 feet to a point in the northwest right-of-way of the Union
4-53 Pacific Railway (100' right-of-way);
4-54 THENCE South 46 degrees 07 minutes 06 seconds West, along the
4-55 northwest right-of-way line of the Union Pacific Railway, a
4-56 distance of 1290.89 feet to a point for corner;
4-57 THENCE North 89 degrees 57 minutes 29 seconds West, a distance of
4-58 1167.48 feet to a 5/8-inch iron rod found for corner, said rod being
4-59 the southeast corner of said 15.004 acre tract;
4-60 THENCE South 01 degree 11 minutes 30 seconds East, along the east
4-61 line of said 119.34 acre tract, a distance of 1101.83 feet to a
4-62 point in the northwest right-of-way line of the Union Pacific
4-63 Railway (100' right-of-way) for the southeast corner of said 119.34
4-64 acre tract;
4-65 THENCE South 46 degrees 07 minutes 06 seconds West, along the
4-66 northwest line of the Union Pacific Railway, a distance of 2669.57
4-67 feet to a 1/2-inch iron rod found for the southeast corner of said
4-68 City of Fate tract;
4-69 THENCE North 01 degree 44 minutes 40 seconds West, along the east

5-1 line of said City of Fate tract, a distance of 629.85 feet to a
 5-2 1/2-inch iron rod found for the north corner of said City of Fate
 5-3 tract;

5-4 THENCE South 35 degrees 52 minutes 53 seconds West, along the
 5-5 northwest line of said City of Fate tract, a distance of 1037.55
 5-6 feet to the POINT OF BEGINNING and containing 15,533,075 square
 5-7 feet, or 356.590 acres of land, more or less.

5-8 (2) Rockwall County Municipal Utility District No. 7:
 5-9 BEING a tract of land situated in the S.B. CRABTREE SURVEY, ABSTRACT
 5-10 NO. 57, and the D. THEDFORD SURVEY, ABSTRACT NO. 208, and the J.R.
 5-11 BRISCOE SURVEY, ABSTRACT NO. 42, in the City of Fate, Rockwall
 5-12 County, Texas, and being all of a called 64.83 acre tract of land
 5-13 described as Tract IV, and all of a called 64.07 acre tract of land
 5-14 described as Tract V in a deed to The Crown Hill Trusts recorded in
 5-15 Volume 1287, Page 187 of the Deed Records of Rockwall County, Texas,
 5-16 and being more particularly described as follows:

5-17 BEGINNING at a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087"
 5-18 found in the southwest corner of said 64.83 acres tract and the
 5-19 southeast corner of a called 35.371 acres tract described as South
 5-20 Tract in a deed to Frank C. Slay recorded in Volume 56, Page 93 of
 5-21 said Deed Records, also being a point on the north right-of-way line
 5-22 of Farm-to-Market Road 551;

5-23 THENCE North 01 degree 31 minutes 16 seconds West, along the common
 5-24 line between said 64.83 acres tract and Slay tract, a distance of
 5-25 1,802.86 feet to a 1/2-inch iron rod found for the northeast corner of
 5-26 said Slay tract and the northwest corner of said 64.83 acre tract at
 5-27 a point in the southeasterly right-of-way line of said Interstate
 5-28 Highway No. 30 (variable right-of-way);

5-29 THENCE North 43 degrees 59 minutes 58 seconds East, along the
 5-30 southeasterly line of said Interstate 30, a distance of 471.60 feet
 5-31 to a 1/2-inch iron rod found for the west corner of a tract of land as
 5-32 described to Suburban Propane, L.P., recorded in Volume 1101, Page
 5-33 046, of said Deed Records;

5-34 THENCE South 46 degrees 53 minutes 08 seconds East, along the
 5-35 southwest line of said Propane tract, a distance of 147.93 feet to a
 5-36 1/2-inch iron rod found for the southwest corner of said propane
 5-37 tract;

5-38 THENCE North 89 degrees 21 minutes 48 seconds East, along the south
 5-39 line of said Propane tract, a distance of 374.05 feet to a 5/8-inch
 5-40 iron rod found for the southeast corner of said Propane tract;

5-41 THENCE North 00 degree 57 minutes 34 second West, along the
 5-42 east line of said Propane tract, a distance of 550.63 feet to a
 5-43 5/8-inch iron rod found for the northeast corner of said Propane
 5-44 tract at a point on the southeasterly line of said Interstate 30;

5-45 THENCE North 43 degrees 59 minutes 58 seconds East, along the
 5-46 southeasterly line of said Interstate 30, a distance of 353.64 feet
 5-47 to a TxDot concrete monument found for corner;

5-48 THENCE South 88 degrees 14 minutes 04 seconds East, along a cut-back
 5-49 line in said Interstate Highway No. 30 right-of-way, a distance of
 5-50 75.37 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087"
 5-51 found for corner;

5-52 THENCE North 41 degrees 40 minutes 56 seconds East, continuing
 5-53 along said cut-back, a distance of 25.20 feet to a 1/2-inch iron rod
 5-54 found in the center of Blackland Road, (undicated public road);

5-55 THENCE South 53 degrees 28 minutes 01 second East, generally along
 5-56 the center of Blackland Road, a distance of 904.64 feet to a
 5-57 1/2-inch iron rod found for the north corner of a tract of land as
 5-58 described to Macedonia Baptist Church, called 1.04 acres, recorded
 5-59 in Volume 70, Page 224, of said Deed Records;

5-60 THENCE South 01 degree 25 minutes 24 seconds East, along the west
 5-61 line of said church tract, a distance of 317.23 feet to a 5/8-inch
 5-62 iron rod with cap marked "PETITT-RPLS 4087" found for the south
 5-63 corner of said church tract;

5-64 THENCE North 67 degrees 25 minutes 06 seconds East, along the
 5-65 south line of said church tract, a distance of 306.42 feet to a
 5-66 5/8-inch iron rod found in the center of said Black land Road for
 5-67 the east corner of said church tract;

5-68 THENCE South 52 degrees 54 minutes 18 seconds East, along the
 5-69 northeasterly boundary of said 64.07 acre tract and along generally

6-1 along the center of Blackland Road, a distance of 669.01 feet to a
6-2 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for an
6-3 angle point, from which a 5/8-inch iron rod found is located South
6-4 60 degrees 57 minutes 12 seconds West, a distance of 23.88 feet;
6-5 THENCE South 45 degrees 33 minutes 23 seconds East, continuing
6-6 along the northeasterly boundary of said 64.07 acre tract and
6-7 generally along the center of Blackland Road, a distance of
6-8 1,690.88 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS
6-9 4087" found at center of Greenbriar Road (undedicated public road);
6-10 THENCE South 45 degrees 21 minutes 04 seconds West, generally along
6-11 the center of Greenbriar Road, a distance of 775.91 feet to a
6-12 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for an
6-13 angle point;
6-14 THENCE South 88 degrees 24 minutes 03 seconds West, continuing
6-15 generally along the center of Greenbriar Road, a distance of
6-16 1,421.23 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS
6-17 4087" found in the east line of a called 10.00 acre tract of land
6-18 described in a deed to Curtis M. Brunson and wife Nelda Brunson
6-19 recorded in Volume 138, Page 797 of said Deed Records;
6-20 THENCE North 01 degree 25 minutes 24 seconds West, along the east
6-21 line of said Brunson tract, a distance of 2,037.61 feet to a
6-22 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found in the
6-23 general center of a ditch for corner;
6-24 THENCE South 54 degrees 02 minutes 46 seconds West, generally along
6-25 the center of said ditch and along the north line of said Brunson
6-26 tract and the north line of a called 4.788 acre tract of land
6-27 described in a deed to Curtis M. Brunson recorded in Volume 130,
6-28 page 710 of said Deed Records, a distance of 461.00 feet to an angle
6-29 point;
6-30 THENCE South 30 degrees 55 minutes 20 seconds West, continuing
6-31 generally along the center of said ditch and along the westerly
6-32 north line of said 4.788 acre tract, the north line of a called
6-33 5.3801 acre tract described in a deed to Todd Winters recorded in
6-34 Volume 1571, Page 301 of said Deed Records, the north line of a
6-35 called 5.02 acre tract described in a deed to David W. Wright and
6-36 wife Linda Wright recorded in Volume 85, Page 144 of said Deed
6-37 Records, and the north line of a called 4.02 acre tract described in
6-38 a deed to David W. Wright and wife Linda Wright recorded in Volume
6-39 91, Page 442 of said Deed Records, a distance of 1,803.25 feet to a
6-40 1/2-inch iron rod found for corner;
6-41 THENCE South 00 degrees 25 minutes 35 seconds East, along the west
6-42 line of said Wright 4.02 acre tract, a distance of 176.50 feet to a
6-43 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found in the
6-44 north right-of-way line of said F. M. Road 551;
6-45 THENCE North 89 degrees 49 minutes 50 seconds West, along the north
6-46 right-of-way line of F. M. Road 551, a distance of 526.99 feet to
6-47 the POINT OF BEGINNING and containing 5,653,805 square feet or
6-48 129.794 acres of land, more or less.
6-49 (3) Rockwall County Municipal Utility District No. 8:
6-50 BEING a tract of land situated in the R. B. IRVINE SURVEY, ABSTRACT
6-51 NO. 120, and the J. HODGES SURVEY, ABSTRACT NO. 103, in the City of
6-52 Fate, Rockwall County, Texas, and being part of a called 1074.12
6-53 acre tract of land as described to Fate Land, LP, recorded in Volume
6-54 02919, Page 00099 of the Deed Records of Rockwall County, Texas, and
6-55 also in County Clerks File No. 00275581, of said Deed Records, and
6-56 being more particularly described as follows:
6-57 BEGINNING at a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087"
6-58 found for the southwest corner of a 348.201 acres tract of land as
6-59 described in deed from Fate Land, LP to PRA/Fate Development,
6-60 Corp., recorded in Volume 02919, Page 00188, Deed Records, Rockwall
6-61 County, Texas, said rod also being in the approximate center of Ben
6-62 Payne Road (undedicated public road) intersecting at a point on the
6-63 north right-of-way line of State Highway No. 66 (60' right-of-way);
6-64 THENCE along a curve to the right and being on the north
6-65 right-of-way line of said State Highway No. 66, which has a chord
6-66 that bears South 87 degrees 46 minutes 18 seconds West for 64.15
6-67 feet, a central angle of 01 degree 57 minutes 18 seconds and a
6-68 radius of 1880.00 feet, for an arc distance of 64.15 feet to a TxDOT
6-69 concrete monument found for the end of said curve;

7-1 THENCE South 88 degrees 44 minutes 57 seconds West, continuing
7-2 along the north right-of-way line of State Highway No. 66, a
7-3 distance of 239.33 feet to a 5/8-inch iron rod with cap marked
7-4 "PETITT-RPLS 4087" found for the southeast corner of a tract of land
7-5 described in a deed to Cash Water Supply Corporation recorded in
7-6 Volume 161, Page 393 of said Deed Records;
7-7 THENCE North 01 degree 15 minutes 03 seconds West, along the east
7-8 line of said Cash tract, a distance of 53.11 feet to a 5/8-inch iron
7-9 rod with cap marked "PETITT-RPLS 4087" found for the northeast
7-10 corner of said Cash tract;
7-11 THENCE South 88 degrees 44 minutes 57 seconds West, along the north
7-12 line of said Cash tract and the north line of a called 0.057 acre
7-13 tract of land described in a deed to North Texas Municipal Water
7-14 Supply Corporation recorded in Volume 59, Page 19 of said Deed
7-15 Records, a distance of 100.00 feet to a 5/8-inch iron rod with cap
7-16 marked "PETITT-RPLS 4087" found for the northwest corner of said
7-17 North Texas tract;
7-18 THENCE South 01 degree 15 minutes 03 seconds East, along the west
7-19 line of said North Texas tract, a distance of 53.11 feet to a
7-20 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found in the
7-21 north right-of-way line of State Highway No. 66 for the southwest
7-22 corner of said North Texas tract;
7-23 THENCE South 88 degrees 44 minutes 57 seconds West, along the north
7-24 right-of-way line of State Highway No. 66, a distance of 643.53 feet
7-25 to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for
7-26 the southeast corner of a called 2.0 acre tract of land described in
7-27 a deed to Gerald Lindsey Payne recorded in Volume 74, Page 358 of
7-28 said Deed Records;
7-29 THENCE North 01 degree 06 minutes 53 seconds West, along the east
7-30 line of said Payne tract, passing at a distance of 5.58 feet a
7-31 1/2-inch iron rod found, a distance of 422.68 feet to a 5/8-inch
7-32 iron rod with cap marked "PETITT-RPLS 4087" found for the northeast
7-33 corner of said Payne tract;
7-34 THENCE South 88 degrees 21 minutes 05 seconds West, along the north
7-35 line of said Payne tract, a distance of 8.33 feet for corner;
7-36 THENCE North 01 degree 55 minutes 01 second West, a distance of
7-37 100.00 feet to a corner;
7-38 THENCE South 88 degrees 21 minutes 05 seconds West, a
7-39 distance of 100.00 feet for corner;
7-40 THENCE North 01 degree 55 minutes 01 second West, a distance of
7-41 400.00 feet to a corner;
7-42 THENCE South 88 degrees 21 minutes 05 seconds West, a distance of
7-43 100.00 feet for corner at a point on the east line of a called 54
7-44 acre tract of land described in a deed to William G. A. Stevenson
7-45 recorded in Volume 162, Page 625, Deed Records, Rockwall County,
7-46 Texas;
7-47 THENCE North 01 degree 55 minutes 01 second West, along the east
7-48 line of said Stevenson tract, a distance of 736.10 feet to a
7-49 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for the
7-50 northeast corner of said Stevenson tract;
7-51 THENCE South 88 degrees 46 minutes 28 seconds West, along the north
7-52 line of said Stevenson tract, a distance of 1856.29 feet to a point
7-53 in the center of a creek;
7-54 THENCE along the center of said creek as follows:
7-55 North 00 degrees 35 minutes 20 seconds East, a distance of 647.00
7-56 feet ;
7-57 North 05 degrees 03 minutes 21 seconds West, a distance of 374.71
7-58 feet ;
7-59 North 03 degrees 31 minutes 09 seconds East, a distance of 571.38
7-60 feet to a corner;
7-61 North 44 degrees 54 minutes 58 seconds East, a distance of 279.47
7-62 feet to a point on the common north line of said IRVINE SURVEY and
7-63 the south line of the NORVELL SURVEY, ABSTRACT NO. 170, and also
7-64 being the southwest corner of a called 231.5198 acres tract of land
7-65 as described in a deed to Kenneth Baker and Cara L. Baker, husband
7-66 and wife, recorded in Volume 948, Page 70, of said Deed Records;
7-67 THENCE North 89 degrees 22 minutes 49 seconds East, along the common
7-68 line of said survey's, and the south line of said Baker tract, a
7-69 distance of 2879.38 feet to a 5/8-inch iron rod with cap marked

8-1 "PETITT-RPLS 4087" found in the center of a public road known as Ben
8-2 Payne Road (undedicated right-of-way) for the southeast corner of
8-3 said Baker tract;
8-4 THENCE North 00 degrees 52 minutes 17 seconds West, along the most
8-5 southerly east line of said Baker tract and along the center of said
8-6 public road, a distance of 1030.54 feet to a 5/8-inch iron rod with
8-7 cap marked "PETITT-RPLS 4087" found for the southwest corner of a
8-8 1.571 acre tract of land described in a deed to Marjorie Elane
8-9 Wheeler recorded in Volume 0846, Page 033 of said Deed Records;
8-10 THENCE North 89 degrees 05 minutes 33 seconds East, along the south
8-11 line of said Wheeler tract, the south line of a tract of land
8-12 described in a deed to Elmer T. Campbell and Reesie W. Campbell
8-13 recorded in Volume 61, Page 132 of said Deed Records, the south line
8-14 of tract of land described in a deed to Loretta Cameron recorded in
8-15 Volume 104, Page 917 of said Deed Records, the south line of a 3.77
8-16 acre tract of land described in a deed to Kelli J. Love and Jim C.
8-17 Love recorded in Volume 1104, Page 132 of said Deed Records and the
8-18 south line of a called 31.009 acre tract of land described in a deed
8-19 to Charles R. Noland and wife Janna D. Noland recorded in Volume
8-20 531, Page 176 of said Deed Records, and generally along the center
8-21 of a public road, a distance of 1055.55 feet to a 5/8-inch iron rod
8-22 with cap marked "PETITT-RPLS 4087" found for the corner at a point
8-23 on the west line of said PRA/Fate Development tract, and a point on
8-24 the south line of said Noland tract;
8-25 THENCE along the west line of said PRA/Fate Development tract the
8-26 following courses:
8-27 South 02 degrees 08 minutes 40 seconds West, a distance of 102.52
8-28 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-29 found for corner;
8-30 South 11 degrees 44 minutes 05 seconds East, a distance of 130.00
8-31 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-32 found for corner;
8-33 South 23 degrees 00 minutes 18 seconds East, a distance of 100.00
8-34 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-35 found for corner;
8-36 South 36 degrees 28 minutes 24 seconds East, a distance of 260.00
8-37 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-38 found for corner;
8-39 South 07 degrees 41 minutes 36 seconds East, a distance of 250.00
8-40 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-41 found for corner;
8-42 South 27 degrees 30 minutes 52 seconds East, a distance of 185.00
8-43 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-44 found for corner;
8-45 South 00 degrees 27 minutes 43 seconds East, a distance of 125.00
8-46 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-47 found for corner;
8-48 South 25 degrees 36 minutes 22 seconds East, a distance of 450.00
8-49 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-50 found for corner;
8-51 South 14 degrees 12 minutes 57 seconds East, a distance of 350.00
8-52 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-53 found for corner;
8-54 South 22 degrees 45 minutes 44 seconds East, a distance of 270.00
8-55 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-56 found for corner;
8-57 South 15 degrees 19 minutes 35 seconds East, a distance of 555.00
8-58 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-59 found for corner;
8-60 South 44 degrees 21 minutes 08 seconds East, a distance of 100.00
8-61 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-62 found for corner;
8-63 South 13 degrees 19 minutes 35 seconds East, a distance of 49.11
8-64 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
8-65 found for the beginning of a non-tangent curve to the right;
8-66 Southwesterly, along said non-tangent curve to the right which has
8-67 a chord that bears South 83 degrees 25 minutes 03 seconds West for
8-68 380.07 feet, a central angle of 10 degrees 38 minutes 17 seconds and
8-69 a radius of 2050.00 feet, for an arc distance of 380.62 feet to a

9-1 5/8-inch iron rod with cap marked "PETITT - RPLS 4087" found for the
 9-2 end of said curve;
 9-3 South 88 degrees 44 minutes 11 seconds West, a distance of 1573.02
 9-4 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS 4087"
 9-5 found for an ell corner on the west line of said PRA/Fate
 9-6 Development tract;
 9-7 South 01 degree 15 minutes 49 seconds East, along the general center
 9-8 of said Ben Payne Road, a distance of 1660.93 feet to a the POINT OF
 9-9 BEGINNING and containing 11,566,723 square feet or 265.535 acres of
 9-10 land.

9-11 (4) Rockwall County Municipal Utility District No. 9:
 9-12 BEING a tract of land situated in the J. GARDENSHIRE SURVEY,
 9-13 ABSTRACT NO. 95, and the J. MCKINNEY SURVEY, ABSTRACT NO. 151, in
 9-14 the City of Fate, Rockwall County, Texas, and being part of a called
 9-15 1074.12 acres tract of land as described in a deed to Fate Land, LP,
 9-16 recorded in Volume 02919, Page 00099 of the Deed Records of Rockwall
 9-17 County, Texas, and being more particularly described as follows:
 9-18 BEGINNING at a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087"
 9-19 found at the intersection of the west right-of-way line of State
 9-20 Highway No. 66 (60' right-of-way) with the center line of Prince
 9-21 Lane (undedicated public road), said point being the northeast
 9-22 corner of said 1074.12 acres tract and the southeast corner of a
 9-23 tract of land described in a deed to Tommy J. Woods recorded in
 9-24 Volume 899, Page 231 of said Deed Records;
 9-25 THENCE South 00 degrees 49 minutes 00 seconds East, along the west
 9-26 right-of-way line of State Highway No. 66, a distance of 1642.72
 9-27 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found
 9-28 for corner;
 9-29 THENCE South 89 degrees 11 minutes 00 seconds West, a distance of
 9-30 1660.59 feet to the beginning of a tangent curve to the left;
 9-31 THENCE Southwesterly, along said tangent curve to the left which
 9-32 has a chord that bears South 53 degrees 38 minutes 35 seconds West
 9-33 for 1743.93 feet, a central angle of 71 degrees 05 minutes 08
 9-34 seconds and a radius of 1500.00 feet, for an arc distance of 1861.02
 9-35 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found
 9-36 for the northeast corner of a tract of land as described in a deed to
 9-37 PRA/Fate Development, Corp., recorded in Volume 02919, Page 00188,
 9-38 of said Deed Records;
 9-39 THENCE South 89 degrees 03 minutes 45 seconds West, along the north
 9-40 line of said PRA/Fate Development tract, a distance of 2420.13 feet
 9-41 to a 5/8-inch iron rod with cap marked "PETITT-RPLS 4087" found for
 9-42 corner at a point on the west line of a called 31.009 acre tract of
 9-43 land described in a deed to Charles R. Noland and wife Janna D.
 9-44 Noland recorded in Volume 531, Page 176 of said Deed Records, said
 9-45 found rod also being the northwest corner of said PRA/Fate
 9-46 Development tract;
 9-47 THENCE North 01 degree 03 minutes 22 seconds West, along the east
 9-48 line of said Noland tract, a distance of 649.48 feet to a 1-inch
 9-49 iron pipe found in the south line of a called 311.550 acre tract of
 9-50 land described as Tract B in a deed to Jessie Elizabeth Mills and
 9-51 John C. Mills Jr. as Trustees for the Mills Family Trust, for the
 9-52 northeast corner of said Noland tract;
 9-53 THENCE North 87 degrees 52 minutes 37 seconds East, along the south
 9-54 line of said Mills tract and generally along a fence, a distance of
 9-55 225.97 feet to a 5/8-inch iron rod with cap marked "PETITT-RPLS
 9-56 4087" found for the southeast corner of said Mills tract;
 9-57 THENCE North 00 degrees 46 minutes 11 seconds West, along the east
 9-58 line of said Mills tract, a distance of 666.10 feet to a 5/8-inch
 9-59 iron rod found for the southwest corner of a called 20.00 acre tract
 9-60 of land described in a deed to Otis Cox or Mildred Cox, Trustees or
 9-61 their successors in trust, recorded in Volume 715, Page 118, Deed
 9-62 Records, Rockwall County, Texas;
 9-63 THENCE North 88 degrees 56 minutes 38 seconds East, along the south
 9-64 line of said 20.00 acre Cox tract and the south line of a called
 9-65 20.02 acre tract of land described in a deed to Otis Cox or Mildred
 9-66 Cox, Trustees or their successors in trust, Volume 715, Page 121,
 9-67 Deed Records, Rockwall County, Texas, a distance of 1319.97 feet to
 9-68 a 1/2-inch iron rod found for the southeast corner of said 20.02
 9-69 acre Cox tract;

10-1 THENCE North 01 degree 47 minutes 08 seconds West, along the east
10-2 line of said 20.02 acre Cox tract, a distance of 1328.53 feet to a
10-3 1/2-inch iron rod found in the south line of a called 5.076 acre
10-4 tract of land described in a deed to Nicolas Livaudais and wife
10-5 Sylvia Livaudais recorded in Volume 1860, Page 157 of said Deed
10-6 Records for the northeast corner of said 20.02 acre Cox tract;
10-7 THENCE North 89 degrees 05 minutes 00 seconds East, along the south
10-8 line of said Livaudais tract and generally along the center of
10-9 Prince Lane, a distance of 3978.54 feet to the POINT OF BEGINNING
10-10 and containing 9,668,333 square feet, or 221.95 acres of land, more
10-11 or less.

10-12 SECTION 3. (a) The legal notice of the intention to
10-13 introduce this Act, setting forth the general substance of this
10-14 Act, has been published as provided by law, and the notice and a
10-15 copy of this Act have been furnished to all persons, agencies,
10-16 officials, or entities to which they are required to be furnished
10-17 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
10-18 Government Code.

10-19 (b) The governor, one of the required recipients, has
10-20 submitted the notice and Act to the Texas Commission on
10-21 Environmental Quality.

10-22 (c) The Texas Commission on Environmental Quality has filed
10-23 its recommendations relating to this Act with the governor, the
10-24 lieutenant governor, and the speaker of the house of
10-25 representatives within the required time.

10-26 (d) All requirements of the constitution and laws of this
10-27 state and the rules and procedures of the legislature with respect
10-28 to the notice, introduction, and passage of this Act are fulfilled
10-29 and accomplished.

10-30 SECTION 4. This Act takes effect immediately if it receives
10-31 a vote of two-thirds of all the members elected to each house, as
10-32 provided by Section 39, Article III, Texas Constitution. If this
10-33 Act does not receive the vote necessary for immediate effect, this
10-34 Act takes effect September 1, 2005.

10-35 * * * * *