

By: Deuell

S.B. No. 1894

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Kaufman County Water Control and Improvement District No. 1; 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 I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9002 to read as follows:

CHAPTER 9002. KAUFMAN COUNTY WATER CONTROL AND IMPROVEMENT

DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9002.001. DEFINITIONS. In this chapter:

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

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

(3) "District" means Kaufman County Water Control and Improvement District No. 1.

Sec. 9002.002. NATURE OF DISTRICT. The district is a conservation and reclamation district in Kaufman County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 9002.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 9002.023 before September 1, 2007:

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

1 except that:

2 (A) any debts incurred shall be paid;

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

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

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

9 Sec. 9002.004. INITIAL DISTRICT TERRITORY. (a) The
10 district is initially composed of the territory described by
11 Section 2 of the Act creating this chapter.

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

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

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

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

21 Sec. 9002.005. APPLICABILITY OF OTHER LAW. Except as
22 otherwise provided by this chapter, Chapters 49 and 51, Water Code,
23 apply to the district.

24 [Sections 9002.006-9002.020 reserved for expansion]

25 SUBCHAPTER A1. TEMPORARY PROVISIONS

26 Sec. 9002.021. TEMPORARY DIRECTORS. (a) The temporary
27 board consists of:

- (1) David G. Chaney;
- (2) Rick Ellis;
- (3) Jim Lee;
- (4) Ronald H. Linam; and
- (5) Max W. Lindsay.

(b) If a temporary director fails to qualify for office, the Texas Commission on Environmental Quality shall appoint a person to fill the vacancy.

(c) Temporary directors serve until the earlier of:

- (1) the date directors are elected under Section 9002.023; or
- (2) the date this chapter expires under Section 9002.003.

Sec. 9002.022. ORGANIZATIONAL MEETING OF TEMPORARY DIRECTORS. As soon as practicable after all the temporary directors have qualified under Section 49.055, Water Code, the temporary directors shall convene the organizational meeting of the district at a location in the district agreeable to a majority of the directors. If a location cannot be agreed upon, the organizational meeting shall be at the Kaufman County Courthouse. At the meeting, the temporary directors shall elect officers from among the temporary directors and conduct any other district business.

Sec. 9002.023. CONFIRMATION AND INITIAL DIRECTORS' ELECTION. The temporary directors shall hold an election to confirm the creation of the district and to elect five directors as provided by Section 49.102, Water Code.

1 Sec. 9002.024. INITIAL ELECTED DIRECTORS; TERMS. The
2 directors elected under Section 9002.023 shall draw lots to
3 determine which two shall serve until the first regularly scheduled
4 election of directors under Section 9002.052 and which three shall
5 serve until the second regularly scheduled election of directors.

6 Sec. 9002.025. EXPIRATION OF SUBCHAPTER. This subchapter
7 expires September 1, 2010.

8 [Sections 9002.026-9002.050 reserved for expansion]

9 SUBCHAPTER B. BOARD OF DIRECTORS

10 Sec. 9002.051. DIRECTORS; TERMS. (a) The district is
11 governed by a board of five directors.

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

13 Sec. 9002.052. ELECTION OF DIRECTORS. On the uniform
14 election date in May of each even-numbered year, the appropriate
15 number of directors shall be elected.

16 [Sections 9002.053-9002.100 reserved for expansion]

17 SUBCHAPTER C. POWERS AND DUTIES

18 Sec. 9002.101. ROAD PROJECTS. (a) To the extent authorized
19 by Section 52, Article III, Texas Constitution, the district may
20 construct, acquire, improve, maintain, or operate macadamized,
21 graveled, or paved roads or turnpikes, or improvements in aid of
22 those roads or turnpikes, inside the district.

23 (b) A road project must meet all applicable construction
24 standards, zoning and subdivision requirements, and regulatory
25 ordinances of the municipality or county in whose jurisdiction the
26 district is located.

27 (c) The district may not undertake a road project unless

1 each municipality or county in whose jurisdiction the district is
2 located consents by ordinance or resolution.

3 Sec. 9002.102. LIMITATION ON USE OF EMINENT DOMAIN. The
4 district may exercise the power of eminent domain outside the
5 district only to acquire an easement necessary for a pipeline that
6 serves the district.

7 Sec. 9002.103. AUTHORITY TO PROVIDE SERVICES. The district
8 may provide water, sanitary sewer, drainage, and road services to
9 any part of the district not receiving those services on the
10 effective date of the Act creating this chapter.

11 Sec. 9002.104. AUTHORITY TO CONTRACT. The district may
12 enter into a contract with an owner of real property in the district
13 to construct, acquire, finance, own, maintain, or operate works or
14 projects authorized by Section 9002.103.

15 Sec. 9002.105. DIVISION OF DISTRICT. The district may
16 divide into two new districts as provided by Section 53.029, Water
17 Code.

18 [Sections 9002.106-9002.150 reserved for expansion]

19 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

20 Sec. 9002.151. TAX TO REPAY BONDS. The district may impose
21 a tax to pay the principal of and interest on bonds issued under
22 Section 9002.201.

23 Sec. 9002.152. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
24 ASSESSMENTS. The district may not impose an impact fee or
25 assessment on the property, including the equipment,
26 rights-of-way, facilities, or improvements, of:

27 (1) an electric utility or a power generation company

1 as defined by Section 31.002, Utilities Code;

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

4 (3) a telecommunications provider as defined by
5 Section 51.002, Utilities Code; or

6 (4) a cable operator as defined by 47 U.S.C. Section
7 522.

8 [Sections 9002.153-9002.200 reserved for expansion]

9 SUBCHAPTER E. BONDS

10 Sec. 9002.201. AUTHORITY TO ISSUE BONDS AND OTHER
11 OBLIGATIONS. (a) The district may issue bonds or other obligations
12 as provided by Chapters 49 and 51, Water Code, to finance the
13 construction, maintenance, or operation of projects under Section
14 9002.101.

15 (b) The district may not issue bonds under Subsection (a)
16 unless the issuance is approved by a vote of a two-thirds majority
17 of the voters of the district voting at an election called for that
18 purpose.

19 (c) Bonds or other obligations issued or incurred to finance
20 projects authorized by Section 9002.101 may not exceed one-fourth
21 of the assessed value of the real property in the district.

22 (d) Sections 49.181 and 49.182, Water Code, do not apply to
23 a project undertaken by the district under Section 9002.101 or to
24 bonds issued by the district to finance the project.

25 Sec. 9002.202. USE OF BOND PROCEEDS. The district may use
26 proceeds from the sale of bonds to acquire from a private water
27 supply corporation facilities or improvements necessary to provide

1 a service authorized by Section 9002.103.

2 SECTION 2. Kaufman County Water Control and Improvement
3 District No. 1 initially includes all the territory contained in
4 the following described area:

5 BEING a 150.63 acre tract of land situated in the Lewis Pearce
6 Survey, Abstract No. 373, Enoch Spivey Survey, Abstract No. 495,
7 and Thomas A. Waldrop Survey, Abstract No. 597, Kaufman County,
8 Texas, said tract being a part of Tract 1, Tract 2 and Tract 3, as
9 described in deed to WG&G Investments, Inc., as recorded in Volume
10 1308, Page 428, Deed Records Kaufman County, Texas (D.R.K.C.T.),
11 said tract being more particularly described as follows:

12 BEGINNING at a 1/2-inch set iron rod with a cap stamped "EC&D RPLS
13 5439" (hereinafter referred to as "with cap") at the southwest
14 corner of said WG&G Tract 3, said corner being the southeast corner
15 of a 14.00 acre tract of land described in deed to Wylie Musser, as
16 recoded in Volume 2390, Page 15, D.R.K.C.T., said corner being the
17 southeast corner of Lot 72, Valley View Estates subdivision, as
18 recorded in Cabinet 1, Envelope 792, Plat Records Kaufman County,
19 Texas (P.R.K.C.T.), said corner being on the north right-of-way
20 line of Interstate Highway 80 (variable width);

21 THENCE North 33 degrees 40 minutes 23 seconds West, along the east
22 line of said Musser tract, a distance of 1608.52 feet to a 1/2-inch
23 found iron rod for corner, said corner being the northwest corner of
24 said WG&G Tract 3; THENCE North 42 degrees 31 minutes 35 seconds
25 West, continuing along said east line, a distance of 2031.97 feet to
26 a 1/2-inch set iron rod with cap for the northwest corner of said
27 WG&G Tract 1, said corner being the southwest corner of a tract

1 (Tract 2) of land described in deed to Wylie Musser, as recorded in
2 Volume 1176, Page 807, D.R.K.C.T.;

3 THENCE North 47 degrees 05 minutes 00 seconds East, along the south
4 line of said Musser Tract 2, a distance of 1021.61 feet to a
5 1/2-inch found iron rod for the northeast corner of said WG&G Tract
6 1, said corner being the northwest corner of Lot 52 of said Valley
7 View Estates;

8 THENCE South 42 degrees 18 minutes 36 seconds East, along the west
9 line of said Valley View Estates, a distance of 1717.55 feet to a
10 1-1/2-inch found iron pipe for the northwest corner of said WG&G
11 Tract 2, said corner being the southwest corner of said Valley View
12 Estates;

13 THENCE North 47 degrees 29 minutes 14 seconds East, along the south
14 line of said Valley View Estates, a distance of 1426.02 feet to a
15 found "T" post for the northeast corner of said WG&G Tract 2, said
16 corner being the northwest corner of a tract of land described in
17 deed to Michael W. Bedrick, as recoded in Volume 2385, Page 203,
18 D.R.K.C.T.;

19 THENCE South 19 degrees 02 minutes 01 seconds East, along the west
20 line of said Bedrick tract, a distance of 3451.35 feet to a set "X"
21 cut in a concrete flume for the southeast corner of said WG&G Tract
22 2, said corner being the southwest corner of said Bedrick tract,
23 said corner being on the north right-of-way line of the
24 aforementioned Interstate Highway 80;

25 THENCE North 85 degrees 13 minutes 03 feet West, along said north
26 right-of-way line, a distance of 26.12 feet to a found "X" cut in a
27 concrete flume, said corner being the southeast corner of a tract of

1 land described in deed to Kevin Burns, as recorded in Volume 1999,
2 Page 638, D.R.K.C.T.;

3 THENCE North 19 degrees 05 minutes 03 seconds West, departing said
4 north right-of-way line and along the east line of said Burns tract,
5 a distance of 187.33 feet to a 1/2-inch found iron rod with a cap
6 stamped "VANNOY" for the northeast corner of said Burns tract;

7 THENCE North 82 degrees 13 minute 13 seconds West, along the north
8 line of said Burns tract, a distance of 132.14 feet to a 1/2-inch
9 found iron rod with a cap stamped "VANNOY" for the northwest corner
10 of said Burns tract, said corner being on the east line of a tract of
11 land described in deed to Terrell Coachlight Inn Motel, Ltd., as
12 recoded in Volume 560, Page 88, D.R.K.C.T.;

13 THENCE North 07 degrees 45 minutes 24 seconds East, along the east
14 line of said Coachlight Inn tract, a distance of 185.91 feet to a
15 1/2-inch found iron rod with a cap stamped "VANNOY" for the
16 northeast corner of said Coachlight Inn;

17 THENCE North 82 degrees 50 minutes 56 seconds West, along the north
18 line of said Coachlight Inn tract and a tract of land described in
19 deed to Parbhubbhai Thakorbbhai Patel, as recorded in Volume 1270,
20 Page 975, D.R.K.C.T., a distance of 429.89 feet to a 1/2-inch set
21 iron rod with cap for the northwest corner of said Patel tract, said
22 corner being on the east line of a tract of land described in deed to
23 B&P Richards Family, Ltd., as recorded in Volume 1344, Page 970,
24 D.R.K.C.T.;

25 THENCE North 07 degrees 47 minutes 45 seconds East, along the east
26 line of said Richards Family tract, a distance of 133.35 feet to a
27 1/2-inch set iron rod with cap for the northeast corner of Richards

1 family tract;
2 THENCE North 82 degrees 12 minutes 37 seconds West, along the north
3 line of said Richards Family tract, a distance of 275.00 feet to a
4 1/2-inch found iron rod for the northwest corner of said Richards
5 Family tract;
6 THENCE South 07 degrees 47 minutes 23 seconds West, along the west
7 line of said Richards Family tract, a distance of 489.37 feet to a
8 1/2-inch found iron rod for the southwest corner of said Richards
9 Family tract, said corner being on the north right-of-way line of
10 the aforementioned Interstate Highway 80;
11 THENCE South 88 degrees 52 minutes 40 seconds West, along said north
12 right-of-way line, a distance of 336.48 feet to a found aluminum
13 TXDOT disc for corner;
14 THENCE South 82 degrees 25 minutes 49 seconds West, along said north
15 right-of-way line, a distance of 243.88 feet to a 1/2-inch set iron
16 rod with cap for the southeast corner of said WG&G Tract 3;
17 THENCE South 82 degrees 19 minutes 10 seconds West, along said north
18 right-of-way line, a distance of 140.50 feet to a 1/2-inch set iron
19 rod with cap for corner;
20 THENCE South 81 degrees 11 minutes 56 seconds West, continuing
21 along said north right-of-way line, a distance of 159.83 feet to the
22 POINT OF BEGINNING AND CONTAINING 6,561,390 square feet or 150.63
23 acres of land more or less.
24 BEING a 137.22 acre tract of land situated in the Enoch Spivey
25 Survey, Abstract No. 495 and Thomas A. Waldrop Survey, Abstract No.
26 597, Kaufman County, Texas, said tract being a part of tract of land
27 described in deed to Michael W. Bedrick., as recorded in Volume

1 2385, Page 203, Deed Records Kaufman County, Texas (D.R.K.C.T.),
2 said tract being more particularly described as follows:

3 BEGINNING at a 1/2-inch set iron rod with a cap stamped "EC&D RPLS
4 5439" (hereinafter referred to as "with cap") for the northeast
5 corner of said Bedrick tract, said corner being the southeast
6 corner of Lot 35, Valley View Estates subdivision, as recorded in
7 Cabinet 1, Envelope 792, Plat Records Kaufman County, Texas
8 (P.R.K.C.T.);

9 THENCE South 42 degrees 56 minutes 52 seconds East, along the east
10 line of said Bedrick tract, a distance of 4413.31 feet to a 1-inch
11 found iron rod for the southeast corner of said Bedrick tract;

12 THENCE South 49 degrees 18 minutes 24 seconds West, along the south
13 line of said Bedrick tract, a distance of 1092.38 feet to a 1/2-inch
14 set iron rod with cap for corner;

15 THENCE North 41 degrees 29 minutes 54 seconds West, along said
16 Bedrick tract, a distance of 535.64 feet to a 1/2-inch set iron rod
17 with cap for corner;

18 THENCE South 26 degrees 05 minutes 51 seconds West, along said
19 Bedrick tract, a distance of 559.41 feet to a 1/2-inch found iron
20 rod for corner on the north right-of-way line of Interstate Highway
21 80 (variable width);

22 THENCE North 55 degrees 46 minutes 32 seconds West, along said north
23 right-of-way line, a distance of 204.62 feet to a found concrete
24 TXDOT monument;

25 THENCE North 59 degrees 14 minutes 00 seconds West, along said north
26 right-of-way line, a distance of 219.20 feet to a found concrete
27 TXDOT monument;

1 THENCE North 66 degrees 31 minutes 06 seconds West, along said north
2 right-of-way line, a distance of 220.34 feet to a found aluminum
3 TXDOT disc;

4 THENCE North 76 degrees 31 minutes 00 seconds West, along said north
5 right-of-way line, a distance of 220.47 feet to a found aluminum
6 TXDOT disc;

7 THENCE North 85 degrees 13 minutes 03 seconds West, along said north
8 right-of-way line, a distance of 120.05 feet to a set "X" cut in a
9 concrete flume for the southwest corner of said Bedrick tract, said
10 corner being the southeast corner of a tract (Tract 2) of land
11 described in deed to WG&G Investments, Inc., as recorded in Volume
12 1308, Page 428, D.R.K.C.T.;

13 THENCE North 19 degrees 02 minutes 01 seconds West, departing said
14 north right-of-way line and along the east line of said WG&G Tract
15 2, a distance of 3451.35 feet to a found "T" post for the northwest
16 corner of said Bedrick tract, said corner being the northeast
17 corner of said WG&G Tract 2, said corner being on the south line of
18 the aforementioned Valley View Estates subdivision;

19 THENCE North 47 degrees 29 minutes 14 seconds East, along the south
20 line of said Valley View Estates, a distance of 599.01 to the POINT
21 OF BEGINNING AND CONTAINING 5,977,174 square feet or 137.22 acres
22 of land more or less.

23 BEING a 298.42 acre tract of land situated in the Lewis Pearce
24 Survey, Abstract No. 373, John B. White Survey, Abstract No. 580,
25 Wesley Boles Survey, Abstract No. 55, Mary T. Jones Survey,
26 Abstract No. 259 and Joel Eaton Survey, Abstract No. 147, Kaufman
27 County, Texas, said tract being all of a Tract 1, Tract 2 and Tract

S.B. No. 1894

1 3, as described in deed to Wylie Musser, as recorded in Volume 1176,
2 Page 807, Deed Records Kaufman County, Texas (D.R.K.C.T.), and all
3 of a tract of 14.00 acre tract of land described in deed to Wylie
4 Musser, as recorded in Volume 2390, Page 15, D.R.K.C.T., said tract
5 also being all of Valley View Estates subdivision, as recorded in
6 Cabinet 1, Envelope 792, Plat Records Kaufman County, Texas
7 (P.R.K.C.T.), said tract being more particularly described as
8 follows:

9 BEGINNING at a 1/2-inch set iron rod with a cap stamped "EC&D RPLS
10 5439" (hereinafter referred to as with cap) at the southeast corner
11 of said Musser tract (Volume 2390, Page 15) and Lot 72 of said
12 Valley View Estates, said corner being the southwest corner of a
13 tract (Tract 3) of land described to WG&G Investments, Inc., as
14 recorded in Volume 1308, Page 428, D.R.K.C.T., said corner being on
15 the north right-of-way line of Interstate Highway 80 (variable
16 width);

17 THENCE South 81 degrees 10 minutes 01 seconds West, along said north
18 right-of-way line, a distance of 282.46 feet to a 1/2-inch set iron
19 rod with cap for corner;

20 THENCE South 84 degrees 45 minutes 16 seconds West, along said north
21 right-of-way line, a distance of 303.51 feet to a found aluminum
22 TXDOT disc for corner;

23 THENCE South 82 degrees 59 minutes 18 seconds West, along said north
24 right-of-way line, a distance of 459.46 feet to a found aluminum
25 TXDOT disc for corner;

26 THENCE North 87 degrees 54 minutes 16 seconds West, along said north
27 right-of-way line, a distance of 276.19 feet to a 1/2-inch set iron

1 rod with cap for corner;
2 THENCE South 87 degrees 10 minutes 25 seconds West, along said north
3 right-of-way line, a distance of 193.99 feet to a 1/2-inch set iron
4 rod with cap for corner;
5 THENCE South 87 degrees 53 minutes 37 seconds West, along said north
6 right-of-way line, a distance of 1298.55 feet to a 1/2-inch set iron
7 rod with cap for corner;
8 THENCE North 85 degrees 39 minutes 16 seconds West, along said north
9 right-of-way line, a distance of 148.50 feet to a point for corner
10 within Big Brushy Creek, said corner being the southwest corner of
11 said Musser Tract 1;
12 THENCE Northerly, along the meanders of Big Brushy Creek and the
13 west line of said Musser Tract 1 the following calls:
14 North 20 degrees 14 minutes 18 seconds East, a distance of 37.50
15 feet;
16 North 83 degrees 07 minutes 00 seconds East, a distance of 136.40
17 feet;
18 North 67 degrees 26 minutes 02 seconds East, a distance of 105.68
19 feet;
20 North 19 degrees 51 minutes 16 seconds East, a distance of 76.41
21 feet;
22 North 41 degrees 05 minutes 23 seconds West, a distance of 86.95
23 feet;
24 North 72 degrees 42 minutes 44 seconds West, a distance of 162.42
25 feet;
26 North 15 degrees 58 minutes 05 seconds West, a distance of 58.33
27 feet;

- 1 North 34 degrees 33 minutes 33 seconds East, a distance of 204.91
- 2 feet;
- 3 North 28 degrees 27 minutes 58 seconds West, a distance of 126.35
- 4 feet; North 84 degrees 33 minutes 05 seconds West, a distance of
- 5 185.49 feet;
- 6 South 81 degrees 35 minutes 46 seconds West, a distance of 105.18
- 7 feet;
- 8 North 37 degrees 41 minutes 32 seconds West, a distance of 199.30
- 9 feet;
- 10 North 22 degrees 15 minutes 54 seconds West, a distance of 71.54
- 11 feet;
- 12 North 41 degrees 21 minutes 42 seconds West, a distance of 102.13
- 13 feet;
- 14 North 70 degrees 28 minutes 54 seconds West, a distance of 109.65
- 15 feet;
- 16 North 65 degrees 51 minutes 41 seconds West, a distance of 93.59
- 17 feet;
- 18 North 57 degrees 13 minutes 47 seconds West, a distance of 85.07
- 19 feet;
- 20 North 09 degrees 20 minutes 55 seconds West, a distance of 70.78
- 21 feet;
- 22 North 50 degrees 36 minutes 27 seconds East, a distance of 79.50
- 23 feet;
- 24 North 74 degrees 03 minutes 11 seconds East, a distance of 147.45
- 25 feet;
- 26 North 38 degrees 39 minutes 06 seconds East, a distance of 61.11
- 27 feet;

- 1 North 28 degrees 14 minutes 49 seconds West, a distance of 120.50
- 2 feet;
- 3 North 33 degrees 43 minutes 43 seconds East, a distance of 72.47
- 4 feet;
- 5 North 40 degrees 02 minutes 41 seconds East, a distance of 189.82
- 6 feet;
- 7 North 01 degrees 08 minutes 51 seconds West, a distance of 186.73
- 8 feet;
- 9 North 22 degrees 33 minutes 57 seconds West, a distance of 178.06
- 10 feet;
- 11 North 37 degrees 01 minutes 23 seconds West, a distance of 13.15
- 12 feet;
- 13 North 31 degrees 15 minutes 29 seconds West, a distance of 66.24
- 14 feet;
- 15 North 15 degrees 46 minutes 18 seconds West, a distance of 87.22
- 16 feet;
- 17 North 06 degrees 18 minutes 47 seconds East, a distance of 74.56
- 18 feet;
- 19 North 02 degrees 38 minutes 54 seconds East, a distance of 173.49
- 20 feet;
- 21 North 00 degrees 11 minutes 43 seconds West, a distance of 289.20
- 22 feet;
- 23 North 27 degrees 16 minutes 46 seconds West, a distance of 109.92
- 24 feet;
- 25 North 48 degrees 51 minutes 32 seconds West, a distance of 93.21
- 26 feet;
- 27 North 49 degrees 57 minutes 50 seconds West, a distance of 116.95

1 feet;
2 North 11 degrees 35 minutes 36 seconds West, a distance of 115.16
3 feet;
4 North 04 degrees 14 minutes 15 seconds East, a distance of 81.28
5 feet;
6 North 46 degrees 49 minutes 01 seconds West, a distance of 62.77
7 feet to a point for the northwest corner of said Musser Tract 1;
8 THENCE North 48 degrees 18 minutes 05 seconds East, along the north
9 line of said Musser tracts, passing at a distance of 17.56 feet a
10 1/2-inch found iron rod for reference, continuing a total distance
11 of 2082.13 feet to a found fence corner post for the northeast
12 corner of said Musser Tract 2;
13 THENCE South 43 degrees 02 minutes 37 seconds East, along the east
14 line of said Musser Tract 2, a distance of 969.27 feet to a 1/2-inch
15 found iron rod for the southeast corner of said Musser Tract 2, said
16 corner being on the north line of said Musser Tract 3 and the
17 aforementioned Valley View Estates;
18 THENCE North 47 degrees 38 minutes 18 seconds East, along said north
19 lines, a distance of 3442.22 feet to a 1/2-inch set iron rod with
20 cap for the northeast corner of said Musser Tract 3 and said Valley
21 View Estates;
22 THENCE South 31 degrees 07 minutes 49 seconds East, along the east
23 line of said Musser Tract 3, said Valley View Estates and a gravel
24 road (County Road 239), a distance of 832.96 feet to a 1/2-inch set
25 iron rod with cap for the most easterly southeast corner of said
26 Musser Tract 3 and said Valley View Estates;
27 THENCE South 47 degrees 32 minutes 09 seconds West, departing said

1 gravel road (County Road 239) and along said Musser Tract 3 and said
2 Valley View Estates, a distance of 1322.27 feet 3/8-inch found iron
3 rod for an ell corner of said Musser Tract 3 and said Valley View
4 Estates;

5 THENCE South 41 degrees 53 minutes 11 seconds East, along said
6 Musser Tract 3 and said Valley View Estates, a distance of 892.87
7 feet to a 1/2-inch set iron rod with cap for the southeast corner of
8 said Musser Tract 3 and said Valley View Estates, said corner being
9 the northeast corner of a tract of land described in deed to Michael
10 W. Bedrick, as recorded in Volume 2385, Page 203, D.R.K.C.T.;

11 THENCE South 47 degrees 29 minutes 14 seconds West, along the south
12 line of said Musser Tract 3, said Valley View Estates and the north
13 line of said Bedrick tract, passing at a distance of 599.01 feet a
14 found "T" post for the northwest corner of said Bedrick tract and
15 the northeast corner of a tract (Tract 2) of land described in deed
16 to WG&G Investments, Inc., as recorded in Volume 1308, Page 428,
17 D.R.K.C.T., continuing a total distance of 2025.03 feet 1-1/2-inch
18 found iron pipe for the southwest corner of said Musser Tract 3 and
19 said Valley View Estates, said corner being the northwest corner of
20 said WG&G Investments tract, said corner being on the east line of a
21 WG&G tract (Tract 1), as recorded in Volume 1308, Page 428,
22 D.R.K.C.T.;

23 THENCE North 42 degrees 18 minutes 36 seconds West, along the west
24 line of said Musser Tract 3 and said Valley View Estates and the
25 east line of said WG&G Tract 1, a distance of 1717.55 feet to a
26 1/2-inch found iron rod for the northwest corner of said Musser
27 Tract 3 and said Valley View Estates, said corner being the

1 northeast corner of said WG&G Tract 1, said corner being on the
2 south line of the aforementioned Musser Tract 2;

3 THENCE South 47 degrees 05 minutes 00 seconds West, along the south
4 line of said Musser Tract 2 and the north line of said WG&G Tract 1,
5 a distance of 1021.61 feet to a 1/2-inch set iron rod with cap for
6 the southwest corner of said Musser Tract 2 and the northwest corner
7 of said WG&G Tract 1, said corner being on the east line of the
8 aforementioned 14.00 acre Musser tract;

9 THENCE South 42 degrees 31 minutes 35 seconds East, along the east
10 line of said 14.00 acre Musser tract and the west line of said WG&G
11 Tract 1, a distance of 2031.97 feet to a 1/2-inch found iron rod for
12 corner, said corner being the northwest corner of a tract (Tract 3)
13 of land described in deed to WG&G Investments, Inc., as recorded in
14 Volume 1308, Page 428, D.R.K.C.T.;

15 THENCE South 33 degrees 40 minutes 23 seconds East, along the east
16 line of said 14.00 acre Musser tract and the west line of said WG&G
17 Tract 3, a distance of 1608.52 feet to the POINT OF BEGINNING AND
18 CONTAINING 12,999,118 square feet or 298.42 acres of land more or
19 less, of which 751,505 square feet or 17.25 acres are within
20 dedicated rights-of-way.

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

1 (b) The governor, one of the required recipients, has
2 submitted the notice and Act to the Texas Commission on
3 Environmental Quality.

4 (c) The Texas Commission on Environmental Quality has filed
5 its recommendations relating to this Act with the governor, the
6 lieutenant governor, and the speaker of the house of
7 representatives within the required time.

8 (d) All requirements of the constitution and laws of this
9 state and the rules and procedures of the legislature with respect
10 to the notice, introduction, and passage of this Act are fulfilled
11 and accomplished.

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