

1-1 By: Deuell S.B. No. 1894
1-2 (In the Senate - Filed May 6, 2005; May 9, 2005, read first
1-3 time and referred to Committee on Intergovernmental Relations;
1-4 May 12, 2005, reported favorably by the following vote: Yeas 5,
1-5 Nays 0; May 12, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation of Kaufman County Water Control and
1-9 Improvement District No. 1; providing authority to impose a tax and
1-10 issue bonds; granting the power of eminent domain.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subtitle I, Title 6, Special District Local Laws
1-13 Code, is amended by adding Chapter 9002 to read as follows:

1-14 CHAPTER 9002. KAUFMAN COUNTY WATER CONTROL AND IMPROVEMENT
1-15 DISTRICT NO. 1

1-16 SUBCHAPTER A. GENERAL PROVISIONS

1-17 Sec. 9002.001. DEFINITIONS. In this chapter:

1-18 (1) "Board" means the board of directors of the
1-19 district.

1-20 (2) "Director" means a member of the board.

1-21 (3) "District" means Kaufman County Water Control and
1-22 Improvement District No. 1.

1-23 Sec. 9002.002. NATURE OF DISTRICT. The district is a
1-24 conservation and reclamation district in Kaufman County created
1-25 under and essential to accomplish the purposes of Section 59,
1-26 Article XVI, Texas Constitution.

1-27 Sec. 9002.003. CONFIRMATION ELECTION REQUIRED. If the
1-28 creation of the district is not confirmed at a confirmation
1-29 election held under Section 9002.023 before September 1, 2007:

1-30 (1) the district is dissolved September 1, 2007,
1-31 except that:

1-32 (A) any debts incurred shall be paid;

1-33 (B) any assets that remain after the payment of
1-34 debts shall be transferred to Kaufman County; and

1-35 (C) the organization of the district shall be
1-36 maintained until all debts are paid and remaining assets are
1-37 transferred; and

1-38 (2) this chapter expires September 1, 2010.

1-39 Sec. 9002.004. INITIAL DISTRICT TERRITORY. (a) The
1-40 district is initially composed of the territory described by
1-41 Section 2 of the Act creating this chapter.

1-42 (b) The boundaries and field notes contained in Section 2 of
1-43 the Act creating this chapter form a closure. A mistake made in the
1-44 field notes or in copying the field notes in the legislative process
1-45 does not affect:

1-46 (1) the organization, existence, or validity of the
1-47 district;

1-48 (2) the right of the district to impose taxes; or

1-49 (3) the legality or operation of the district or the
1-50 board.

1-51 Sec. 9002.005. APPLICABILITY OF OTHER LAW. Except as
1-52 otherwise provided by this chapter, Chapters 49 and 51, Water Code,
1-53 apply to the district.

1-54 [Sections 9002.006-9002.020 reserved for expansion]

1-55 SUBCHAPTER A1. TEMPORARY PROVISIONS

1-56 Sec. 9002.021. TEMPORARY DIRECTORS. (a) The temporary
1-57 board consists of:

1-58 (1) David G. Chaney;

1-59 (2) Rick Ellis;

1-60 (3) Jim Lee;

1-61 (4) Ronald H. Linam; and

1-62 (5) Max W. Lindsay.

1-63 (b) If a temporary director fails to qualify for office, the
1-64 Texas Commission on Environmental Quality shall appoint a person to

2-1 fill the vacancy.
 2-2 (c) Temporary directors serve until the earlier of:
 2-3 (1) the date directors are elected under Section
 2-4 9002.023; or
 2-5 (2) the date this chapter expires under Section
 2-6 9002.003.

2-7 Sec. 9002.022. ORGANIZATIONAL MEETING OF TEMPORARY
 2-8 DIRECTORS. As soon as practicable after all the temporary
 2-9 directors have qualified under Section 49.055, Water Code, the
 2-10 temporary directors shall convene the organizational meeting of the
 2-11 district at a location in the district agreeable to a majority of
 2-12 the directors. If a location cannot be agreed upon, the
 2-13 organizational meeting shall be at the Kaufman County Courthouse.
 2-14 At the meeting, the temporary directors shall elect officers from
 2-15 among the temporary directors and conduct any other district
 2-16 business.

2-17 Sec. 9002.023. CONFIRMATION AND INITIAL DIRECTORS'
 2-18 ELECTION. The temporary directors shall hold an election to
 2-19 confirm the creation of the district and to elect five directors as
 2-20 provided by Section 49.102, Water Code.

2-21 Sec. 9002.024. INITIAL ELECTED DIRECTORS; TERMS. The
 2-22 directors elected under Section 9002.023 shall draw lots to
 2-23 determine which two shall serve until the first regularly scheduled
 2-24 election of directors under Section 9002.052 and which three shall
 2-25 serve until the second regularly scheduled election of directors.

2-26 Sec. 9002.025. EXPIRATION OF SUBCHAPTER. This subchapter
 2-27 expires September 1, 2010.

2-28 [Sections 9002.026-9002.050 reserved for expansion]

2-29 SUBCHAPTER B. BOARD OF DIRECTORS

2-30 Sec. 9002.051. DIRECTORS; TERMS. (a) The district is
 2-31 governed by a board of five directors.

2-32 (b) Directors serve staggered four-year terms.

2-33 Sec. 9002.052. ELECTION OF DIRECTORS. On the uniform
 2-34 election date in May of each even-numbered year, the appropriate
 2-35 number of directors shall be elected.

2-36 [Sections 9002.053-9002.100 reserved for expansion]

2-37 SUBCHAPTER C. POWERS AND DUTIES

2-38 Sec. 9002.101. ROAD PROJECTS. (a) To the extent
 2-39 authorized by Section 52, Article III, Texas Constitution, the
 2-40 district may construct, acquire, improve, maintain, or operate
 2-41 macadamized, graveled, or paved roads or turnpikes, or improvements
 2-42 in aid of those roads or turnpikes, inside the district.

2-43 (b) A road project must meet all applicable construction
 2-44 standards, zoning and subdivision requirements, and regulatory
 2-45 ordinances of the municipality or county in whose jurisdiction the
 2-46 district is located.

2-47 (c) The district may not undertake a road project unless
 2-48 each municipality or county in whose jurisdiction the district is
 2-49 located consents by ordinance or resolution.

2-50 Sec. 9002.102. LIMITATION ON USE OF EMINENT DOMAIN. The
 2-51 district may exercise the power of eminent domain outside the
 2-52 district only to acquire an easement necessary for a pipeline that
 2-53 serves the district.

2-54 Sec. 9002.103. AUTHORITY TO PROVIDE SERVICES. The district
 2-55 may provide water, sanitary sewer, drainage, and road services to
 2-56 any part of the district not receiving those services on the
 2-57 effective date of the Act creating this chapter.

2-58 Sec. 9002.104. AUTHORITY TO CONTRACT. The district may
 2-59 enter into a contract with an owner of real property in the district
 2-60 to construct, acquire, finance, own, maintain, or operate works or
 2-61 projects authorized by Section 9002.103.

2-62 Sec. 9002.105. DIVISION OF DISTRICT. The district may
 2-63 divide into two new districts as provided by Section 53.029, Water
 2-64 Code.

2-65 [Sections 9002.106-9002.150 reserved for expansion]

2-66 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2-67 Sec. 9002.151. TAX TO REPAY BONDS. The district may impose
 2-68 a tax to pay the principal of and interest on bonds issued under
 2-69 Section 9002.201.

3-1 Sec. 9002.152. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
3-2 ASSESSMENTS. The district may not impose an impact fee or
3-3 assessment on the property, including the equipment,
3-4 rights-of-way, facilities, or improvements, of:

3-5 (1) an electric utility or a power generation company
3-6 as defined by Section 31.002, Utilities Code;

3-7 (2) a gas utility as defined by Section 101.003 or
3-8 121.001, Utilities Code;

3-9 (3) a telecommunications provider as defined by
3-10 Section 51.002, Utilities Code; or

3-11 (4) a cable operator as defined by 47 U.S.C. Section
3-12 522.

3-13 [Sections 9002.153-9002.200 reserved for expansion]

3-14 SUBCHAPTER E. BONDS

3-15 Sec. 9002.201. AUTHORITY TO ISSUE BONDS AND OTHER
3-16 OBLIGATIONS. (a) The district may issue bonds or other
3-17 obligations as provided by Chapters 49 and 51, Water Code, to
3-18 finance the construction, maintenance, or operation of projects
3-19 under Section 9002.101.

3-20 (b) The district may not issue bonds under Subsection (a)
3-21 unless the issuance is approved by a vote of a two-thirds majority
3-22 of the voters of the district voting at an election called for that
3-23 purpose.

3-24 (c) Bonds or other obligations issued or incurred to finance
3-25 projects authorized by Section 9002.101 may not exceed one-fourth
3-26 of the assessed value of the real property in the district.

3-27 (d) Sections 49.181 and 49.182, Water Code, do not apply to
3-28 a project undertaken by the district under Section 9002.101 or to
3-29 bonds issued by the district to finance the project.

3-30 Sec. 9002.202. USE OF BOND PROCEEDS. The district may use
3-31 proceeds from the sale of bonds to acquire from a private water
3-32 supply corporation facilities or improvements necessary to provide
3-33 a service authorized by Section 9002.103.

3-34 SECTION 2. Kaufman County Water Control and Improvement
3-35 District No. 1 initially includes all the territory contained in
3-36 the following described area:

3-37 BEING a 150.63 acre tract of land situated in the Lewis Pearce
3-38 Survey, Abstract No. 373, Enoch Spivey Survey, Abstract No. 495,
3-39 and Thomas A. Waldrop Survey, Abstract No. 597, Kaufman County,
3-40 Texas, said tract being a part of Tract 1, Tract 2 and Tract 3, as
3-41 described in deed to WG&G Investments, Inc., as recorded in Volume
3-42 1308, Page 428, Deed Records Kaufman County, Texas (D.R.K.C.T.),
3-43 said tract being more particularly described as follows:

3-44 BEGINNING at a 1/2-inch set iron rod with a cap stamped "EC&D RPLS
3-45 5439" (hereinafter referred to as "with cap") at the southwest
3-46 corner of said WG&G Tract 3, said corner being the southeast corner
3-47 of a 14.00 acre tract of land described in deed to Wylie Musser, as
3-48 recoded in Volume 2390, Page 15, D.R.K.C.T., said corner being the
3-49 southeast corner of Lot 72, Valley View Estates subdivision, as
3-50 recorded in Cabinet 1, Envelope 792, Plat Records Kaufman County,
3-51 Texas (P.R.K.C.T.), said corner being on the north right-of-way
3-52 line of Interstate Highway 80 (variable width);

3-53 THENCE North 33 degrees 40 minutes 23 seconds West, along the east
3-54 line of said Musser tract, a distance of 1608.52 feet to a 1/2-inch
3-55 found iron rod for corner, said corner being the northwest corner of
3-56 said WG&G Tract 3;THENCE North 42 degrees 31 minutes 35 seconds
3-57 West, continuing along said east line, a distance of 2031.97 feet to
3-58 a 1/2-inch set iron rod with cap for the northwest corner of said
3-59 WG&G Tract 1, said corner being the southwest corner of a tract
3-60 (Tract 2) of land described in deed to Wylie Musser, as recorded in
3-61 Volume 1176, Page 807, D.R.K.C.T.;

3-62 THENCE North 47 degrees 05 minutes 00 seconds East, along the south
3-63 line of said Musser Tract 2, a distance of 1021.61 feet to a
3-64 1/2-inch found iron rod for the northeast corner of said WG&G Tract
3-65 1, said corner being the northwest corner of Lot 52 of said Valley
3-66 View Estates;

3-67 THENCE South 42 degrees 18 minutes 36 seconds East, along the west
3-68 line of said Valley View Estates, a distance of 1717.55 feet to a
3-69 1-1/2-inch found iron pipe for the northwest corner of said WG&G

4-1 Tract 2, said corner being the southwest corner of said Valley View
4-2 Estates;
4-3 THENCE North 47 degrees 29 minutes 14 seconds East, along the south
4-4 line of said Valley View Estates, a distance of 1426.02 feet to a
4-5 found "T" post for the northeast corner of said WG&G Tract 2, said
4-6 corner being the northwest corner of a tract of land described in
4-7 deed to Michael W. Bedrick, as recorded in Volume 2385, Page 203,
4-8 D.R.K.C.T.;
4-9 THENCE South 19 degrees 02 minutes 01 seconds East, along the west
4-10 line of said Bedrick tract, a distance of 3451.35 feet to a set "X"
4-11 cut in a concrete flume for the southeast corner of said WG&G Tract
4-12 2, said corner being the southwest corner of said Bedrick tract,
4-13 said corner being on the north right-of-way line of the
4-14 aforementioned Interstate Highway 80;
4-15 THENCE North 85 degrees 13 minutes 03 feet West, along said north
4-16 right-of-way line, a distance of 26.12 feet to a found "X" cut in a
4-17 concrete flume, said corner being the southeast corner of a tract of
4-18 land described in deed to Kevin Burns, as recorded in Volume 1999,
4-19 Page 638, D.R.K.C.T.;
4-20 THENCE North 19 degrees 05 minutes 03 seconds West, departing said
4-21 north right-of-way line and along the east line of said Burns tract,
4-22 a distance of 187.33 feet to a 1/2-inch found iron rod with a cap
4-23 stamped "VANNOY" for the northeast corner of said Burns tract;
4-24 THENCE North 82 degrees 13 minute 13 seconds West, along the north
4-25 line of said Burns tract, a distance of 132.14 feet to a 1/2-inch
4-26 found iron rod with a cap stamped "VANNOY" for the northwest corner
4-27 of said Burns tract, said corner being on the east line of a tract of
4-28 land described in deed to Terrell Coachlight Inn Motel, Ltd., as
4-29 recorded in Volume 560, Page 88, D.R.K.C.T.;
4-30 THENCE North 07 degrees 45 minutes 24 seconds East, along the east
4-31 line of said Coachlight Inn tract, a distance of 185.91 feet to a
4-32 1/2-inch found iron rod with a cap stamped "VANNOY" for the
4-33 northeast corner of said Coachlight Inn;
4-34 THENCE North 82 degrees 50 minutes 56 seconds West, along the north
4-35 line of said Coachlight Inn tract and a tract of land described in
4-36 deed to Parbhubbhai Thakorbbhai Patel, as recorded in Volume 1270,
4-37 Page 975, D.R.K.C.T., a distance of 429.89 feet to a 1/2-inch set
4-38 iron rod with cap for the northwest corner of said Patel tract, said
4-39 corner being on the east line of a tract of land described in deed to
4-40 B&P Richards Family, Ltd., as recorded in Volume 1344, Page 970,
4-41 D.R.K.C.T.;
4-42 THENCE North 07 degrees 47 minutes 45 seconds East, along the east
4-43 line of said Richards Family tract, a distance of 133.35 feet to a
4-44 1/2-inch set iron rod with cap for the northeast corner of Richards
4-45 family tract;
4-46 THENCE North 82 degrees 12 minutes 37 seconds West, along the north
4-47 line of said Richards Family tract, a distance of 275.00 feet to a
4-48 1/2-inch found iron rod for the northwest corner of said Richards
4-49 Family tract;
4-50 THENCE South 07 degrees 47 minutes 23 seconds West, along the west
4-51 line of said Richards Family tract, a distance of 489.37 feet to a
4-52 1/2-inch found iron rod for the southwest corner of said Richards
4-53 Family tract, said corner being on the north right-of-way line of
4-54 the aforementioned Interstate Highway 80;
4-55 THENCE South 88 degrees 52 minutes 40 seconds West, along said north
4-56 right-of-way line, a distance of 336.48 feet to a found aluminum
4-57 TXDOT disc for corner;
4-58 THENCE South 82 degrees 25 minutes 49 seconds West, along said north
4-59 right-of-way line, a distance of 243.88 feet to a 1/2-inch set iron
4-60 rod with cap for the southeast corner of said WG&G Tract 3;
4-61 THENCE South 82 degrees 19 minutes 10 seconds West, along said north
4-62 right-of-way line, a distance of 140.50 feet to a 1/2-inch set iron
4-63 rod with cap for corner;
4-64 THENCE South 81 degrees 11 minutes 56 seconds West, continuing
4-65 along said north right-of-way line, a distance of 159.83 feet to the
4-66 POINT OF BEGINNING AND CONTAINING 6,561,390 square feet or 150.63
4-67 acres of land more or less.
4-68 BEING a 137.22 acre tract of land situated in the Enoch Spivey
4-69 Survey, Abstract No. 495 and Thomas A. Waldrop Survey, Abstract No.

5-1 597, Kaufman County, Texas, said tract being a part of tract of land
5-2 described in deed to Michael W. Bedrick., as recorded in Volume
5-3 2385, Page 203, Deed Records Kaufman County, Texas (D.R.K.C.T.),
5-4 said tract being more particularly described as follows:
5-5 BEGINNING at a 1/2-inch set iron rod with a cap stamped "EC&D RPLS
5-6 5439" (hereinafter referred to as "with cap") for the northeast
5-7 corner of said Bedrick tract, said corner being the southeast
5-8 corner of Lot 35, Valley View Estates subdivision, as recorded in
5-9 Cabinet 1, Envelope 792, Plat Records Kaufman County, Texas
5-10 (P.R.K.C.T.);
5-11 THENCE South 42 degrees 56 minutes 52 seconds East, along the east
5-12 line of said Bedrick tract, a distance of 4413.31 feet to a 1-inch
5-13 found iron rod for the southeast corner of said Bedrick tract;
5-14 THENCE South 49 degrees 18 minutes 24 seconds West, along the south
5-15 line of said Bedrick tract, a distance of 1092.38 feet to a 1/2-inch
5-16 set iron rod with cap for corner;
5-17 THENCE North 41 degrees 29 minutes 54 seconds West, along said
5-18 Bedrick tract, a distance of 535.64 feet to a 1/2-inch set iron rod
5-19 with cap for corner;
5-20 THENCE South 26 degrees 05 minutes 51 seconds West, along said
5-21 Bedrick tract, a distance of 559.41 feet to a 1/2-inch found iron
5-22 rod for corner on the north right-of-way line of Interstate Highway
5-23 80 (variable width);
5-24 THENCE North 55 degrees 46 minutes 32 seconds West, along said north
5-25 right-of-way line, a distance of 204.62 feet to a found concrete
5-26 TXDOT monument;
5-27 THENCE North 59 degrees 14 minutes 00 seconds West, along said north
5-28 right-of-way line, a distance of 219.20 feet to a found concrete
5-29 TXDOT monument;
5-30 THENCE North 66 degrees 31 minutes 06 seconds West, along said north
5-31 right-of-way line, a distance of 220.34 feet to a found aluminum
5-32 TXDOT disc;
5-33 THENCE North 76 degrees 31 minutes 00 seconds West, along said north
5-34 right-of-way line, a distance of 220.47 feet to a found aluminum
5-35 TXDOT disc;
5-36 THENCE North 85 degrees 13 minutes 03 seconds West, along said north
5-37 right-of-way line, a distance of 120.05 feet to a set "X" cut in a
5-38 concrete flume for the southwest corner of said Bedrick tract, said
5-39 corner being the southeast corner of a tract (Tract 2) of land
5-40 described in deed to WG&G Investments, Inc., as recorded in Volume
5-41 1308, Page 428, D.R.K.C.T.;
5-42 THENCE North 19 degrees 02 minutes 01 seconds West, departing said
5-43 north right-of-way line and along the east line of said WG&G Tract
5-44 2, a distance of 3451.35 feet to a found "T" post for the northwest
5-45 corner of said Bedrick tract, said corner being the northeast
5-46 corner of said WG&G Tract 2, said corner being on the south line of
5-47 the aforementioned Valley View Estates subdivision;
5-48 THENCE North 47 degrees 29 minutes 14 seconds East, along the south
5-49 line of said Valley View Estates, a distance of 599.01 to the POINT
5-50 OF BEGINNING AND CONTAINING 5,977,174 square feet or 137.22 acres
5-51 of land more or less.
5-52 BEING a 298.42 acre tract of land situated in the Lewis Pearce
5-53 Survey, Abstract No. 373, John B. White Survey, Abstract No. 580,
5-54 Wesley Boles Survey, Abstract No. 55, Mary T. Jones Survey,
5-55 Abstract No. 259 and Joel Eaton Survey, Abstract No. 147, Kaufman
5-56 County, Texas, said tract being all of a Tract 1, Tract 2 and Tract
5-57 3, as described in deed to Wylie Musser, as recorded in Volume 1176,
5-58 Page 807, Deed Records Kaufman County, Texas (D.R.K.C.T.), and all
5-59 of a tract of 14.00 acre tract of land described in deed to Wylie
5-60 Musser, as recorded in Volume 2390, Page 15, D.R.K.C.T., said tract
5-61 also being all of Valley View Estates subdivision, as recorded in
5-62 Cabinet 1, Envelope 792, Plat Records Kaufman County, Texas
5-63 (P.R.K.C.T.), said tract being more particularly described as
5-64 follows:
5-65 BEGINNING at a 1/2-inch set iron rod with a cap stamped "EC&D RPLS
5-66 5439" (hereinafter referred to as with cap) at the southeast corner
5-67 of said Musser tract (Volume 2390, Page 15) and Lot 72 of said
5-68 Valley View Estates, said corner being the southwest corner of a
5-69 tract (Tract 3) of land described to WG&G Investments, Inc., as

6-1 recorded in Volume 1308, Page 428, D.R.K.C.T., said corner being on
 6-2 the north right-of-way line of Interstate Highway 80 (variable
 6-3 width);
 6-4 THENCE South 81 degrees 10 minutes 01 seconds West, along said north
 6-5 right-of-way line, a distance of 282.46 feet to a 1/2-inch set iron
 6-6 rod with cap for corner;
 6-7 THENCE South 84 degrees 45 minutes 16 seconds West, along said north
 6-8 right-of-way line, a distance of 303.51 feet to a found aluminum
 6-9 TXDOT disc for corner;
 6-10 THENCE South 82 degrees 59 minutes 18 seconds West, along said north
 6-11 right-of-way line, a distance of 459.46 feet to a found aluminum
 6-12 TXDOT disc for corner;
 6-13 THENCE North 87 degrees 54 minutes 16 seconds West, along said north
 6-14 right-of-way line, a distance of 276.19 feet to a 1/2-inch set iron
 6-15 rod with cap for corner;
 6-16 THENCE South 87 degrees 10 minutes 25 seconds West, along said north
 6-17 right-of-way line, a distance of 193.99 feet to a 1/2-inch set iron
 6-18 rod with cap for corner;
 6-19 THENCE South 87 degrees 53 minutes 37 seconds West, along said north
 6-20 right-of-way line, a distance of 1298.55 feet to a 1/2-inch set iron
 6-21 rod with cap for corner;
 6-22 THENCE North 85 degrees 39 minutes 16 seconds West, along said north
 6-23 right-of-way line, a distance of 148.50 feet to a point for corner
 6-24 within Big Brushy Creek, said corner being the southwest corner of
 6-25 said Musser Tract 1;
 6-26 THENCE Northerly, along the meanders of Big Brushy Creek and the
 6-27 west line of said Musser Tract 1 the following calls:
 6-28 North 20 degrees 14 minutes 18 seconds East, a distance of 37.50
 6-29 feet;
 6-30 North 83 degrees 07 minutes 00 seconds East, a distance of 136.40
 6-31 feet;
 6-32 North 67 degrees 26 minutes 02 seconds East, a distance of 105.68
 6-33 feet;
 6-34 North 19 degrees 51 minutes 16 seconds East, a distance of 76.41
 6-35 feet;
 6-36 North 41 degrees 05 minutes 23 seconds West, a distance of 86.95
 6-37 feet;
 6-38 North 72 degrees 42 minutes 44 seconds West, a distance of 162.42
 6-39 feet;
 6-40 North 15 degrees 58 minutes 05 seconds West, a distance of 58.33
 6-41 feet;
 6-42 North 34 degrees 33 minutes 33 seconds East, a distance of 204.91
 6-43 feet;
 6-44 North 28 degrees 27 minutes 58 seconds West, a distance of 126.35
 6-45 feet; North 84 degrees 33 minutes 05 seconds West, a distance of
 6-46 185.49 feet;
 6-47 South 81 degrees 35 minutes 46 seconds West, a distance of 105.18
 6-48 feet;
 6-49 North 37 degrees 41 minutes 32 seconds West, a distance of 199.30
 6-50 feet;
 6-51 North 22 degrees 15 minutes 54 seconds West, a distance of 71.54
 6-52 feet;
 6-53 North 41 degrees 21 minutes 42 seconds West, a distance of 102.13
 6-54 feet;
 6-55 North 70 degrees 28 minutes 54 seconds West, a distance of 109.65
 6-56 feet;
 6-57 North 65 degrees 51 minutes 41 seconds West, a distance of 93.59
 6-58 feet;
 6-59 North 57 degrees 13 minutes 47 seconds West, a distance of 85.07
 6-60 feet;
 6-61 North 09 degrees 20 minutes 55 seconds West, a distance of 70.78
 6-62 feet;
 6-63 North 50 degrees 36 minutes 27 seconds East, a distance of 79.50
 6-64 feet;
 6-65 North 74 degrees 03 minutes 11 seconds East, a distance of 147.45
 6-66 feet;
 6-67 North 38 degrees 39 minutes 06 seconds East, a distance of 61.11
 6-68 feet;
 6-69 North 28 degrees 14 minutes 49 seconds West, a distance of 120.50

7-1 feet;
 7-2 North 33 degrees 43 minutes 43 seconds East, a distance of 72.47
 7-3 feet;
 7-4 North 40 degrees 02 minutes 41 seconds East, a distance of 189.82
 7-5 feet;
 7-6 North 01 degrees 08 minutes 51 seconds West, a distance of 186.73
 7-7 feet;
 7-8 North 22 degrees 33 minutes 57 seconds West, a distance of 178.06
 7-9 feet;
 7-10 North 37 degrees 01 minutes 23 seconds West, a distance of 13.15
 7-11 feet;
 7-12 North 31 degrees 15 minutes 29 seconds West, a distance of 66.24
 7-13 feet;
 7-14 North 15 degrees 46 minutes 18 seconds West, a distance of 87.22
 7-15 feet;
 7-16 North 06 degrees 18 minutes 47 seconds East, a distance of 74.56
 7-17 feet;
 7-18 North 02 degrees 38 minutes 54 seconds East, a distance of 173.49
 7-19 feet;
 7-20 North 00 degrees 11 minutes 43 seconds West, a distance of 289.20
 7-21 feet;
 7-22 North 27 degrees 16 minutes 46 seconds West, a distance of 109.92
 7-23 feet;
 7-24 North 48 degrees 51 minutes 32 seconds West, a distance of 93.21
 7-25 feet;
 7-26 North 49 degrees 57 minutes 50 seconds West, a distance of 116.95
 7-27 feet;
 7-28 North 11 degrees 35 minutes 36 seconds West, a distance of 115.16
 7-29 feet;
 7-30 North 04 degrees 14 minutes 15 seconds East, a distance of 81.28
 7-31 feet;
 7-32 North 46 degrees 49 minutes 01 seconds West, a distance of 62.77
 7-33 feet to a point for the northwest corner of said Musser Tract 1;
 7-34 THENCE North 48 degrees 18 minutes 05 seconds East, along the north
 7-35 line of said Musser tracts, passing at a distance of 17.56 feet a
 7-36 1/2-inch found iron rod for reference, continuing a total distance
 7-37 of 2082.13 feet to a found fence corner post for the northeast
 7-38 corner of said Musser Tract 2;
 7-39 THENCE South 43 degrees 02 minutes 37 seconds East, along the east
 7-40 line of said Musser Tract 2, a distance of 969.27 feet to a 1/2-inch
 7-41 found iron rod for the southeast corner of said Musser Tract 2, said
 7-42 corner being on the north line of said Musser Tract 3 and the
 7-43 aforementioned Valley View Estates;
 7-44 THENCE North 47 degrees 38 minutes 18 seconds East, along said north
 7-45 lines, a distance of 3442.22 feet to a 1/2-inch set iron rod with
 7-46 cap for the northeast corner of said Musser Tract 3 and said Valley
 7-47 View Estates;
 7-48 THENCE South 31 degrees 07 minutes 49 seconds East, along the east
 7-49 line of said Musser Tract 3, said Valley View Estates and a gravel
 7-50 road (County Road 239), a distance of 832.96 feet to a 1/2-inch set
 7-51 iron rod with cap for the most easterly southeast corner of said
 7-52 Musser Tract 3 and said Valley View Estates;
 7-53 THENCE South 47 degrees 32 minutes 09 seconds West, departing said
 7-54 gravel road (County Road 239) and along said Musser Tract 3 and said
 7-55 Valley View Estates, a distance of 1322.27 feet 3/8-inch found iron
 7-56 rod for an ell corner of said Musser Tract 3 and said Valley View
 7-57 Estates;
 7-58 THENCE South 41 degrees 53 minutes 11 seconds East, along said
 7-59 Musser Tract 3 and said Valley View Estates, a distance of 892.87
 7-60 feet to a 1/2-inch set iron rod with cap for the southeast corner of
 7-61 said Musser Tract 3 and said Valley View Estates, said corner being
 7-62 the northeast corner of a tract of land described in deed to Michael
 7-63 W. Bedrick, as recorded in Volume 2385, Page 203, D.R.K.C.T.;
 7-64 THENCE South 47 degrees 29 minutes 14 seconds West, along the south
 7-65 line of said Musser Tract 3, said Valley View Estates and the north
 7-66 line of said Bedrick tract, passing at a distance of 599.01 feet a
 7-67 found "T" post for the northwest corner of said Bedrick tract and
 7-68 the northeast corner of a tract (Tract 2) of land described in deed
 7-69 to WG&G Investments, Inc., as recorded in Volume 1308, Page 428,

8-1 D.R.K.C.T., continuing a total distance of 2025.03 feet 1-1/2-inch
8-2 found iron pipe for the southwest corner of said Musser Tract 3 and
8-3 said Valley View Estates, said corner being the northwest corner of
8-4 said WG&G Investments tract, said corner being on the east line of a
8-5 WG&G tract (Tract 1), as recorded in Volume 1308, Page 428,
8-6 D.R.K.C.T.;

8-7 THENCE North 42 degrees 18 minutes 36 seconds West, along the west
8-8 line of said Musser Tract 3 and said Valley View Estates and the
8-9 east line of said WG&G Tract 1, a distance of 1717.55 feet to a
8-10 1/2-inch found iron rod for the northwest corner of said Musser
8-11 Tract 3 and said Valley View Estates, said corner being the
8-12 northeast corner of said WG&G Tract 1, said corner being on the
8-13 south line of the aforementioned Musser Tract 2;

8-14 THENCE South 47 degrees 05 minutes 00 seconds West, along the south
8-15 line of said Musser Tract 2 and the north line of said WG&G Tract 1,
8-16 a distance of 1021.61 feet to a 1/2-inch set iron rod with cap for
8-17 the southwest corner of said Musser Tract 2 and the northwest corner
8-18 of said WG&G Tract 1, said corner being on the east line of the
8-19 aforementioned 14.00 acre Musser tract;

8-20 THENCE South 42 degrees 31 minutes 35 seconds East, along the east
8-21 line of said 14.00 acre Musser tract and the west line of said WG&G
8-22 Tract 1, a distance of 2031.97 feet to a 1/2-inch found iron rod for
8-23 corner, said corner being the northwest corner of a tract (Tract 3)
8-24 of land described in deed to WG&G Investments, Inc., as recorded in
8-25 Volume 1308, Page 428, D.R.K.C.T.;

8-26 THENCE South 33 degrees 40 minutes 23 seconds East, along the east
8-27 line of said 14.00 acre Musser tract and the west line of said WG&G
8-28 Tract 3, a distance of 1608.52 feet to the POINT OF BEGINNING AND
8-29 CONTAINING 12,999,118 square feet or 298.42 acres of land more or
8-30 less, of which 751,505 square feet or 17.25 acres are within
8-31 dedicated rights-of-way.

8-32 SECTION 3. (a) The legal notice of the intention to
8-33 introduce this Act, setting forth the general substance of this
8-34 Act, has been published as provided by law, and the notice and a
8-35 copy of this Act have been furnished to all persons, agencies,
8-36 officials, or entities to which they are required to be furnished
8-37 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
8-38 Government Code.

8-39 (b) The governor, one of the required recipients, has
8-40 submitted the notice and Act to the Texas Commission on
8-41 Environmental Quality.

8-42 (c) The Texas Commission on Environmental Quality has filed
8-43 its recommendations relating to this Act with the governor, the
8-44 lieutenant governor, and the speaker of the house of
8-45 representatives within the required time.

8-46 (d) All requirements of the constitution and laws of this
8-47 state and the rules and procedures of the legislature with respect
8-48 to the notice, introduction, and passage of this Act are fulfilled
8-49 and accomplished.

8-50 SECTION 4. This Act takes effect immediately if it receives
8-51 a vote of two-thirds of all the members elected to each house, as
8-52 provided by Section 39, Article III, Texas Constitution. If this
8-53 Act does not receive the vote necessary for immediate effect, this
8-54 Act takes effect September 1, 2005.

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