

By: Brown of Kaufman

H.B. No. 599

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Fairfields Municipal Utility District of Kaufman County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter XXXX to read as follows:

CHAPTER XXXX. FAIRFIELDS MUNICIPAL UTILITY DISTRICT OF KAUFMAN COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. XXXX.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 the Fairfields Municipal Utility District of Kaufman County.

Sec. XXXX.002. NATURE OF DISTRICT. The district is a municipal utility district in Kaufman County created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution. The district is created to serve a public use and benefit.

Sec. XXXX.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section XXXX.023 before September 1, 2009:

1 (1) the district is dissolved September 1, 2009,
2 except that:

3 (A) any debts incurred shall be paid;

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

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

9 (2) this chapter expires September 1, 2012.

10 Sec. XXXX.004. INITIAL DISTRICT TERRITORY. (a) The
11 district is initially composed of the territory described by
12 Section 2 of the Act creating this chapter.

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

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

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

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

21 [Sections XXXX.005-XXXX.020 reserved for expansion]

22 SUBCHAPTER A1. TEMPORARY PROVISIONS

23 Sec. XXXX.021. TEMPORARY DIRECTORS. (a) The temporary
24 board consists of:

25 (1) _____;

26 (2) _____;

27 (3) _____;

1 (4) ; and

2 (5) .

3 (b) If a temporary director fails to qualify for office, the
4 temporary directors who have qualified shall appoint a person to
5 fill the vacancy. If at any time there are fewer than three
6 qualified temporary directors, the Texas Commission on
7 Environmental Quality shall appoint the necessary number of persons
8 to fill all vacancies on the board.

9 (c) Temporary directors serve until the earlier of:

10 (1) the date directors are elected under Section
11 XXXX.023; or

12 (2) the date this chapter expires under Section
13 XXXX.003.

14 Sec. XXXX.022. ORGANIZATIONAL MEETING OF TEMPORARY
15 DIRECTORS. As soon as practicable after all the temporary
16 directors have qualified under Section 49.055, Water Code, the
17 temporary directors shall convene the organizational meeting of the
18 district at a location in the district agreeable to a majority of
19 the directors. If a location cannot be agreed upon, the
20 organizational meeting shall be at the Kaufman County Courthouse.

21 Sec. XXXX.023. CONFIRMATION AND INITIAL DIRECTORS'
22 ELECTION. The temporary directors shall hold an election to
23 confirm the creation of the district and to elect five directors as
24 provided by Section 49.102, Water Code.

25 Sec. XXXX.024. INITIAL ELECTED DIRECTORS; TERMS. The
26 directors elected under Section XXXX.023 shall draw lots to
27 determine which two shall serve until the first regularly scheduled

1 election of directors under Section XXXX.052 and which three shall
2 serve until the second regularly scheduled election of directors.

3 Sec. XXXX.025. EXPIRATION OF SUBCHAPTER. This subchapter
4 expires September 1, 2012.

5 [Sections XXXX.026-XXXX.050 reserved for expansion]

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. XXXX.051. DIRECTORS; TERMS. (a) The district is
8 governed by a board of five directors.

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

10 Sec. XXXX.052. ELECTION OF DIRECTORS. On the uniform
11 election date in May of each even-numbered year, the appropriate
12 number of directors shall be elected.

13 [Sections XXXX.053-XXXX.100 reserved for expansion]

14 SUBCHAPTER C. POWERS AND DUTIES

15 Sec. XXXX.101. MUNICIPAL UTILITY DISTRICT POWERS AND
16 DUTIES. The district has the powers and duties provided by the
17 general law of this state, including Chapters 49 and 54, Water Code,
18 applicable to municipal utility districts created under Section 59,
19 Article XVI, Texas Constitution.

20 Sec. XXXX.102. ROAD PROJECTS. (a) The district may
21 construct, acquire, improve, maintain, or operate macadamized,
22 graveled, or paved roads or turnpikes, or improvements in aid of
23 those roads or turnpikes.

24 (b) A road project must meet or exceed all applicable
25 construction standards, zoning and subdivision requirements, and
26 regulatory ordinances of each municipality in whose corporate
27 limits or extraterritorial jurisdiction the district is located. If

1 the district is located outside the extraterritorial jurisdiction
2 of a municipality, a road project must meet or exceed all applicable
3 construction standards, zoning and subdivision requirements, and
4 regulatory ordinances of each county in which the district is
5 located.

6 (c) The district may not undertake a road project unless
7 each municipality in whose corporate limits or extraterritorial
8 jurisdiction the district is located consents by ordinance or
9 resolution. If the district is located outside the
10 extraterritorial jurisdiction of a municipality, the district may
11 not undertake a road project unless each county in which the
12 district is located consents by ordinance or resolution.

13 Sec. XXXX.103. ROAD CONTRACTS. The district may contract
14 for a road project in the manner provided by Subchapter I, Chapter
15 49, Water Code.

16 [Sections XXXX.104-XXXX.150 reserved for expansion]

17 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

18 Sec. XXXX.151. OPERATION AND MAINTENANCE TAX. (a) The
19 district may impose a tax for any district operation and
20 maintenance purpose in the manner provided by Section 49.107, Water
21 Code.

22 (b) Section 49.107(f), Water Code, does not apply to
23 reimbursements for projects constructed or acquired under Section
24 XXXX.102.

25 Sec. XXXX.152. TAX TO REPAY BONDS. The district may impose
26 a tax to pay the principal of and interest on bonds issued under
27 Section XXXX.201.

1 authorized by Section XXXX.102 unless the issuance is approved by a
2 vote of a two-thirds majority of the voters of the district voting
3 at an election called for that purpose.

4 (d) Bonds or other obligations issued or incurred to finance
5 projects authorized by Section XXXX.102 may not exceed one-fourth
6 of the assessed value of the real property in the district.

7 (e) Sections 49.181 and 49.182, Water Code, do not apply to
8 a project undertaken by the district under Section XXXX.102 or to
9 bonds issued by the district to finance the project.

10 [Sections XXXX.202-XXXX.250 reserved for expansion]

11 SUBCHAPTER F. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

12 Sec. XXXX.251. DIVISION OF DISTRICT; REQUIREMENTS. (a) At
13 any time before the district issues indebtedness secured by taxes
14 or net revenues, the district, including any annexed territory, may
15 be divided into two or more new districts.

16 (b) A new district created by division of the district must
17 be at least 100 acres.

18 (c) The board may consider a proposal to divide the district
19 on:

20 (1) a petition of a landowner in the district; or

21 (2) a motion by the board.

22 (d) If the board decides to divide the district, the board
23 shall:

24 (1) set the terms of the division, including names for
25 the new districts and a plan for the payment or performance of any
26 outstanding district obligations; and

27 (2) prepare a metes and bounds description for each

1 proposed district.

2 Sec. XXXX.252. ELECTION FOR DIVISION OF DISTRICT. (a)

3 After the board has complied with Section XXXX.251(d), the board
4 shall hold an election in the district to determine whether the
5 district should be divided as proposed.

6 (b) The board shall give notice of the election not later
7 than the 35th day before the date of the election. The notice must
8 state:

9 (1) the date and location of the election; and

10 (2) the proposition to be voted on.

11 (c) If a majority of the votes cast are in favor of the
12 division:

13 (1) the district shall be divided; and

14 (2) not later than the 30th day after the date of the
15 election, the district shall provide written notice of the division
16 to:

17 (A) the Texas Commission on Environmental
18 Quality;

19 (B) the attorney general;

20 (C) the commissioners court of each county in
21 which a new district is located; and

22 (D) any municipality having extraterritorial
23 jurisdiction over territory in each new district.

24 (d) If a majority of the votes cast are not in favor of the
25 division, the district may not be divided.

26 Sec. XXXX.253. ELECTION OF DIRECTORS OF NEW DISTRICTS. (a)

27 Not later than the 90th day after the date of an election in favor of

1 the division of the district, the board shall:

2 (1) appoint itself as the board of one of the new
3 districts; and

4 (2) appoint five directors for each of the other new
5 districts.

6 (b) Directors appointed under Subsection (a)(1) serve the
7 staggered terms to which they were elected in the original
8 district. Directors appointed under Subsection (a)(2) serve until
9 the election for directors under Subsection (c).

10 (c) On the uniform election date in May of the first
11 even-numbered year after the year in which the directors are
12 appointed, an election shall be held to elect five directors in each
13 district for which directors were appointed under Subsection
14 (a)(2). The directors shall draw lots to determine which two shall
15 serve two-year terms and which three shall serve four-year terms.

16 (d) Except as provided by Subsection (c), directors serve
17 staggered four-year terms. On the uniform election date in May of
18 each even-numbered year, the appropriate number of directors shall
19 be elected.

20 Sec. XXXX.254. CONTINUING POWERS AND OBLIGATIONS OF NEW
21 DISTRICTS. (a) Each new district may incur and pay debts and has all
22 powers of the original district created by this chapter.

23 (b) If the district is divided as provided by this
24 subchapter, the current obligations and any bond authorizations of
25 the district are not impaired. Debts shall be paid by revenues or by
26 taxes or assessments imposed on real property in the district as if
27 the district had not been divided or by contributions from each new

1 district as stated in the terms set by the board under Section
2 XXXX.251(d).

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

6 Sec. XXXX.255. CONTRACT AUTHORITY OF NEW DISTRICTS. The
7 new districts may contract with each other for:

8 (1) water and wastewater services; or

9 (2) any other matter the boards of the new districts
10 consider appropriate.

11 SECTION 2. The Fairfields Municipal Utility District of
12 Kaufman County initially includes all the territory contained in
13 the following described area:

14 TRACT 1

15 BEING a tract of and situated in the Benjamin Kimberling Survey,
16 Abstract No. 265, Joseph Russell Survey, Abstract No. 429, William
17 Clement Survey, Abstract No. 104, Hudson Tabor Survey, Abstract No.
18 542, J. H. Hamilton Survey, Abstract No. 207, A. J. Paschall Survey,
19 Abstract No. 396, E. Helmstetter Survey, Abstract No. 229, W. C.
20 Moody Survey, Abstract No. 322, William McMurry Survey, Abstract
21 No. 348, and the James W. Cude Survey, Abstract No. 90, Kaufman
22 County, Texas, and being a portion of a 834.0416 acre tract of land
23 as described in instrument to H. L. Hunt and recorded in Volume 318,
24 Page 542, a portion of a tract of land as described in instrument to
25 Hunt Oil Company and recorded in Volume 458, Page 2, all of a tract
26 of land as described in instrument to H. L. Hunt as recorded in
27 Volume 1034, Page 877, all of a tract of land as described in

1 instrument to Hunt Oil Company and recorded in Volume 2466, Page
2 210, a portion of a tract of land to H. L. Hunt as described in
3 instrument Volume 322, Page 182, all of a tract of land as described
4 in instrument to H. L. Hunt and recorded in Volume 328, Page 299,
5 all of a tract of land as described in instrument to Hunt Oil
6 Company and recorded in Volume 482, Page 410, all of a tract of land
7 as described in instrument to Hunt Oil Company and recorded in
8 Volume 2484, Page 320, all of a tract of land as described in
9 instrument to Hunt Oil Company and recorded in Volume 2489, Page
10 349, all of a tract of land as described in instrument to Hunt Oil
11 Company and recorded in Volume 2468, Page 127, all of the Deed
12 Records of Kaufman County, Texas, and being more particularly
13 described as follows:

14 BEGINNING at concrete right-of-way monument found at the
15 intersection of the southerly right-of-way line of the Union
16 Pacific Railroad (formerly the Texas & Pacific Railroad) with the
17 westerly right-of-way line of Farm-to-Market Highway No. 429 (F.M.
18 429), a 90 foot wide right-of-way as established by instrument
19 recorded in Volume 355, Page 203 of the Deed Records of Kaufman
20 County, Texas;

21 THENCE, along the westerly right-of-way line of said F.M. 429,
22 South 03 degrees 04 minutes 11 seconds East a distance of 3,527.31
23 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at
24 the beginning of a curve to the left having a radius of 565.87 feet;
25 THENCE, continuing along the southwesterly right-of-way line of
26 F.M. 429 and along said curve to the left through a central angle of
27 43 degrees 43 minutes 48 seconds, an arc length of 431.89 feet,

1 being subtended by a chord of South 24 degrees 56 minutes 05 seconds
2 East a distance of 421.48 feet to a 5/8 inch iron rod set with cap
3 stamped "Huitt-Zollars";
4 THENCE, South 46 degrees 47 minutes 59 seconds East continuing
5 along the Southwesterly right-of-way line of F.M. 429 a distance of
6 2,248.36 feet to a 3/8 inch iron rod found for the most Northerly
7 corner of a 5 acre tract of land as described in General Warranty
8 Deed to Harless Steven Rattan and wife, Reva O. Rattan as recorded
9 in Volume 1881, Page 1, Deed Records of Kaufman County, Texas;
10 THENCE, departing the Southwesterly right-of-way line of said FM
11 429, South 43 degrees 22 minutes 31 seconds West along the
12 Northwesterly line of said Rattan Tract, a distance of 838.79 feet
13 to a 3/8 inch iron rod found for the most Westerly corner of said
14 Rattan Tract;
15 THENCE, South 46 degrees 46 minutes 43 seconds East a distance of
16 259.56 feet to a point for a corner on the southeasterly line of
17 said McCaghren Tract, from which a 3/8 inch iron rod found bears
18 North 87 degrees 13 minutes 08 seconds East, a distance of 0.68 feet
19 and a second 3/8 inch iron rod found bears South 49 degrees 11
20 minutes 33 seconds West, a distance of 2.24 feet;
21 THENCE, South 43 degrees 21 minutes 30 seconds West a distance of
22 1,275.46 feet to a 5/8 inch iron rod set with cap stamped
23 "Huitt-Zollars" at the North corner of said tract of land to H. L.
24 Hunt, as recorded in Volume 1034, Page 877, said point being the
25 North corner of the said William Clements Survey;
26 THENCE, South 47 degrees 03 minutes 28 seconds East with the
27 Northeast line of the said William Clements Survey and continuing

1 with the Northerly Northeast line of the said Joseph Russell Survey
2 a distance of 5,301.60 feet to a bent 5/8 iron rod found, said rod
3 being in the Northwest line of the H. L. Hunt tract as described in
4 Volume 318, Page 542;

5 THENCE, North 43 degrees 07 minutes 35 seconds East along the
6 Northwest line of the H. L. Hunt tract as described in Volume 318,
7 Page 542 a distance of 3,067.25 feet to a 5/8 inch iron rod set with
8 cap stamped "Huitt-Zollars" in the Southwest right-of-way line of
9 F.M. 429 and being the beginning of a non-tangent curve to the left
10 having a radius of 1,190.92 feet;

11 THENCE, in a Southeasterly direction along the Southwest
12 right-of-way line of F.M. 429 along said curve to the left through a
13 central angle of 04 degree 12 minutes 53 seconds, an arc length of
14 87.61 feet, being subtended by a chord of South 73 degrees 11
15 minutes 23 seconds East a distance of 87.59 feet to a 5/8 inch iron
16 rod set with cap stamped "Huitt-Zollars" in a North line of said H.
17 L. Hunt tract as described in Volume 318, Page 542;

18 THENCE, South 58 degrees 51 minutes 00 seconds East along the North
19 line of the last mentioned H. L. Hunt tract a distance of 58.41 feet
20 to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the
21 beginning of a curve to the left having a radius of 364.54 feet;

22 THENCE, continuing along the North line of the last mentioned H. L.
23 Hunt tract along said curve to the left through a central angle of
24 56 degrees 25 minutes 53 seconds, an arc length of 359.04 feet,
25 being subtended by a chord of South 87 degrees 03 minutes 57 seconds
26 East a distance of 344.70 feet to a 5/8 inch iron rod set with cap
27 stamped "Huitt-Zollars" in the Southwest right-of-way line of F. M.

1 429;

2 THENCE, continuing along the Southwest right-of-way line of F.M.
3 429 the following courses and distances:

4 South 86 degrees 09 minutes 28 seconds East a distance of
5 77.03 feet to a 5/8 inch iron rod set with cap stamped
6 "Huitt-Zollars" at the beginning of a curve to the right
7 having a radius of 671.20 feet;

8 along said curve to the right through a central angle of 40
9 degrees 09 minutes 57 seconds, an arc length of 470.53 feet,
10 being subtended by a chord of South 66 degrees 04 minutes 29
11 seconds East a distance of 460.95 feet to a 5/8 inch iron rod
12 set with cap stamped "Huitt-Zollars";

13 South 45 degrees 59 minutes 30 seconds East a distance of
14 2,629.80 feet to a point for corner, from which a concrete
15 Texas Department of Transportation (TxDOT) monument found
16 bears North 37 degrees 36 minutes 31 seconds East, 0.48 feet,
17 said point being the beginning of a non-tangent curve to the
18 right having a radius of 2,819.79 feet;

19 along said curve to the right through a central angle of 06
20 degrees 48 minutes 00 seconds, an arc length of 334.66 feet,
21 being subtended by a chord of South 42 degrees 35 minutes 30
22 seconds East a distance of 334.46 feet to a point for corner,
23 from which a concrete Texas Department of Transportation
24 (TxDOT) monument found bears North 71 degrees 55 minutes 44
25 seconds West, 0.48 feet;

26 South 39 degrees 11 minutes 30 seconds East a distance of
27 115.12 feet to a point for corner, from which a concrete Texas

1 Department of Transportation (TxDOT) monument found bears
2 North 14 degrees 10 minutes 37 seconds West, 0.26 feet, said
3 point being the beginning of a curve to the left having a
4 radius of 2,909.79 feet;
5 along said curve to the left through a central angle of 06
6 degrees 12 minutes 00 seconds, an arc length of 314.87 feet,
7 being subtended by a chord of South 42 degrees 17 minutes 30
8 seconds East a distance of 314.72 feet to a 5/8 inch iron rod
9 set with cap stamped "Huitt-Zollars";
10 South 45 degrees 23 minutes 30 seconds East a distance of
11 705.00 feet to a 5/8 inch iron rod set with cap stamped
12 "Huitt-Zollars" at the beginning of a curve to the left
13 having a radius of 2,909.83 feet;
14 along said curve to the left through a central angle of 05
15 degrees 27 minutes 28 seconds, an arc length of 277.18 feet,
16 being subtended by a chord of South 48 degrees 06 minutes 43
17 seconds East a distance of 277.07 feet to a 5/8 inch iron rod
18 set with cap stamped "Huitt-Zollars";
19 South 50 degrees 32 minutes 30 seconds East a distance of
20 154.67 feet to a point for corner, from which a concrete Texas
21 Department of Transportation (TxDOT) monument found bears
22 North 66 degrees 02 minutes 36 seconds West, 0.30 feet at the
23 beginning of a curve to the right having a radius of 1,387.64
24 feet;
25 along said curve to the right through a central angle of 07
26 minutes 40 minutes 00 seconds, an arc length of 185.68 feet,
27 being subtended by a chord of South 46 degrees 42 minutes 30

1 seconds East a distance of 185.54 feet to a 5/8 inch iron rod
2 set with cap stamped "Huitt-Zollars"
3 South 42 degrees 52 minutes 30 seconds East a distance of
4 316.47 feet to a point for corner, said point being in
5 Northwest line of a tract of land described in instrument to
6 Ernest V. Rogers and wife, Cynthia Sue Rogers and recorded in
7 Volume 952, Page 788 of the Deed Records of Kaufman County,
8 Texas, from which a 1/2 inch iron rod found bears South 44
9 degrees 48 minutes 38 seconds, 0.48 feet;
10 THENCE, South 44 degrees 48 minutes 38 seconds West along the
11 Northwest line of the said Rogers and the southeast line of the said
12 H. L. Hunt tract as described in Volume 458, Page 2, a distance of
13 2,422.47 feet to a fence corner post;
14 THENCE, North 45 degrees 19 minutes 53 seconds West a distance of
15 1,756.49 feet to a fence corner post;
16 THENCE, South 42 degrees 59 minutes 38 seconds West a distance of
17 1,465.41 feet to a fence corner post;
18 THENCE, South 46 degrees 07 minutes 41 seconds East a distance of
19 1,642.52 feet to a fence corner post;
20 THENCE, South 43 degrees 02 minutes 42 seconds West a distance of
21 888.12 feet to a 10" Hackberry Tree found on the north line of
22 Interstate Highway 20;
23 THENCE, along the north right-of-way line of Interstate Highway 20
24 the following courses and distance:
25 North 74 degrees 59 minutes 38 seconds West a distance of
26 2,680.90 feet to a 5/8 inch iron rod set with cap stamped
27 "Huitt-Zollars;

1 North 75 degrees 26 minutes 04 seconds West a distance of
2 1,300.04 feet to a 5/8 inch iron rod set with cap stamped
3 "Huitt-Zollars;
4 North 74 degrees 59 minutes 38 seconds West a distance of
5 1,600.00 feet to a 5/8 inch iron rod set with cap stamped
6 "Huitt-Zollars;
7 North 66 degrees 27 minutes 38 seconds West a distance of
8 303.36 feet to a 5/8 inch iron rod set with cap stamped
9 "Huitt-Zollars;
10 North 27 degrees 15 minutes 38 seconds West a distance of
11 148.64 feet to a 5/8 inch iron rod set with cap stamped
12 "Huitt-Zollars;
13 North 35 degrees 13 minutes 22 seconds East a distance of
14 249.92 feet to a 5/8 inch iron rod set with cap stamped
15 "Huitt-Zollars;
16 North 44 degrees 22 minutes 22 seconds East a distance of
17 107.90 feet to a 5/8 inch iron rod set with cap stamped
18 "Huitt-Zollars;
19 North 45 degrees 51 minutes 38 seconds West a distance of
20 368.81 feet to a 5/8 inch iron rod set with cap stamped
21 "Huitt-Zollars at the most Westerly Northwest corner of a
22 tract of land as described in instrument to H. L. Hunt and
23 recorded in Volume 318, Page 542;
24 THENCE, North 43 degrees 06 minutes 41 seconds East along the
25 northwest line of said H. L. Hunt tract as recorded in Volume 318,
26 Page 542 a distance of 24.21 feet to a 5/8 inch iron rod set with cap
27 stamped "Huitt-Zollars at the south corner of said H. L. Hunt tract

1 as recorded in Volume 1034, Page 877;

2 THENCE, North 46 degrees 18 minutes 38 seconds West along the
3 Southwest line of said H. L. Hunt tract as recorded in Volume 1034,
4 Page 877 a distance of 5,289.65 feet to a 1/2 iron rod found at the
5 west corner of the last mentioned H. L. Hunt tract;

6 THENCE, North 43 degrees 04 minutes 01 seconds East along the
7 Northwest line of the last mentioned H. L. Hunt tract a distance of
8 0.56 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars
9 in the north right-of-way line of Airport Road as established by
10 instrument to the City of Terrell for road right-of-way dated July
11 27, 2004;

12 THENCE, along the North right-of-way line of Airport Road the
13 following courses and distances:

14 North 46 degrees 42 minutes 19 seconds West a distance of
15 136.81 feet to a 5/8 inch iron rod set with cap stamped
16 "Huitt-Zollars;

17 North 46 degrees 21 minutes 25 seconds West a distance of
18 480.30 feet to a 5/8 inch iron rod set with cap stamped
19 "Huitt-Zollars;

20 North 46 degrees 08 minutes 50 seconds West a distance of
21 582.25 feet to a 5/8 inch iron rod set with cap stamped
22 "Huitt-Zollars;

23 North 46 degrees 42 minutes 43 seconds West a distance of
24 195.07 feet to a 5/8 inch iron rod set with cap stamped
25 "Huitt-Zollars;

26 North 48 degrees 12 minutes 12 seconds West a distance of
27 100.52 feet to a 5/8 inch iron rod set with cap stamped

1 "Huitt-Zollars;
2 North 49 degrees 05 minutes 54 seconds West a distance of
3 151.43 feet to a 5/8 inch iron rod set with cap stamped
4 "Huitt-Zollars;
5 North 45 degrees 04 minutes 36 seconds West a distance of
6 1,121.91 feet to a 5/8 inch iron rod set with cap stamped
7 "Huitt-Zollars in the Northwest line of the said Hunt Oil
8 Company tract as recorded in Volume 2466, Page 210;
9 THENCE, South 43 degrees 35 minutes 44 seconds West along the
10 Northwest line of the last mentioned Hunt Oil Company tract a
11 distance of 91.96 feet to a cut cross found in concrete at the West
12 corner of the said Hunt Oil Company tract as recorded in Volume
13 2466, Page 210, said corner also being the south corner of the said
14 H. L. Hunt tract as recorded in volume 328, Page 299;
15 THENCE, North 42 degrees 27 minutes 27 seconds West along the
16 Southwest line of the said H. L. Hunt tract as recorded in Volume
17 328, Page 299 a distance of 769.09 feet to a 5/8 inch iron rod set
18 with cap stamped "Huitt-Zollars;
19 THENCE, North 46 degrees 19 minutes 18 seconds West continuing
20 along the Southwest line of the last mention H. L. Hunt tract a
21 distance of 2,272.73 feet to a cut cross set in concrete at the west
22 corner of the last mentioned H. L. Hunt tract;
23 THENCE, North 64 degrees 21 minutes 57 seconds East along a
24 Northwest line of the last mention H. L. Hunt tract a distance of
25 1,775.49 feet to a fence corner, same being a large tree;
26 THENCE, North 30 degrees 23 minutes 40 seconds East along a West
27 line of the last mention H. L. Hunt tract a distance of 166.50 feet

1 to a railroad spike set in tree root;
2 THENCE, North 14 degrees 01 minute 46 seconds West continuing along
3 a Southwest line of the last mention H. L. Hunt tract a distance of
4 226.95 feet to a 5/8 inch iron rod set with cap stamped
5 "Huitt-Zollars in fence line;
6 THENCE, North 21 degrees 49 minutes 11 seconds West continuing
7 along a Southwest line of the last mention H. L. Hunt tract and
8 along a fence line a distance of 294.75 feet to a fence corner post;
9 THENCE, North 27 degrees 38 minutes 46 seconds West continuing
10 along a Southwest line of the last mention H. L. Hunt tract and
11 along a fence line a distance of 785.05 feet to a fence corner post;
12 THENCE, North 25 degrees 07 minutes 59 seconds West continuing
13 along a Southwest line of the last mention H. L. Hunt tract and
14 along a fence a distance of 520.74 feet to a 1/2 iron rod found with
15 cap stamped "Neagles RPLS 5239";
16 THENCE, North 73 degrees 05 minutes 55 seconds West a distance of
17 742.11 feet to a 5/8 inch iron rod found;
18 THENCE, South 64 degrees 39 minutes 12 seconds West continuing a
19 Southeast line of the last mention H. L. Hunt tract a distance of
20 382.45 feet to a fence corner post;
21 THENCE, North 46 degrees 40 minutes 18 seconds West continuing
22 along a Southwest line of the last mention H. L. Hunt tract and
23 along a fence line and an extension thereof a distance of 287.37
24 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars in
25 the centerline of a road at the most northerly west corner of the
26 last mentioned H. L. Hunt tract, from which a 1/2 inch iron rod
27 found bears North 63 degrees 28 minutes 24 seconds West, 2.38 feet;

1 THENCE, North 43 degrees 13 minutes 19 seconds East along a
2 Northwest line of the last mentioned H.L. Hunt and along the
3 centerline of a road a distance of 1,259.54 feet to a 5/8 inch iron
4 rod set with cap stamped "Huitt-Zollars in the centerline of
5 College Mound Road;

6 THENCE, South 47 degrees 34 minutes 51 seconds East along a
7 Northeast line of the last mentioned H.L. Hunt and along the
8 centerline of College Mound Road a distance of 1,080.86 feet to a
9 5/8 inch iron rod set with cap stamped "Huitt-Zollars;

10 THENCE, South 73 degrees 23 minutes 16 seconds East continuing
11 along a Northerly line of the last mentioned H. L. Hunt and along
12 the centerline of College Mound Road a distance of 691.14 feet to a
13 metal bar found in the center of a wooden bridge, same being the
14 centerline of Kings Creek;

15 THENCE, North 13 degrees 19 minutes 44 seconds East along the
16 centerline of Kings Creek a distance of 30.33 feet to the Southeast
17 corner of the Greenbelt Addition, recorded in Cabinet 1, Sleeve 324
18 of the Plat Records of Kaufman County, Texas;

19 THENCE, with the Northeasterly line of the said Greenbelt Addition
20 and the centerline of Kings Creek the following courses and
21 distances:

22 North 09 degrees 03 minutes 42 seconds East a distance of
23 47.11 feet to a point for corner;

24 North 36 degrees 13 minutes 18 seconds West a distance of
25 36.15 feet to a point for corner;

26 North 74 degrees 58 minutes 16 seconds West a distance of
27 307.46 feet to a point for corner;

1 North 02 degrees 53 minutes 41 seconds West a distance of
2 38.38 feet to a point for corner;
3 North 44 degrees 58 minutes 25 seconds East a distance of
4 107.34 feet to a point for corner;
5 North 02 degrees 08 minutes 44 seconds East a distance of
6 45.54 feet to a point for corner;
7 North 42 degrees 29 minutes 01 second West a distance of
8 100.80 feet to a point for corner;
9 North 34 degrees 15 minutes 02 seconds East a distance of
10 116.47 feet to a point for corner;
11 North 10 degrees 59 minutes 15 seconds East a distance of
12 55.00 feet to a point for corner;
13 North 31 degrees 10 minutes 25 seconds West a distance of
14 171.33 feet to a point for corner;
15 North 25 degrees 01 minutes 25 seconds East a distance of
16 70.09 feet to a point for corner;
17 North 74 degrees 52 minutes 25 seconds East a distance of
18 120.41 feet to a point for corner;
19 North 01 degree 02 minutes 44 seconds East a distance of 52.80
20 feet to a point for corner;
21 North 18 degrees 07 minutes 02 seconds West a distance of
22 111.02 feet to a point for corner;
23 North 40 degrees 43 minutes 56 seconds East a distance of
24 40.31 feet to the confluence of Kings Creek and a branch for
25 corner;

26 THENCE, with the Northeasterly line of the said Greenbelt Addition
27 and the centerline of Branch the following courses and distances:

1 North 14 degrees 09 minutes 42 seconds West a distance of
2 122.13 feet to a point for corner;
3 North 73 degrees 19 minutes 07 seconds West a distance of
4 22.83 feet to a point for corner;
5 North 45 degrees 24 minutes 53 seconds West a distance of
6 127.01 feet to a point for corner;
7 North 07 degrees 38 minutes 33 seconds West a distance of
8 15.00 feet to a point for corner;
9 North 49 degrees 28 minutes 56 seconds West a distance of
10 46.17 feet to a point for corner;
11 North 18 degrees 48 minutes 09 seconds West a distance of
12 59.93 feet to a point for corner;
13 North 34 degrees 18 minutes 35 seconds West a distance of
14 203.21 feet to a point for corner;
15 North 74 degrees 55 minutes 58 seconds West a distance of
16 73.06 feet to a point for corner;
17 North 37 degrees 01 minute 03 seconds West a distance of
18 284.75 feet to the north corner of said Greenbelt Addition;
19 THENCE, South 42 degrees 27 minutes 36 seconds West along the
20 northwest side of the said Greenbelt Addition a distance of 48.18
21 feet to a fence corner post, said post being in the southwest line
22 of the Hunt Oil Company tract as recorded in Volume 482, Page 410;
23 THENCE, North 46 degrees 55 minutes 28 seconds West along a
24 southwest line of the last mentioned Hunt Oil Company tract and
25 along a fence line a distance of 2,111.39 feet to a fence corner
26 post;
27 THENCE, North 51 degrees 15 minutes 08 seconds East along a

1 northwesterly line of the last mentioned Hunt Oil Company tract and
2 along a fence line passing at 310.00 feet a 5/8 inch iron rod set, in
3 all a distance of 320.00 feet to an inner ell corner of the Hunt Oil
4 Company tract as recorded in Volume 482, Page 410;

5 THENCE, North 63 degrees 38 minutes 20 seconds West along a
6 southwest line of the last mentioned Hunt Oil Company tract a
7 distance of 324.26 feet to a 5/8 inch iron rod set with cap stamped
8 "Huitt-Zollars";

9 THENCE, North 61 degrees 09 minutes 01 second West continuing along
10 a southwest line of the last mentioned Hunt Oil Company tract a
11 distance of 445.60 feet to a fence corner post in the southerly
12 right-of-way line of the Union Pacific Railroad spur, said post
13 being the beginning of a non-tangent curve to the right having a
14 radius of 795.00 feet;

15 THENCE, along the southerly right-of-way line of the Texas &
16 Pacific Railroad spur and along a curve to the right through a
17 central angle of 20 degrees 21 minutes 36 seconds, an arc length of
18 282.50 feet, being subtended by a chord of North 77 degrees 21
19 minutes 05 seconds East a distance of 281.02 feet to a 5/8 inch iron
20 rod set with cap stamped "Huitt-Zollars" in the south right-of-way
21 line of the Union Pacific Railroad, a 100.00 foot wide
22 right-of-way;

23 THENCE, South 82 degrees 57 minutes 54 seconds East along the south
24 right-of-way line of the Union Pacific Railroad a distance of
25 3,744.63 feet to a 5/8 inch iron rod set with cap stamped
26 "Huitt-Zollars" at the northwest corner of a tract of land as
27 described in instrument to Texas Power and Light Company as

1 recorded in Volume 526, Page 665 of the Deed Records of Kaufman
2 County, Texas;

3 THENCE, South 11 degrees 36 minutes 24 seconds West departing the
4 south right-of-way line of the Union Pacific Railroad and along the
5 west line of the said Texas Power and Light Company tract a distance
6 of 300.79 feet to a 5/8 inch iron rod set with cap stamped
7 "Huitt-Zollars" at the southwest corner of the said Texas Power and
8 Light Company Tract;

9 THENCE, along the southerly line of said Texas Power and Light
10 Company Tract, South 83 degrees 00 minutes 21 seconds East along the
11 south line of the said Texas Power and Light Company tract passing
12 at 110.00 feet a concrete Texas Power & Light Company monument with
13 a brass cap found at the southeast corner of the last mentioned
14 Texas Power and Light Company tract, said monument also being the
15 southwest corner of a tract of land as described in instrument to
16 Texas Power & Light Company as recorded in Volume 195, Page 158 of
17 the Deed Records of Kaufman County, Texas, in all a distance of
18 410.66 feet to a galvanized steel post in concrete stamped "T P & L
19 Co. prop. corner" at the southeast corner of said Texas Power and
20 Light Company Tract;

21 THENCE, along the easterly line of said Texas Power and Light
22 Company Tract (Vol. 195, Page 158) and continuing along the
23 aforementioned Texas Power and Light Company Tract (Vol. 206, Page
24 380) North 11 degrees 27 minutes 59 seconds East a distance of
25 300.44 feet (Deed North 13 degrees 27 minutes 16 seconds East,
26 300.00 feet) to a one inch iron rod found in the south right-of-way
27 line of the Union Pacific Railroad;

1 THENCE, South 82 degrees 57 minutes 54 seconds East along the south
2 right-of-way line of the Union Pacific Railroad a distance of
3 2,270.17 feet to the POINT OF BEGINNING and CONTAINING 2,352.6
4 acres of land, more or less.

5 TRACT 2

6 BEING a tract of land situated in the Benjamin Kimberling Survey,
7 Abstract No. 265, Kaufman County, Texas, and being a portion of a
8 834.0416 acre tract of land as described in instrument to H. L. Hunt
9 as recorded in Volume 318, Page 542, subsequently deeded to Hunt Oil
10 Company in Volume 427, Page 119 of the Deed Records of Kaufman
11 County, Texas, and being a portion of a 22.634 acre tract of land as
12 described in instrument to Hunt Oil Company as recorded in Volume
13 2622, Page 444 of the Deed Records of Kaufman County, Texas, and
14 being all of a 65.24 acre tract of land as described in instrument
15 to Hunt Oil Company as recorded in Volume 2723, Page 294 of the Deed
16 Records of Kaufman County, Texas, and being more particularly
17 described as follows:

18 BEGINNING 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at
19 the intersection of the south right-of-way line of Interstate
20 Highway 20, a variable width right-of-way, with the east line of the
21 Kaufman-Van Zandt Baptist Area Church, Inc. tract as described in
22 instrument recorded in Volume 1470, Page 1 of the Deed Records of
23 Kaufman County, Texas;

24 THENCE, along the south right-of-way of Interstate Highway 20 the
25 following:

26 South 74 degrees 59 minutes 38 seconds East a distance of
27 1,388.56 feet to a 5/8 inch iron rod set with cap stamped

1 "Huitt-Zollars";
2 South 74 degrees 06 minutes 45 seconds East a distance of
3 1,300.15 feet to a 5/8 inch iron rod set with cap stamped
4 "Huitt-Zollars", from which a Texas Department of
5 Transportation concrete highway monument found bears South
6 33 degrees 20 minutes 55 seconds East, 1.16 feet;
7 South 74 degrees 59 minutes 38 seconds East a distance of
8 2,473.19 feet to a 5/8 inch iron rod set with cap stamped
9 "Huitt-Zollars" in a southeast line of the said H. L. Hunt
10 tract, from which a Texas Department of Transportation
11 concrete highway monument found bears South 78 degrees 07
12 minutes 55 seconds East, 1.47 feet;
13 South 74 degrees 59 minutes 38 seconds East a distance of
14 326.81 feet to a five-eighths inch iron rod set with cap
15 stamped "Huitt-Zollars", from which a TxDOT concrete
16 monument found bears South 84 degrees 10 minutes 06 seconds
17 East, 1.13 feet;
18 South 74 degrees 30 minutes 59 seconds East a distance of
19 600.02 feet to a point for corner, from which a TxDOT concrete
20 monument found bears North 47 degrees 49 minutes 51 seconds
21 East, 0.33 feet;
22 South 74 degrees 59 minutes 38 seconds East a distance of
23 600.00 feet to a point for corner, from which a TxDOT concrete
24 monument found bears South 75 degrees 52 minutes 04 seconds
25 East, 0.48 feet;
26 South 73 degrees 33 minutes 42 seconds East a distance of
27 400.12 feet to a point for corner, from which a TxDOT concrete

1 monument found bears North 13 degrees 14 minutes 53 seconds
2 East, 0.48 feet;
3 South 74 degrees 59 minutes 38 seconds East a distance of
4 78.53 feet to a five-eighths inch iron rod found with cap
5 stamped "Huitt-Zollars" in the southeasterly line of said
6 Hunt Oil Company tract (Vol. 2723, Pg. 294);
7 THENCE, South 46 degrees 58 minutes 57 seconds West along the
8 southeast line of the last mentioned Hunt Oil Company tract a
9 distance of 2,162.15 feet to a fence corner post at the south corner
10 of the said last mentioned Hunt Oil Company tract;
11 THENCE, North 46 degrees 30 minutes 03 seconds West along the
12 southwest line of the last mentioned Hunt Oil Company tract a
13 distance of 1,628.60 feet to a fence corner post at the west corner
14 of the last mentioned Hunt Oil Company tract, said corner also being
15 a south corner of the said Hunt Oil Company Tract (Vol. 427, Pg.
16 119) and the west corner of said Hunt Oil Company tract (Vol. 2723,
17 Pg. 294);
18 THENCE, North 46 degrees 52 minutes 48 seconds West along a
19 southwest line of the said Hunt Oil Company tract (Vol. 427, Pg.
20 119) and along a fence line a distance of 744.85 feet to the
21 southeast line of the said Hunt Oil Company tract (Vol. 2622, Pg.
22 444);
23 THENCE, South 44 degrees 33 minutes 51 seconds West along a
24 southeast of the last mentioned Hunt Oil Company tract a distance of
25 1,374.94 feet to a 5/8 inch iron rod set with cap stamped
26 "Huitt-Zollars";
27 THENCE, North 46 degrees 22 minutes 46 seconds West a distance of

1 200.00 feet to a five-eighths inch iron rod found with cap stamped
2 "Huitt-Zollars";
3 THENCE, South 44 degrees 33 minutes 51 seconds West a distance of
4 217.83 feet to a five-eighths inch iron rod found with cap stamped
5 "Huitt-Zollars" on the south line of the last mentioned Hunt Oil
6 Company tract;
7 THENCE, North 46 degrees 22 minutes 46 seconds West a distance of
8 419.46 feet to the west corner of the last mentioned Hunt Oil
9 Company tract, and being on the southeast line of the said Hunt Oil
10 Company (Vol. 427, Pg. 119), from which a five-eighths inch iron rod
11 found with cap stamped "Huitt-Zollars", bears North 44 degrees 37
12 minutes 00 seconds East a distance of 20.77 feet;
13 THENCE, South 44 degrees 37 minutes 00 seconds West a distance of
14 5.65 feet to the southern most corner of the last mentioned Hunt Oil
15 Company tract, and being in the centerline of County Road 136;
16 THENCE, North 45 degrees 58 minutes 05 seconds West along a
17 southwest line of the last mentioned Hunt Oil Company tract and
18 generally along the centerline of said County Road 136, a distance
19 of 3,081.35 feet to a PK nail found at the most southerly corner of
20 said Kaufman-Van Zandt Baptist Area Church, Inc. tract;
21 THENCE, North 43 degrees 49 minutes 13 seconds East along the east
22 line of said Kaufman-Van Zandt Baptist Area Church, Inc. tract a
23 distance of 195.34 feet to a 5/8 inch iron rod set with cap stamped
24 "Huitt-Zollars";
25 THENCE, North 14 degrees 34 minutes 18 seconds East continuing
26 along the east line of said Kaufman-Van Zandt Baptist Area Church,
27 Inc. tract a distance of 168.66 feet to a the POINT OF BEGINNING and

1 CONTAINING 201.3 acres of land, more or less.

2 TRACT 3

3 BEING a tract of land situated in the Benjamin Kimberling Survey,
4 Abstract No. 265 and the Joseph Russell Survey, Abstract No. 429,
5 Kaufman County, Texas, and being a portion of a tract of 110.5 acre
6 tract of land as described in instrument to H. L. Hunt as recorded
7 in Volume 322, Page 129 of the Deed Records of Kaufman County,
8 Texas, and being more particularly described as follows:

9 BEGINNING 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at
10 the west corner of said Hunt tract, said point being at the
11 intersection of the projected centerline of F.M. 429 (formerly
12 known as College Mound Road) with the centerline of Kaufman County
13 Road No. 309;

14 THENCE, North 43 degrees 58 minutes 52 seconds East along the
15 northwest line of said Hunt tract a distance of 2,252.13 feet to a
16 fence corner post;

17 THENCE, South 46 degrees 32 minutes 42 seconds East along the
18 northeast line of said Hunt tract and along a fence line a distance
19 of 2,129.12 feet to a 5/8 inch iron rod set with cap stamped
20 "Huitt-Zollars" at the east corner of said Hunt tract;

21 THENCE, South 44 degrees 17 minutes 57 seconds West along the
22 southeast line of said Hunt tract and along a fence line a distance
23 of 2,227.72 feet to a 5/8 inch iron rod set with cap stamped
24 "Huitt-Zollars" in the northerly right-of-way line of F.M. 429, a
25 90.0 foot wide right-of-way, as established deed recorded in Volume
26 355, Page 221 of the Deed Records of Kaufman County, Texas;

27 THENCE, North 45 degrees 59 minutes 30 seconds West along the

1 northerly right-of-way line of F.M. 429 a distance of 1,623.46 feet
2 to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the
3 beginning of a curve to the left having a radius of 761.20 feet;
4 THENCE, continuing along the northerly right-of-way line of F.M.
5 429 and along said curve to the left through a central angle of 19
6 degrees 47 minutes 59 seconds, arc length of 263.05 feet, being
7 subtended by a chord of North 55 degrees 53 minutes 30 seconds West
8 a distance of 261.74 feet to a 5/8 inch iron rod set with cap stamped
9 "Huitt-Zollars" in the southwest line of the said Hunt tract;
10 THENCE, North 45 degrees 59 minutes 30 seconds West along the
11 southwest line of the said Hunt tract a distance of 235.34 feet a
12 the POINT OF BEGINNING and CONTAINING 108.39 acres of land, more or
13 less.

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

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

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

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

5 SECTION 4. This Act takes effect immediately if it receives
6 a vote of two-thirds of all the members elected to each house, as
7 provided by Section 39, Article III, Texas Constitution. If this
8 Act does not receive the vote necessary for immediate effect, this
9 Act takes effect September 1, 2007.