

AN ACT

relating to the creation of the Rolling V Ranch Water Control and Improvement District No. 1 of Wise 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 I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9021 to read as follows:

CHAPTER 9021. ROLLING V RANCH WATER CONTROL AND IMPROVEMENT

DISTRICT NO. 1 OF WISE COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9021.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Rolling V Ranch Water Control and Improvement District No. 1 of Wise County.

Sec. 9021.002. NATURE OF DISTRICT. The district is a water control and improvement district in Wise County created under and essential to accomplish the purposes of Section 59, Article XVI, and Section 52, Article III, Texas Constitution.

Sec. 9021.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 9021.024 before November 4, 2009:

(1) the district is dissolved November 4, 2009, except that the district shall:

- 1 (A) pay any debts incurred;
2 (B) transfer to Wise County any assets that
3 remain after the payment of debts; and
4 (C) maintain the organization of the district
5 until all debts are paid and remaining assets are transferred; and
6 (2) this chapter expires September 1, 2014.

7 Sec. 9021.004. INITIAL DISTRICT TERRITORY. (a) The
8 district is initially composed of the territory described by
9 Section 2 of the Act creating this chapter.

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

14 (1) the organization, existence, or validity of the
15 district;

16 (2) the right of the district to impose taxes;

17 (3) the validity of the district's bonds, notes, or
18 indebtedness; or

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

21 [Sections 9021.005-9021.020 reserved for expansion]

22 SUBCHAPTER A-1. TEMPORARY PROVISIONS

23 Sec. 9021.021. TEMPORARY DIRECTORS. (a) The temporary
24 board consists of:

25 (1) Brian Hull;

26 (2) Ronnie Hess;

27 (3) Steve Pike;

1 (4) Robert Stennett; and

2 (5) Craig Wade.

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 9021.024; or

12 (2) the date this chapter expires under Section
13 9021.003.

14 Sec. 9021.022. 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 meet at a location in the district
18 agreeable to a majority of the directors. If a location cannot be
19 agreed upon, the directors shall meet at the Wise County
20 Courthouse. At the meeting, the temporary directors shall elect
21 officers from among the temporary directors and conduct any other
22 district business.

23 Sec. 9021.023. CONSENT OF MUNICIPALITY REQUIRED. The
24 temporary directors may not hold an election under Section 9021.024
25 until each municipality in whose corporate limits or
26 extraterritorial jurisdiction the district is located has:

27 (1) adopted a resolution consenting to the creation of

1 the district; and

2 (2) entered into a development agreement with all
3 owners of real property in the district.

4 Sec. 9021.024. CONFIRMATION AND INITIAL DIRECTORS'
5 ELECTION. The temporary directors shall hold an election to
6 confirm the creation of the district and to elect five directors as
7 provided by Section 49.102, Water Code.

8 Sec. 9021.025. INITIAL ELECTED DIRECTORS; TERMS. The
9 directors elected under Section 9021.024 shall draw lots to
10 determine which two shall serve until the first regularly scheduled
11 election of directors and which three shall serve until the second
12 regularly scheduled election of directors.

13 Sec. 9021.026. EXPIRATION OF SUBCHAPTER. This subchapter
14 expires November 4, 2012.

15 [Sections 9021.027-9021.050 reserved for expansion]

16 SUBCHAPTER B. BOARD OF DIRECTORS

17 Sec. 9021.051. GOVERNING BODY; TERMS. (a) The district is
18 governed by a board of five directors.

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

20 [Sections 9021.052-9021.100 reserved for expansion]

21 SUBCHAPTER C. POWERS AND DUTIES

22 Sec. 9021.101. WATER CONTROL AND IMPROVEMENT DISTRICT
23 POWERS AND DUTIES. The district has the powers and duties provided
24 by the general law of this state, including Chapters 49 and 51,
25 Water Code, applicable to water control and improvement districts
26 created under Section 59, Article XVI, Texas Constitution.

27 Sec. 9021.102. ROAD PROJECTS. To the extent authorized by

1 Section 52, Article III, Texas Constitution, the district may
2 construct, acquire, improve, maintain, or operate macadamized,
3 graveled, or paved roads, or improvements in aid of those roads.

4 Sec. 9021.103. AUTHORITY TO CONTRACT WITH OWNERS OF REAL
5 PROPERTY IN DISTRICT. The board may contract with an owner of real
6 property in the district to construct, acquire, finance, own,
7 maintain, or operate a work, project, service, or commodity
8 necessary for a project authorized by Section 9021.101 or 9021.102.

9 Sec. 9021.104. DIVISION OF DISTRICT. (a) The district may
10 be divided into two new districts only if the district:

11 (1) has no outstanding bonded debt; and

12 (2) is not imposing ad valorem taxes.

13 (b) The division procedure is prescribed by Sections 53.030
14 through 53.041, Water Code.

15 (c) Any new district created by the division of the district
16 has all the powers and duties of the district.

17 (d) Any new district created by the division of the district
18 may not, at the time the new district is created, contain any land
19 outside the area described by Section 2 of the Act creating this
20 chapter.

21 Sec. 9021.105. DISSOLUTION OF DISTRICT. (a) Before
22 December 31, 2017, the district may not be dissolved unless the
23 dissolution is approved by:

24 (1) the board; and

25 (2) the governing body of each municipality in whose
26 corporate limits or extraterritorial jurisdiction the district is
27 located.

1 (b) This section expires December 31, 2017.

2 [Sections 9021.106-9021.150 reserved for expansion]

3 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4 Sec. 9021.151. TAX TO REPAY BONDS. The district may impose
5 a tax to pay the principal of or interest on bonds or other
6 obligations issued under Section 9021.201.

7 [Sections 9021.152-9021.200 reserved for expansion]

8 SUBCHAPTER E. BONDS

9 Sec. 9021.201. AUTHORITY TO ISSUE BONDS AND OTHER
10 OBLIGATIONS. (a) The district may issue bonds or other obligations
11 as provided by Chapters 49 and 51, Water Code, to finance the
12 construction, maintenance, or operation of a project under Section
13 9021.101 or 9021.102.

14 (b) The district may not issue bonds or other obligations to
15 finance projects authorized by Section 9021.102 unless the issuance
16 is approved by a vote of a two-thirds majority of the district
17 voters voting at an election called for that purpose.

18 (c) Bonds or other obligations issued or incurred to finance
19 projects authorized by Section 9021.102 may not exceed one-fourth
20 of the assessed value of the real property in the district.

21 SECTION 2. The Rolling V Ranch Water Control and
22 Improvement District No. 1 of Wise County initially includes all
23 the territory contained in the following area:

24 BEING a tract of land situated in the A.G. Harris Survey, Abstract
25 Number 379, the A. Moss Survey, Abstract Number 558, the Cain T.
26 Brush Survey, Abstract Number 93, the Cain T. Brush Survey,
27 Abstract Number 29, the J. Proctor Survey, Abstract Number 1143,

H.B. No. 3991

1 the J.J. Hudson Survey, Abstract Number 1080, the R.H. Steele
2 Survey, Abstract Number 1147, the J. Junes Survey, Abstract Number
3 473, the J.B. Fansworth Survey, Abstract Number 1417, the J.B.
4 Fansworth Survey, Abstract Number 991, the J. Moffatt Survey,
5 Abstract 554, the Smith County School Land Survey, Abstract Number
6 743, the B.H. Oats Survey, Abstract Number 667, the M.E.P. & P.
7 Railroad Company Survey, Abstract 1332 and the A. Black Survey,
8 Abstract Number 72, Wise County, Texas, and being all of those
9 certain tracts of land described by deeds to Chisholm 2000, LP
10 recorded as Second Tract in Volume 958, Page 428, Chisholm 2000, LP
11 recorded in Volume 962, Page 235 and Johnny Vinson recorded in
12 Volume 406, Page 10, Deed Records, Wise County, Texas, and a portion
13 of those certain tracts of land described by deeds to Johnny Vinson
14 recorded in Volume 321, Page 450, Chisholm 2000, LP recorded as
15 First Tract and Tract Three in Volume 958, Page 428, Johnny and
16 Eloise Vinson recorded as Tract I and Tract II in Volume 699, Page
17 877, and Chisholm 2000, LP recorded in Volume 958, Page 437, Deed
18 Records, Wise County, Texas, and being more particularly described
19 by metes and bounds as follows:

20 BEGINNING at the southeast corner of said Second Tract, said point
21 also being in the west right-of-way line of State Highway 287 and
22 being in Ramhorn Hill Road;

23 THENCE S 89°50'10"W, along said Ramhorn Hill Road, at 2026.64 feet
24 the southwest corner of said Second Tract, said point being an ell
25 corner in the east line of said First Tract, at 3883.66 feet an ell
26 corner in said east line, said point also being the northwest corner
27 of that certain tract of land described by deed to Sam & Juanita

1 Frankenfield recorded in Volume 552, Page 831, Deed Records, Wise
2 County, Texas, in all 3951.13 feet to a point in the approximate
3 Extra-Territorial Jurisdiction (ETJ) line of the City of Rhome,
4 said point being the beginning of a non-tangent curve to the left;
5 THENCE along said ETJ line and with said non-tangent curve to the
6 right, an arc distance of 3400.16 feet, through a central angle of
7 72°25'19", having a radius of 2690.00 feet, the long chord of which
8 bears S 31°34'08"W, 3178.29 feet;
9 THENCE S 67°46'48"W, 2447.07 feet, continuing along said ETJ line to
10 the beginning of a curve to the left;
11 THENCE continuing along said ETJ line and with said curve to the
12 left, an arc distance of 213.07 feet, through a central angle of
13 122°04'56", having a radius of 100.00 feet, the long chord of which
14 bears S 06°44'20"W, 174.99 feet;
15 THENCE S 54°18'08"E, 1723.11 feet, continuing along said ETJ line to
16 a point in the south line of said First Tract, said point also being
17 in the north line of that certain tract of land described by deed to
18 Walsh Ranch recorded in Volume 695, Page 747, Deed Records, Wise
19 County, Texas;
20 THENCE N 89°23'34"W, 384.46 feet along the common line of said First
21 Tract and said Walsh Ranch;
22 THENCE S 00°44'25"E, 125.37 feet, continuing along the common line
23 of said First Tract and said Walsh Ranch;
24 THENCE N 89°07'22"W, 3361.41 feet, continuing along the common line
25 of said First Tract and said Walsh Ranch;
26 THENCE N 00°00'16"W, 254.57 feet, continuing along the common line
27 of said First Tract and said Walsh Ranch;

1 THENCE S 89°25'46"W, 890.90 feet, continuing along the common line
2 of said First Tract and said Walsh Ranch to the southwest corner of
3 said First Tract, said point also being the southeast corner of that
4 certain tract of land described by deed to the Secretary of Housing
5 and Urban Development (HUD) recorded in Volume 1728, Page 250, Deed
6 Records, Wise County, Texas;

7 THENCE N 00°25'28"E, 204.69 feet along the common line of said First
8 Tract and said HUD tract to the northeast corner of said HUD tract,
9 said point also being the easternmost southeast corner of the
10 aforementioned Chisholm 2000 tract;

11 THENCE N 66°17'53"W, along the common line of said Chisholm 2000
12 tract and said HUD tract at 112.39 feet the northwest corner of said
13 HUD tract, said point also being the northeast corner of that
14 certain tract of land described by deed to Rick & Margaret Taylor
15 recorded in Volume 1602, Page 802, Deed Records, Wise County,
16 Texas, in all 193.06 feet to the northwest corner of said Taylor
17 tract;

18 THENCE S 34°18'26"W, 280.03 feet along the common line of said
19 Chisholm 2000 tract and said Taylor tract to the southernmost
20 southeast corner of said Chisholm 2000 tract, said point also being
21 the southwest corner of said Taylor tract, and being in the north
22 right-of-way line of State Highway 718;

23 THENCE N 53°25'58"W, 283.08 feet along the south line of said
24 Chisholm 2000 tract and the north right-of-way line of said State
25 Highway 718 to the southwest corner of said Chisholm 2000 tract,
26 said point also being the southeast corner of that certain tract of
27 land described by deed to James and Doris Martin recorded as Tract

1 Two in Volume 634, Page 4, Deed Records, Wise County, Texas;
2 THENCE N 30°44'05"E, 131.00 feet along the common line of said
3 Chisholm 2000 tract and said Tract Two;
4 THENCE N 00°54'21"E, 52.00 feet, continuing along the common line of
5 said Chisholm 2000 tract and said Tract Two to the northernmost
6 corner of said Tract Two;
7 THENCE N 22°22'46"E, with the west line of said Chisholm 2000 tract,
8 at 30.34 feet the southeast corner of that certain tract of land
9 described by deed to James and Doris Martin recorded as Tract Three
10 in Volume 634, Page 4, Deed Records, Wise County, Texas, in all
11 229.87 feet to the northwest corner of said Chisholm 2000 tract,
12 said point also being the northeast corner of said Martin tract;
13 THENCE S 88°46'25"E, 409.60 feet along the north line of said
14 Chisholm 2000 tract, to a point in the west line of the
15 aforementioned First Tract, said point also being the northeast
16 corner of said Chisholm 2000 tract;
17 THENCE N 00°25'23"E, 1141.47 feet along the west line of said First
18 Tract to the northeast corner of that certain tract of land
19 described by deed to Charlie & Brenda Pryor recorded in Volume 464,
20 Page 624, Deed Records, Wise County, Texas, said point also being
21 the southeast corner of Velma Lipsey Addition, an addition to the
22 City of Newark recorded in Cabinet A, Page 155, Plat Records, Wise
23 County, Texas;
24 THENCE N 01°04'45"E, 861.67 feet, along the common line of said
25 First Tract and said Velma Lipsey Addition to the northeast corner
26 of said Velma Lipsey Addition;
27 THENCE S 55°59'07"W, 1144.41 feet, continuing along the common line

1 of said First Tract and said Velma Lipsey Addition;
2 THENCE N 90°00'00"W, 150.76 feet, continuing along a south line of
3 said First Tract;
4 THENCE S 00°00'00"W, 211.04 feet, continuing along a south line of
5 said First Tract;
6 THENCE N 89°44'54"W, 1269.83 feet, continuing along a south line of
7 said First Tract;
8 THENCE N 51°06'36"W, 234.69 feet, continuing along a south line of
9 said First Tract to a point in the east right-of-way line of FM
10 Highway 3433;
11 THENCE N 00°56'49"E, 1106.61 feet along the west line of said First
12 Tract and the east right-of-way line of said FM Highway 3433;
13 THENCE N 55°21'41"E, 30.00 feet, continuing along the west line of
14 said First Tract and the east right-of-way line of said FM Highway
15 3433;
16 THENCE N 06°23'23"E, 208.46 feet, continuing along the west line of
17 said First Tract and the east right-of-way line of said FM Highway
18 3433;
19 THENCE N 23°46'22"E, 125.50 feet, continuing along the west line of
20 said First Tract and the east right-of-way line of said FM Highway
21 3433 to a point in the south line of that certain tract of land
22 described by deed to Robert Alan Harvey recorded in Volume 978, Page
23 728, Deed Records, Wise County, Texas;
24 THENCE S 58°13'55"E, 72.20 feet along the common line of said First
25 Tract and said Harvey tract;
26 THENCE S 82°33'45"E, 211.36 feet, continuing along the common line
27 of said First Tract and said Harvey tract;

1 THENCE N 54°56'15"E, 166.60 feet, continuing along the common line
2 of said First Tract and said Harvey tract;
3 THENCE N 08°11'19"E, 677.80 feet, continuing along the common line
4 of said First Tract and said Harvey tract;
5 THENCE N 45°59'17"E, 202.59 feet, continuing along the common line
6 of said First Tract and said Harvey tract;
7 THENCE N 24°00'25"E, 154.39 feet, continuing along the common line
8 of said First Tract and said Harvey tract;
9 THENCE N 00°59'26"W, 275.20 feet, continuing along the common line
10 of said First Tract and said Harvey tract;
11 THENCE N 00°34'26"W, 496.00 feet, continuing along the common line
12 of said First Tract and said Harvey tract;
13 THENCE N 74°24'14"E, 339.77 feet, continuing along the common line
14 of said First Tract and said Harvey tract;
15 THENCE N 32°42'56"E, 555.59 feet, continuing along the common line
16 of said First Tract and said Harvey tract;
17 THENCE N 37°50'53"E, 303.27 feet, continuing along the common line
18 of said First Tract and said Harvey tract;
19 THENCE N 89°46'22"E, along the common line of said First Tract and
20 said Harvey tract, at 6180.22 feet the southeast corner of said
21 Harvey tract, said point also being the easternmost southwest
22 corner of that certain tract of land described by deed to the Nell
23 Huddleston Family Trust recorded in Volume 463, Page 525, Deed
24 Records, Wise County, Texas, in all 7206.47 feet to an ell corner in
25 the north line of said First tract, said point also being the
26 southeast corner of said Huddleston tract;
27 THENCE N 00°23'46"E, 1888.92 feet along the common line of said

1 First Tract and said Huddleston tract to the northernmost northwest
2 corner of said First Tract, said point also being the northeast
3 corner of said Huddleston tract and the southeast corner of said
4 Vinson tract recorded in Volume 321, Page 450;

5 THENCE N 89°28'32"W, along the common line of said Vinson tract and
6 said Huddleston tract at 3586.06 feet the southeast corner of said
7 Tract Three, in all 8920.73 feet to the southwest corner of said
8 Chisholm 2000 tract, said point also being the northwest corner of
9 said Huddleston tract, and being in the east right-of-way line of
10 said FM Highway 3433, and being the beginning of a non-tangent curve
11 to the right;

12 THENCE along said east right-of-way line of FM Highway 3433 and with
13 said non-tangent curve to the right, an arc distance of 2285.59
14 feet, through a central angle of 23°03'26", having a radius of
15 5679.58 feet, the long chord of which bears N 18°37'33"E, 2270.20
16 feet;

17 THENCE N 30°01'47"E, 463.94 feet, continuing along said east
18 right-of-way line of FM Highway 3433 to the westernmost corner of
19 Chisholm Creek Subdivision, Phase I recorded in Cabinet B, Slide
20 515, Plat Records, Wise County, Texas and being at the intersection
21 of the east right-of-way Line of FM Highway 3433 and the south
22 right-of-way line of Chisholm Creek Parkway;

23 THENCE S 59°59'24"E, 312.20 feet along the south right-of-way line
24 of said Chisholm Creek Parkway to the beginning of a curve to the
25 left;

26 THENCE continuing along the south right-of-way line of said
27 Chisholm Creek Parkway and with said curve to the left, an arc

1 distance of 63.51 feet, through a central angle of 18°11'39", having
2 a radius of 200.00 feet, the long chord of which bears S 69°05'14"E,
3 63.24 feet to the beginning of a reverse curve to the right;
4 THENCE continuing along the south right-of-way line of said
5 Chisholm Creek Parkway and with said reverse curve to the right, an
6 arc distance of 42.91 feet, through a central angle of 12°17'34",
7 having a radius of 200.00 feet, the long chord of which bears S
8 72°02'16"E, 42.83 feet to the northwest corner of Lot 1, Block A of
9 said Chisholm Creek Subdivision, Phase I;
10 THENCE S 11°55'43"W, 240.64 feet along the west line of said Block A;
11 THENCE S 12°03'51"E, 364.17 feet continuing along the west line of
12 said Block A;
13 THENCE S 51°42'32"E, 287.33 feet continuing along the west line of
14 said Block A;
15 THENCE S 46°03'37"E, 301.10 feet continuing along the west line of
16 said Block A;
17 THENCE S 25°23'20"E, 70.82 feet continuing along the west line of
18 said Block A;
19 THENCE S 19°47'33"E, 268.63 feet continuing along the west line of
20 said Block A to the southwest corner of Lot 22, Block A;
21 THENCE along the south and east lines of said Chisholm Creek
22 Subdivision, Phase I the following calls:
23 N 81°21'12"E, 169.68 feet;
24 S 24°42'01"E, 37.87 feet;
25 N 65°17'59"E, 60.00 feet;
26 S 89°30'35"E, 182.88 feet;
27 N 13°37'59"W, 232.70 feet;

1 N 30°05'26"E, 446.01 feet;
2 N 59°59'24"W, 50.00 feet;
3 N 30°31'43"E, 60.00 feet to the northeast corner of said Chisholm
4 Creek Subdivision, Phase I, said point also being the southeast
5 corner of Chisholm Creek Subdivision, Phase II, an addition to the
6 City of Rhome recorded in Cabinet B, Slide 516, Plat Records, Wise
7 County, Texas;
8 THENCE N 30°17'27"E, 1053.45 feet along the east line of said
9 Chisholm Creek Subdivision, Phase II to its northeast corner;
10 THENCE N 58°44'55"W, 712.46 feet along the north line of said
11 Chisholm Creek Subdivision, Phase II to its northwest corner, said
12 point being in the east line of Chisholm Trail Campus, an addition
13 to the City of Rhome recorded in Cabinet B, Slide 542, Plat Records,
14 Wise County, Texas;
15 THENCE N 30°04'35"E, 302.33 feet along said east line of Chisholm
16 Trail Campus;
17 THENCE N 01°00'26"W, 620.79 feet, continuing along said east line to
18 the northeast corner of said Chisholm Trail Campus, said point
19 being in the south line of the aforementioned Tract II;
20 THENCE S 89°54'36"W, along the common line of said Tract II and said
21 Chisholm Trail Campus, at 801.13 feet the southwest corner of said
22 Tract II, said point also being the northwest corner of said
23 Chisholm Trail Campus and being in the east right-of-way line of FM
24 Highway 3433, at 901.93 feet the southeast corner of the
25 aforementioned Tract I, said point also being the northeast corner
26 of that certain tract of land described by deed to the Estates at
27 Chisholm Ridge 1996-I, LP recorded in Volume 648, Page 109, Deed

1 Records, Wise County, Texas, and being in the west right-of-way
2 line of said FM Highway 3433, in all 3017.78 feet to an ell corner in
3 the south line of said Tract I, said point also being the northwest
4 corner of said Estates tract, and being in the east line of an
5 unrecorded subdivision;
6 THENCE N 00°00'20"W, 35.29 feet along the common line of said Tract I
7 and said unrecorded subdivision;
8 THENCE S 89°59'40"W, 392.13 feet, continuing along the common line
9 of said Tract I and said unrecorded subdivision to the City of Rhome
10 ETJ line, said point also being the beginning of a non-tangent curve
11 to the left;
12 THENCE departing said common line of Tract I and the unrecorded
13 subdivision, along said ETJ line and with said non-tangent curve to
14 the left, an arc distance of 1268.57 feet, through a central angle
15 of 27°01'12", having a radius of 2690.00 feet, the long chord of
16 which bears N 30°42'55"E, 1256.84 feet to the beginning of a
17 non-tangent curve to the right;
18 THENCE continuing along said ETJ line and with said non-tangent
19 curve to the right, an arc distance of 2812.18 feet, through a
20 central angle of 59°53'53", having a radius of 2690.00 feet, the
21 long chord of which bears N 49°35'59"W, 2685.86 feet to a point in
22 the south line of that certain tract of land described by deed to
23 Daniel and Bernadette McEntire recorded as Tract One in Volume
24 1618, Page 894, Deed Records, Wise County, Texas;
25 THENCE N 88°52'06"E, 552.71 feet along the common line of said Tract
26 I and said Tract One;
27 THENCE N 05°22'25"E, 886.51 feet, continuing along the common line

H.B. No. 3991

1 of said Tract I and said Tract One to the northeast corner of said
2 McEntire tract, said point also being in the south line of that
3 certain tract of land described by deed to Maxine Thorell Griffin
4 recorded in Volume 469, Page 723, Deed Records, Wise County, Texas;
5 THENCE N 89°59'40"E, at 91.93 feet the southeast corner of said
6 Griffin tract, said point also being the southwest corner of that
7 certain tract of land described by deed to Geneva Thorell Burch
8 recorded in Volume 469, Page 719, Deed Records, Wise County, Texas,
9 at 284.52 the southeast corner of said Burch tract, said point also
10 being the southwest corner of that certain tract of land described
11 by deed to Carl Thorell recorded in Volume 469, Page 715, Deed
12 Records, Wise County, Texas, at 475.83 the southeast corner of said
13 Thorell tract, said point also being the southwest corner of that
14 certain tract of land described by deed to Jerry and Alice Lee
15 recorded in Volume 777, Page 529, Deed Records, Wise County, Texas,
16 in all 1215.86 feet to a point in County Road 4651;
17 THENCE N 22°28'33"E, 90.81 feet along said County Road;
18 THENCE N 01°03'38"W, 392.11 feet along said County Road;
19 THENCE N 89°35'40"E, 651.22 feet, departing said County Road to a
20 point in the west line of Ellis Homestead, Phase I, an addition to
21 the City of Rhome recorded in Cabinet B, Slide 483 & 484, Plat
22 Records, Wise County, Texas;
23 THENCE S 00°23'23"E, 469.62 feet along the common line of said Tract
24 I and said Ellis Homestead;
25 THENCE N 89°36'02"E, 2324.68 feet, continuing along the common line
26 of said Tract I and said Ellis Homestead;
27 THENCE N 00°15'59"W, 32.47 feet, continuing along the common line of

1 said Tract I and said Ellis Homestead;
2 THENCE N 29°31'35"E, continuing along the common line of said Tract
3 I and said Ellis Homestead at 1067.75 the northeast corner of said
4 Ellis Homestead, in all 1940.14 feet to a point in the south
5 right-of-way line of State Highway 287;
6 THENCE S 62°07'13"E, 388.05 feet along said south right-of-way line
7 of State Highway 287 to the northwest corner of that certain tract
8 of land described by deed to Continental State Bank recorded as
9 Parcel L in Volume 737, Page 894, Deed Records, Wise County, Texas;
10 THENCE S 14°12'57"W, 408.46 feet, departing said south right-of-way
11 line of State Highway 287, and along the common line of said Tract I
12 and said Bank tract;
13 THENCE S 75°52'31"E, 336.85 feet, continuing along the common line
14 of said Tract I and said Bank tract to a point in the west
15 right-of-way line of FM Highway 3433;
16 THENCE S 30°02'40"E, 113.22 feet to the southwest corner of that
17 certain tract of land described by deed to Eagle-C Stores, Inc.
18 recorded in Volume 965, Page 470, Deed Records, Wise County, Texas,
19 said point also being in the east right-of-way line of FM Highway
20 3433;
21 THENCE S 67°02'33"E, 220.38 feet along the south line of said
22 Eagle-C tract to its southeast corner;
23 THENCE N 14°01'53"E, 399.40 feet along the east line of said Eagle-C
24 tract to a point in the south right-of-way line of said State
25 Highway 287;
26 THENCE S 67°00'28"E, 223.61 feet along said south right-of-way line
27 of State Highway 287;

1 THENCE S 50°13'52"E, 104.06 feet along said south right-of-way line
2 of State Highway 287;
3 THENCE S 66°52'41"E, 410.47 feet along said south right-of-way line
4 of State Highway 287;
5 THENCE S 70°14'39"E, 192.10 feet along said south right-of-way line
6 of State Highway 287;
7 THENCE S 70°31'24"E, 181.79 feet along said south right-of-way line
8 of State Highway 287 to the northeast corner of the aforementioned
9 Tract II;
10 THENCE S 00°18'45"E, along the east line of said Tract II, at 687.20
11 feet the southeast corner of the aforementioned Chisholm 2000, LP
12 tract recorded in Volume 958, Page 437, in all 2201.45 feet to the
13 northwest corner of that certain tract of land described by deed to
14 Arizona Lemonade Springs, LLLP recorded in Volume 1729, Page 391,
15 Deed Records, Wise County, Texas;
16 THENCE S 34°57'01"W, 306.15 feet along the common line of said Tract
17 II and said Arizona tract;
18 THENCE S 00°13'35"E, continuing along the common line of said Tract
19 II and said Arizona tract at 2140.79 the southeast corner of said
20 Tract II in all 2334.30 feet to the southwest corner of said Arizona
21 tract, said point also being an ell corner in the north line of the
22 aforementioned Vinson tract recorded in Volume 321, Page 450;
23 THENCE S 89°11'19"E, 3621.78 feet along the common line of said
24 Arizona tract and said Vinson tract to the northeast corner of said
25 Vinson tract, said point also being the southeast corner of said
26 Arizona tract and the southernmost corner of that certain tract of
27 land described by deed to David Lance Smith recorded in Volume 221,

1 page 572, Deed Records, Wise County, Texas and the northwest corner
2 of that certain tract of land described by deed to Jack Hays
3 recorded in Volume 421, Page 65, Deed Records, Wise County, Texas;
4 THENCE S 00°26'03"W, 519.86 feet along the common line of said
5 Vinson tract and said Hays tract to the southernmost corner of said
6 Hays tract;
7 THENCE N 40°38'38"E, 2136.47 feet along the south line of said Hays
8 tract to the west right-of-way line of State Highway 287;
9 THENCE S 32°27'57"E, 3501.53 feet along said west right-of-way line
10 of State Highway 287 to the northernmost corner of the
11 aforementioned Vinson tract recorded in Volume 406, Page 10;
12 THENCE S 33°03'00"E, 681.20 feet, continuing along said west
13 right-of-way line of State Highway 287 and the east line of said
14 Vinson tract to the beginning of a curve to the right;
15 THENCE continuing along said west right-of-way line of State
16 Highway 287 and said east line of the Vinson tract, and with said
17 curve to the right, an arc distance of 893.89 feet, through a
18 central angle of 09°13'14", having a radius of 5554.58 feet, the
19 long chord of which bears S 28°26'23"E, 892.93 feet;
20 THENCE S 18°25'56"E, 650.28 feet, continuing along said west
21 right-of-way line of State Highway 287 and said east line of the
22 Vinson tract to the northeast corner of the aforementioned First
23 Tract;
24 THENCE S 18°02'13"E, 462.79 feet, continuing along said west
25 right-of-way line of State Highway 287 and said First Tract to the
26 northeast corner of the aforementioned Second Tract;
27 THENCE S 18°13'27"E, 1943.55 feet, continuing along said west

1 right-of-way line of State Highway 287 and the east line of said
2 Second Tract;

3 THENCE S 01°41'43"W, 195.49 feet, continuing along said west
4 right-of-way line of State Highway 287 and the east line of said
5 Second Tract;

6 THENCE S 26°58'37"W, 614.91 feet, continuing along said west
7 right-of-way line of State Highway 287 and the east line of said
8 Second Tract;

9 THENCE S 17°59'56"E, 79.24 feet, continuing along said west
10 right-of-way line of State Highway 287 and the east line of said
11 Second Tract to the POINT OF BEGINNING and containing 2942.775
12 acres of land, more or less.

13 Including all of that land beneath the existing surface
14 (topography) of the above described tract of land which extends
15 vertically downward a distance of 50 feet from all points on said
16 existing surface.

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

24 (b) The governor, one of the required recipients, has
25 submitted the notice and Act to the Texas Commission on
26 Environmental Quality.

27 (c) The Texas Commission on Environmental Quality has filed

1 its recommendations relating to this Act with the governor, the
2 lieutenant governor, and the speaker of the house of
3 representatives within the required time.

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

8 SECTION 4. This Act takes effect September 1, 2007.

President of the Senate

Speaker of the House

I certify that H.B. No. 3991 was passed by the House on May 11, 2007, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3991 was passed by the Senate on May 23, 2007, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor