

By: Laubenberg

H.B. No. 4011

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Collin County Fresh Water Supply District No. 2 and the dissolution of the Collin County Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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

SECTION 1. Subtitle B, Title 6, Special District Local Laws Code, is amended by adding Chapter 6907 to read as follows:

CHAPTER 6907. COLLIN COUNTY FRESH WATER SUPPLY

DISTRICT NO. 2

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 6907.001. 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 Collin County Fresh Water Supply District No. 2.

Sec. 6907.002. NATURE OF DISTRICT. The district is a fresh water supply district in Collin County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution. The district is created to serve a public use and benefit.

Sec. 6907.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation

1 election held under Section 6907.023 before September 1, 2009:

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

4 (A) pay any debts incurred;

5 (B) transfer to Collin County any assets that
6 remain after the payment of debts; and

7 (C) maintain the organization of the district
8 until all debts are paid and remaining assets are transferred; and

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

10 Sec. 6907.004. 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 6907.005-6907.020 reserved for expansion]

22 SUBCHAPTER A1. TEMPORARY PROVISIONS

23 Sec. 6907.021. TEMPORARY DIRECTORS. (a) The temporary
24 board consists of:

25 (1) Keller Webster;

26 (2) Fred Albrecht;

27 (3) Andy Harvey;

1 (4) Ken Prater; and

2 (5) Gordon Greeson.

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 6907.023; or

12 (2) the date this chapter expires under Section
13 6907.003.

14 Sec. 6907.022. 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 board 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 Collin County Courthouse.

21 Sec. 6907.023. CONFIRMATION AND INITIAL DIRECTORS'
22 ELECTION. The temporary board shall hold an election to confirm the
23 creation of the district and to elect five directors as provided by
24 Section 49.102, Water Code.

25 Sec. 6907.024. INITIAL ELECTED DIRECTORS; TERMS. The
26 directors elected under Section 6907.023 shall draw lots to
27 determine which three shall serve until the first regularly

1 scheduled election of directors and which two shall serve until the
2 second regularly scheduled election of directors.

3 Sec. 6907.025. EXPIRATION OF SUBCHAPTER. This subchapter
4 expires September 1, 2012.

5 [Sections 6907.026-6907.050 reserved for expansion]

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. 6907.051. DIRECTORS; TERMS. (a) The district is
8 governed by a board of five directors.

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

10 [Sections 6907.052-6907.100 reserved for expansion]

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 6907.101. FRESH WATER SUPPLY DISTRICT POWERS AND
13 DUTIES. The district has the powers and duties provided by the
14 general law of this state, including Chapters 49 and 53, Water Code,
15 applicable to fresh water supply districts created under Section
16 59, Article XVI, Texas Constitution.

17 Sec. 6907.102. DRAINAGE PROJECTS. The district may
18 purchase, construct, acquire, own, operate, maintain, repair, or
19 improve all works, improvements, facilities, plants, equipment,
20 and appliances necessary to gather, conduct, divert, and control
21 local stormwater or other local harmful excesses of water in a
22 district.

23 Sec. 6907.103. CONTRACT WITH POLITICAL SUBDIVISION FOR
24 WATER OR SEWER SERVICES. (a) The district may contract to allow a
25 political subdivision to provide retail water or sewer service in
26 the district. The contract may contain terms the board considers
27 desirable, fair, and advantageous to the district.

1 (b) The contract may require the district to construct or
2 acquire and convey or lease to the political subdivision a water
3 supply or treatment system, a water distribution system, or a
4 sanitary sewage collection or treatment system, as necessary to
5 provide water or sewer service in the district.

6 (c) The district may use bond proceeds or other available
7 district money to pay for its obligations and for services and
8 facilities provided under the contract.

9 (d) If the contract requires the district to make payments
10 from taxes other than operation and maintenance taxes, the contract
11 is subject to Section 49.108, Water Code.

12 Sec. 6907.104. STRATEGIC PARTNERSHIP AGREEMENT. Sections
13 43.0751 and 43.0752, Local Government Code, apply to the district
14 in the same manner as a district under those sections.

15 [Sections 6907.105-6907.150 reserved for expansion]

16 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

17 Sec. 6907.151. OPERATION AND MAINTENANCE TAX. The district
18 may impose a tax for any district operation and maintenance purpose
19 in the manner provided by Section 49.107, Water Code.

20 Sec. 6907.152. TAX TO REPAY BONDS. The district may impose
21 a tax to pay the principal of and interest on bonds issued under
22 Section 6907.201.

23 Sec. 6907.153. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
24 ASSESSMENTS. The district may not impose an impact fee or
25 assessment on the property, including the equipment,
26 rights-of-way, facilities, or improvements, of:

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

1 as defined by Section 31.002, Utilities Code;

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

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

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

8 (5) a person who provides to the public advanced
9 telecommunications services.

10 [Sections 6907.154-6907.200 reserved for expansion]

11 SUBCHAPTER E. BONDS

12 Sec. 6907.201. AUTHORITY TO ISSUE BONDS AND OTHER
13 OBLIGATIONS; TAX. The district may issue bonds or other
14 obligations as provided by Chapters 49 and 53, Water Code, to
15 finance the district's contractual obligations under Section
16 6907.103.

17 SECTION 2. The Collin County Fresh Water Supply District
18 No. 2 initially includes all the territory contained in the
19 following described area:

20 TRACT 1

21 BEING A 408.210 ACRE TRACT OF LAND SITUATED IN THE JOHN
22 RAGSDALE SURVEY, ABSTRACT NO. 734, COLLIN COUNTY, TEXAS, AND BEING
23 PART OF A 768.821 ACRE TRACT OF LAND, CONVEYED TO 14875 PARTNERS,
24 LTD. BY DEED RECORDED IN COUNTY CLERK'S FILE NO. 2004-0007545, LAND
25 RECORDS, COLLIN COUNTY, TEXAS, SAID 408.510 ACRE TRACT, WITH
26 REFERENCE BEARING OF GRID NORTH, TEXAS STATE PLANE COORDINATES,
27 NORTH CENTRAL ZONE, NAD 83 DATUM, BEING MORE PARTICULARLY DESCRIBED

1 BY METES AND BOUNDS AS FOLLOWS:

2 COMMENCING AT A $\frac{1}{2}$ INCH IRON ROD FOUND FOR THE NORTHWEST CORNER
3 OF A CALLED 161.4193 ACRE TRACT OF LAND, CONVEYED TO THE BOARD OF
4 REGENTS OF THE TEXAS A&M UNIVERSITY SYSTEM BY DEED RECORDED IN
5 VOLUME 2513, PAGE 274, LAND RECORDS, COLLIN COUNTY, TEXAS, AND
6 BEING ON THE WEST LINE OF AFORESAID JOHN RAGSDALE SURVEY, AND BEING
7 ON THE EAST LINE OF THE F.D. GARY SURVEY, ABSTRACT NO. 361;

8 THENCE NORTH 89 DEGREES 56 MINUTES 06 SECONDS EAST, ALONG THE
9 NORTH LINE OF AFORESAID 161.4193 ACRE TRACT OF LAND, A DISTANCE OF
10 1000.4 FEET TO THE POINT OF BEGINNING;

11 THENCE, OVER AND ACROSS SAID 768.821 ACRE TRACT THE FOLLOWING
12 COURSES AND DISTANCES:

13 NORTH 00 DEGREES 36 MINUTES 37 SECONDS WEST, A DISTANCE OF
14 1500.17 FEET TO A POINT FOR CORNER;

15 NORTH 30 DEGREES 59 MINUTES 39 SECONDS EAST, A DISTANCE OF
16 2547.33 FEET TO A POINT FOR CORNER;

17 NORTH 00 DEGREES 36 MINUTES 40 SECONDS WEST, A DISTANCE OF
18 648.12 FEET TO A POINT FOR CORNER;

19 NORTH 39 DEGREES 46 MINUTES 58 SECONDS EAST, A DISTANCE OF
20 324.39 FEET TO A POINT FOR CORNER;

21 NORTH 07 DEGREES 03 MINUTES 16 SECONDS EAST, A DISTANCE OF
22 222.20 FEET TO A POINT FOR CORNER;

23 NORTH 74 DEGREES 04 MINUTES 00 SECONDS EAST, A DISTANCE OF
24 521.49 FEET TO A POINT FOR CORNER;

25 NORTH 04 DEGREES 53 MINUTES 56 SECONDS EAST, A DISTANCE OF
26 1779.08 FEET TO A POINT FOR CORNER;

27 SOUTH 89 DEGREES 27 MINUTES 32 SECONDS WEST, A DISTANCE OF

1 1198.99 FEET TO A POINT FOR CORNER;

2 NORTH 12 DEGREES 43 MINUTES 10 SECONDS WEST, A DISTANCE OF
3 1321.07 FEET TO A POINT FOR CORNER;

4 NORTH 89 DEGREES 27 MINUTES 32 SECONDS EAST, A DISTANCE OF
5 1600.65 FEET TO A POINT FOR CORNER;

6 NORTH 04 DEGREES 53 MINUTES 56 SECONDS EAST, A DISTANCE OF
7 697.40 FEET TO A POINT FOR CORNER;

8 NORTH 03 DEGREES 20 MINUTES 56 SECONDS EAST, A DISTANCE OF
9 48.00 FEET TO A POINT FOR CORNER ON THE NORTH LINE OF AFORESAID
10 768.821 ACRE TRACT AND THE NORTH LINE OF SAID JOHN RAGSDALE SURVEY
11 AND THE COMMON SOUTH LINE OF A TRACT OF LAND CONVEYED TO MARTHA ANN
12 KING AND PEGGY SUE EARTHMAN, BY DEED RECORDED IN COUNTY CLERK'S FILE
13 NO. 92-0091304, LAND RECORDS, COLLIN COUNTY, TEXAS;

14 THENCE, NORTH 89 DEGREES 32 MINUTES 06 SECONDS EAST, ALONG
15 THE NORTH LINE OF SAID 768.821 ACRE TRACT AND THE SOUTH LINE OF A
16 SAID TRACT OF LAND CONVEYED TO MARTHA ANN KING AND PEGGY SUE
17 EARTHMAN, A DISTANCE OF 707.94 FEET TO A 5/8 INCH IRON ROD WITH A
18 YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET FOR CORNER AT THE
19 NORTHEAST CORNER OF SAID 768.821 ACRE TRACT AND THE COMMON
20 NORTHEAST CORNER OF SAID JOHN RAGSDALE SURVEY AND THE SOUTHWEST
21 CORNER OF THE M.D. BULLION SURVEY, ABSTRACT NO. 137 SURVEY NO. 14,
22 ABSTRACT NO. 167 AND THE WEST LINE OF A TRACT OF LAND CONVEYED TO
23 RICHARD C. SMITH AND WIFE, JANET L. SMITH BY DEED RECORDED IN COUNTY
24 CLERK'S FILE NO. 97-0086916, LAND RECORDS, COLLIN COUNTY, TEXAS;

25 THENCE, SOUTH 01 DEGREES 06 MINUTES 02 SECONDS EAST, ALONG
26 THE EAST LINE OF SAID 768.821 ACRE TRACT AND THE WEST LINE OF SAID
27 COLLIN COUNTY SCHOOL LAND SURVEY NO. 14 ABSTRACT NO. 167 AND THE

1 COMMON WEST LINE OF A 100.593 ACRE TRACT CONVEYED TO THE WALTON
2 BRADFORD FAMILY PARTNERSHIPS L.P. RECORDED IN VOLUME 5050, PAGE
3 00784, LAND RECORDS, COLLIN COUNTY, TEXAS, A DISTANCE OF 8807.15
4 FEET TO A 5/8 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED
5 "CARTER BURGESS" SET FOR CORNER AT THE SOUTHEAST CORNER OF SAID
6 768.821 ACRE TRACT AND THE WEST LINE OF AFORESAID COLLIN COUNTY
7 SCHOOL LAND SURVEY NO. 14 ABSTRACT NO. 167;

8 THENCE, OVER AND ACROSS SAID 768.821 ACRE TRACT THE FOLLOWING
9 COURSES AND DISTANCES:

10 NORTH 89 DEGREES 44 MINUTES 17 SECONDS WEST, A DISTANCE OF
11 138.60 FEET TO A POINT FOR CORNER;

12 NORTH 82 DEGREES 40 MINUTES 54 SECONDS WEST, A DISTANCE OF
13 632.77 FEET TO A POINT FOR CORNER;

14 SOUTH 89 DEGREES 19 MINUTES 08 SECONDS WEST, A DISTANCE OF
15 1314.05 FEET TO A POINT FOR CORNER;

16 SOUTH 87 DEGREES 52 MINUTES 29 SECONDS WEST, A DISTANCE OF
17 475.03 FEET TO A POINT FOR CORNER;

18 SOUTH 89 DEGREES 56 MINUTES 06 SECONDS WEST, A DISTANCE OF
19 672.48 FEET TO THE POINT OF BEGINNING AND CONTAINING 408.510 ACRES
20 OF LAND, MORE OR LESS.

21 SAVE & EXCEPT:

22 BEING A 5.000 ACRE TRACT OF LAND SITUATED IN THE JOHN RAGSDALE
23 SURVEY, ABSTRACT NO. 734, COLLIN COUNTY, TEXAS, AND BEING PART OF A
24 CALLED 958.00 ACRE TRACT OF LAND, CONVEYED TO D. W. LIGHT, WILLIAM
25 M. LIGHT, AND JACK H. LIGHT BY DEED RECORDED IN VOLUME 1044, PAGE
26 203, LAND RECORDS, COLLIN COUNTY, TEXAS, AND BEING ALL OF FIVE 1.000
27 ACRE TRACTS CONVEYED TO JOSH J. KAHN BY DEED RECORDED IN VOLUME

1 5438, PAGE 6021, LAND RECORDS, COLLIN COUNTY, TEXAS SAID 5.000 ACRE
2 TRACT, WITH BEARING BASIS OF GRID NORTH, TEXAS STATE PLANE
3 COORDINATES, NORTH CENTRAL ZONE, NAD 83 DATUM, BEING MORE
4 PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

5 COMMENCING AT A 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED
6 "CARTER BURGESS" SET FOR THE NORTHEAST CORNER OF SAID LIGHT TRACT;

7 THENCE, SOUTH 89 DEGREES 32 MINUTES 06 SECONDS WEST, ALONG
8 THE NORTH LINE OF SAID LIGHT TRACT, A DISTANCE OF 657.83 FEET TO
9 POINT FOR CORNER IN THE EAST LINE OF A 50 FOOT EASEMENT TO LONE STAR
10 GAS COMPANY, RECORDED IN VOLUME 507, PAGE 383, LAND RECORDS COLLIN
11 COUNTY, TEXAS;

12 THENCE, OVER AND ACROSS SAID LIGHT TRACT AND ALONG THE EAST
13 LINE OF SAID LONE STAR GAS COMPANY EASEMENT, THE FOLLOWING COURSES
14 AND DISTANCES:

15 SOUTH 03 DEGREES 20 MINUTES 56 SECONDS WEST, A DISTANCE OF
16 52.00 FEET TO POINT FOR CORNER;

17 SOUTH 04 DEGREES 53 MINUTES 56 SECONDS WEST, A DISTANCE OF
18 2933.00 FEET TO THE POINT OF BEGINNING OF SAID FIVE-1.000 ACRE
19 TRACTS;

20 THENCE, CONTINUING OVER AND ACROSS SAID LIGHT TRACT, THE
21 FOLLOWING COURSES AND DISTANCES:

22 SOUTH 85 DEGREES 06 MINUTES 04 SECONDS EAST, A DISTANCE OF
23 348.48 FEET TO A POINT FOR CORNER;

24 SOUTH 04 DEGREES 53 MINUTES 56 SECONDS WEST, A DISTANCE OF
25 625.00 FEET TO POINT FOR CORNER;

26 NORTH 85 DEGREES 06 MINUTES 04 SECONDS WEST, A DISTANCE OF
27 348.48 FEET TO POINT FOR CORNER ON THE AFORESAID EAST LINE OF LONE

1 STAR GAS COMPANY EASEMENT;

2 NORTH 04 DEGREES 53 MINUTES 56 SECONDS EAST, ALONG SAID EAST
3 LINE, A DISTANCE OF 625.00 FEET TO THE POINT OF BEGINNING AND
4 CONTAINING 5.000 ACRES LAND AND LEAVING A NET ACREAGE OF 768.821
5 ACRES OF LAND, MORE OR LESS.

6 TRACT 2

7 BEING A 151.289 ACRE TRACT OF LAND SITUATED IN THE COLLIN
8 COUNTY SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, COLLIN COUNTY,
9 TEXAS, AND BEING ALL OF A CALLED 110.19 ACRE TRACT OF LAND, CONVEYED
10 TO GENE P. MCCUTCHIN BY DEED RECORDED IN COUNTY CLERK'S FILE NO.
11 2001-0120714, LAND RECORDS, COLLIN COUNTY, TEXAS, AND ALL OF A
12 CALLED 41.09 ACRE TRACT OF LAND, CONVEYED TO GENE P. MCCUTCHIN BY
13 DEED RECORDED IN COUNTY CLERK'S FILE NO. 2002-0137807, LAND
14 RECORDS, COLLIN COUNTY, TEXAS SAID 151.289 ACRE TRACT, WITH BEARING
15 BASIS OF GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL
16 ZONE, NAD 83 DATUM, BEING MORE PARTICULARLY DESCRIBED BY METES AND
17 BOUNDS AS FOLLOWS:

18 BEGINNING AT A 1 INCH PIPE FOUND FOR THE NORTHWEST CORNER OF
19 AFORESAID 110.19 ACRE TRACT, SAID CORNER BEARS NORTH 89 DEGREES 28
20 MINUTES 05 SECONDS EAST A DISTANCE OF 35.13 FEET FROM A ½" IRON ROD
21 FOUND AT THE SOUTHWEST CORNER OF A TRACT OF LAND CONVEYED TO ALBERT
22 MOKHTAR, TRUSTEE BY DEED RECORDED IN VOLUME 2722, PAGE 333, LAND
23 RECORDS, COLLIN COUNTY, TEXAS;

24 THENCE NORTH 89 DEGREES 28 MINUTES 05 SECONDS EAST, ALONG THE
25 NORTH LINE OF AFORESAID 110.19 ACRE TRACT AND THE COMMON SOUTH LINE
26 OF AFORESAID ALBERT MOKHTAR TRACT, A DISTANCE OF 1912.58 FEET TO A ½
27 INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 110.19 ACRE

1 TRACT AND THE SOUTHEAST CORNER OF SAID ALBERT MOKHTAR TRACT AND
2 BEING ON THE WEST RIGHT-OF-WAY OF THE RED RIVER TEXAS & SOUTHERN
3 RAILWAY COMPANY TRACT NO. 54 BY DEED RECORDED IN VOLUME 121, PAGE
4 20, LAND RECORDS, COLLIN COUNTY, TEXAS;

5 THENCE SOUTH 11 DEGREES 20 MINUTES 28 SECONDS WEST, ALONG THE
6 EAST LINE OF AFORESAID 110.19 ACRE TRACT AND THE EAST LINE OF
7 AFORESAID 41.09 ACRE TRACT AND THE COMMON WEST LINE OF AFORESAID RED
8 RIVER TEXAS & SOUTHERN RAILWAY COMPANY TRACT NO. 54, A DISTANCE OF
9 4816.17 FEET TO A ½ INCH IRON ROD FOUND FOR THE SOUTHEAST CORNER OF
10 SAID 41.09 ACRE TRACT AND POINT ON THE NORTH LINE OF A CALLED 81.68
11 ACRE TRACT OF LAND, CONVEYED TO GRAHAM S. STELZER AND WIFE, DORIS
12 STELZER BY DEED RECORDED IN VOLUME 587, PAGE 146, LAND RECORDS,
13 COLLIN COUNTY, TEXAS;

14 THENCE SOUTH 89 DEGREES 32 MINUTES 42 SECONDS WEST, ALONG THE
15 SOUTH LINE OF AFORESAID 41.09 ACRE TRACT AND THE COMMON NORTH LINE
16 OF AFORESAID 81.68 ACRE TRACT, A DISTANCE OF 884.15 FEET TO A 3/8
17 INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID 41.09 ACRE
18 TRACT AND THE NORTHWEST CORNER OF SAID 81.68 ACRE TRACT;

19 THENCE NORTH 00 DEGREES 59 MINUTES 18 SECONDS WEST, ALONG THE
20 EAST LINE OF AFORESAID 41.09 ACRE TRACT AND THE EAST LINE OF
21 AFORESAID 110.19 ACRE TRACT, A DISTANCE OF 4712.10 FEET TO THE POINT
22 OF BEGINNING AND CONTAINING 151.289 ACRES OF LAND, MORE OR LESS.

23 TRACT 3

24 BEING A 209.022 ACRE TRACT OF LAND SITUATED IN THE COLLIN
25 COUNTY SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, COLLIN COUNTY,
26 TEXAS, AND BEING ALL OF A CALLED 69.81 ACRE TRACT OF LAND, CONVEYED
27 TO GENE P. MCCUTCHIN BY DEED RECORDED IN COUNTY CLERK'S FILE NO.

1 2001-0120714, LAND RECORDS, COLLIN COUNTY, TEXAS, AND ALL OF A
2 CALLED 139.20 ACRE TRACT OF LAND, CONVEYED TO GENE P. MCCUTCHIN BY
3 DEED RECORDED IN COUNTY CLERK'S FILE NO. 2002-0137807, LAND
4 RECORDS, COLLIN COUNTY, TEXAS SAID 209.022 ACRE TRACT, WITH BEARING
5 BASIS OF GRID NORTH, TEXAS STATE PLANE COORDINATES, NORTH CENTRAL
6 ZONE, NAD 83 DATUM, BEING MORE PARTICULARLY DESCRIBED BY METES AND
7 BOUNDS AS FOLLOWS:

8 BEGINNING AT $\frac{1}{2}$ INCH IRON ROD FOUND FOR THE NORTHEAST CORNER OF
9 AFORESAID 69.81 ACRE TRACT AND BEING THE SOUTHEAST CORNER OF A
10 CALLED TRACT 4, CONVEYED TO OWNSBY 1880 FARMS, LTD. BY DEED RECORDED
11 IN COUNTY CLERK'S FILE NO. 99-0005737, LAND RECORDS, COLLIN COUNTY,
12 TEXAS AND BEING ON THE WEST LINE OF A CALLED TRACT 1, CONVEYED TO
13 OWNSBY 1880 FARMS, LTD. BY DEED RECORDED IN COUNTY CLERK'S FILE NO.
14 99-0005737, LAND RECORDS, COLLIN COUNTY, TEXAS;

15 THENCE SOUTH 00 DEGREES 28 MINUTES 05 SECONDS EAST, ALONG THE
16 EAST LINE OF AFORESAID 69.81 ACRE TRACT AND THE EAST LINE OF
17 AFORESAID 139.20 ACRE TRACT, AND THE WEST LINE OF AFORESAID TRACT 1
18 AND A CALLED TRACT 2 & TRACT 3, CONVEYED TO OWNSBY 1880 FARMS, LTD.
19 BY DEED RECORDED IN COUNTY CLERK'S FILE NO. 99-0005737, LAND
20 RECORDS, COLLIN COUNTY, TEXAS, A DISTANCE OF 4058.21 FEET TO A 60D
21 NAIL FOUND FOR THE SOUTHWEST CORNER OF AFORESAID TRACT 3;

22 THENCE CONTINUING ALONG THE EAST LINE OF AFORESAID 139.20
23 ACRE TRACT AND THE WEST LINE OF A CALLED 139.708 ACRE TRACT OF LAND,
24 CONVEYED TO KEERAN FAMILY PARTNERSHIP, LTD., RECORDED IN COUNTY
25 CLERK'S FILE NO. 2001-0083876, LAND RECORDS, COLLIN COUNTY, TEXAS,
26 THE FOLLOWING COURSES AND DISTANCES:

27 SOUTH 00 DEGREES 28 MINUTES 43 SECONDS EAST, A DISTANCE OF

1 658.85 FEET TO A $\frac{1}{2}$ INCH IRON ROD FOUND FOR CORNER;

2 SOUTH 00 DEGREES 26 MINUTES 50 SECONDS EAST, A DISTANCE OF
3 2675.40 FEET TO A $\frac{3}{8}$ INCH IRON ROD FOUND FOR CORNER IN THE
4 APPROXIMATE CENTERLINE OF BUSINESS HIGHWAY NO. 289 (A VARIABLE
5 PRESCRIPTIVE WIDTH RIGHT-OF-WAY) AND BEING THE SOUTHEAST CORNER OF
6 AFORESAID 139.20 ACRE TRACT AND THE SOUTHWEST CORNER OF AFORESAID
7 139.708 ACRE TRACT, FROM SAID CORNER A 60D NAIL BEARS NORTH 00
8 DEGREES 52 MINUTES 30 SECONDS WEST, A DISTANCE OF 33.68 FEET FOUND
9 FOR WITNESS;

10 THENCE SOUTH 89 DEGREES 29 MINUTES 44 SECONDS WEST, ALONG THE
11 SOUTH LINE OF AFORESAID 139.20 ACRE TRACT AND WITH THE APPROXIMATE
12 CENTERLINE OF AFORESAID BUSINESS HIGHWAY NO. 289, A DISTANCE OF
13 1322.70 FEET TO A $\frac{3}{8}$ INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER
14 OF SAID 139.20 ACRE TRACT AND THE SOUTHEAST CORNER OF A CALLED 7.438
15 ACRE TRACT OF LAND, CONVEYED TO LOTTI LORAIN COUCH BY DEED RECORDED
16 IN COUNTY CLERK'S FILE NO. 97-0002825, LAND RECORDS, COLLIN COUNTY,
17 TEXAS, FROM SAID CORNER A 60D NAIL BEARS NORTH 01 DEGREES 13 MINUTES
18 49 SECONDS WEST, A DISTANCE OF 37.84 FEET FOUND FOR WITNESS;

19 THENCE NORTH 00 DEGREES 42 MINUTES 12 SECONDS WEST, ALONG A
20 WEST LINE OF AFORESAID 139.20 ACRE TRACT AND THE COMMON EAST LINE OF
21 AFORESAID 7.438 ACRE TRACT, A DISTANCE OF 605.95 FEET TO A $\frac{1}{2}$ INCH
22 IRON ROD FOUND FOR THE NORTHEAST CORNER OF SAID 7.438 ACRE TRACT;

23 THENCE NORTH 00 DEGREES 18 MINUTES 06 SECONDS WEST,
24 CONTINUING ALONG A WEST LINE OF AFORESAID 139.20 ACRE TRACT AND THE
25 COMMON EAST LINE OF A CALLED 81.68 ACRE TRACT OF LAND, CONVEYED TO
26 GRAHAM S. STELZER AND WIFE, DORIS STELZER BY DEED RECORDED IN VOLUME
27 587, PAGE 146, LAND RECORDS, COLLIN COUNTY, TEXAS, A DISTANCE OF

1 2067.07 FEET TO A $\frac{1}{2}$ INCH IRON ROD FOUND FOR THE INSIDE ELL CORNER OF
2 SAID 139.20 ACRE TRACT AND THE NORTHEAST CORNER OF SAID 81.68 ACRE
3 TRACT;

4 THENCE SOUTH 89 DEGREES 31 MINUTES 56 SECONDS WEST, ALONG A
5 SOUTH LINE OF AFORESAID 139.20 ACRE TRACT AND THE COMMON NORTH LINE
6 OF AFORESAID 81.68 ACRE TRACT, A DISTANCE OF 353.59 FEET TO A $\frac{5}{8}$
7 INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "CARTER BURGESS" SET
8 FOR CORNER ON THE EAST RIGHT-OF-WAY OF THE RED RIVER TEXAS &
9 SOUTHERN RAILWAY COMPANY TRACT NO. 54 BY DEED RECORDED IN VOLUME
10 121, PAGE 20, LAND RECORDS, COLLIN COUNTY, TEXAS;

11 THENCE NORTH 11 DEGREES 20 MINUTES 28 SECONDS EAST, ALONG THE
12 WEST LINE OF AFORESAID 139.20 ACRE TRACT AND THE WEST LINE OF
13 AFORESAID 69.81 ACRE TRACT AND THE COMMON EAST LINE OF AFORESAID RED
14 RIVER TEXAS & SOUTHERN RAILWAY COMPANY TRACT NO. 54, A DISTANCE OF
15 4816.78 FEET TO A $\frac{5}{8}$ INCH IRON ROD WITH A YELLOW PLASTIC CAP
16 STAMPED "CARTER BURGESS" SET FOR THE NORTHWEST CORNER OF SAID 69.81
17 ACRE TRACT AND THE SOUTHWEST CORNER OF AFORESAID TRACT 4;

18 THENCE NORTH 89 DEGREES 04 MINUTES 39 SECONDS EAST, ALONG THE
19 NORTH LINE OF AFORESAID 69.81 ACRE TRACT AND THE COMMON SOUTH LINE
20 OF AFORESAID TRACT 4, A DISTANCE OF 687.89 FEET TO THE POINT OF
21 BEGINNING AND CONTAINING 209.022 ACRES OF LAND, MORE OR LESS.

22 SECTION 3. If a majority of the votes favor the creation of
23 the Collin County Fresh Water Supply District No. 2 at a
24 confirmation election held under Section 6907.023, Special
25 District Local Laws Code, as added by this Act, the Collin County
26 Municipal Utility District No. 1 is dissolved, and all assets and
27 liabilities of the Collin County Municipal Utility District No. 1

1 are transferred to the Collin County Fresh Water Supply District
2 No. 2.

3 SECTION 4. (a) The legal notice of the intention to
4 introduce this Act, setting forth the general substance of this
5 Act, has been published as provided by law, and the notice and a
6 copy of this Act have been furnished to all persons, agencies,
7 officials, or entities to which they are required to be furnished
8 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
9 Government Code.

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

13 (c) The Texas Commission on Environmental Quality has filed
14 its recommendations relating to this Act with the governor, the
15 lieutenant governor, and the speaker of the house of
16 representatives within the required time.

17 (d) All requirements of the constitution and laws of this
18 state and the rules and procedures of the legislature with respect
19 to the notice, introduction, and passage of this Act are fulfilled
20 and accomplished.

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