

By: Laubenberg

H.B. No. 4033

Substitute the following for H.B. No. 4033:

By: Puente

C.S.H.B. No. 4033

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Ledbetter Utility District No. 1 of Kaufman and Rockwall Counties; 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 8220 to read as follows:

CHAPTER 8220. LEDBETTER UTILITY DISTRICT NO. 1 OF KAUFMAN AND ROCKWALL COUNTIES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8220.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Ledbetter Utility District No. 1 of Kaufman and Rockwall Counties.

Sec. 8220.002. NATURE OF DISTRICT. The district is a municipal utility district in Kaufman and Rockwall Counties created under and essential to accomplish the purposes of Section 52, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 8220.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8220.024 before September 1, 2011:

(1) the district is dissolved September 1, 2011, except that the district shall:

- 1 (A) pay any debts incurred;
2 (B) transfer equally to Kaufman and Rockwall
3 Counties any assets that 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. 8220.004. 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 8220.005-8220.020 reserved for expansion]

22 SUBCHAPTER A-1. TEMPORARY PROVISIONS

23 Sec. 8220.021. TEMPORARY DIRECTORS. (a) The temporary
24 board consists of:

25 (1) Tracy Beasley;

26 (2) Nancy Benzon;

27 (3) Laurelle Moffett;

1 (4) Janet Pearce; and

2 (5) Connie Schweizer.

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

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

7 (1) the date directors are elected under Section
8 8220.024; or

9 (2) the date this chapter expires under Section
10 8220.003.

11 Sec. 8220.022. ORGANIZATIONAL MEETING OF TEMPORARY
12 DIRECTORS. As soon as practicable after all the temporary
13 directors have qualified under Section 49.055, Water Code, the
14 temporary directors shall meet at a location in the district
15 agreeable to a majority of the directors. At the meeting, the
16 temporary directors shall elect officers from among the temporary
17 directors and conduct any other district business.

18 Sec. 8220.023. CONSENT OF MUNICIPALITY REQUIRED. The
19 temporary directors may not hold an election under Section 8220.024
20 until each municipality in whose corporate limits or
21 extraterritorial jurisdiction the district is located has adopted a
22 resolution consenting to the creation of the district.

23 Sec. 8220.024. CONFIRMATION AND INITIAL DIRECTORS'
24 ELECTION. The temporary directors shall hold an election to
25 confirm the creation of the district and to elect five directors as
26 provided by Section 49.102, Water Code.

27 Sec. 8220.025. INITIAL ELECTED DIRECTORS; TERMS. The

1 directors elected under Section 8220.024 shall draw lots to
2 determine which two shall serve until the first regularly scheduled
3 election of directors and which three shall serve until the second
4 regularly scheduled election of directors.

5 Sec. 8220.026. EXPIRATION OF SUBCHAPTER. This subchapter
6 expires September 1, 2014.

7 [Sections 8220.027-8220.050 reserved for expansion]

8 SUBCHAPTER B. BOARD OF DIRECTORS

9 Sec. 8220.051. GOVERNING BODY; TERMS. (a) The district is
10 governed by a board of five directors.

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

12 [Sections 8220.052-8220.100 reserved for expansion]

13 SUBCHAPTER C. POWERS AND DUTIES

14 Sec. 8220.101. MUNICIPAL UTILITY DISTRICT POWERS AND
15 DUTIES. The district has the powers and duties provided by the
16 general law of this state, including Chapters 49 and 54, Water Code,
17 applicable to municipal utility districts created under Section 59,
18 Article XVI, Texas Constitution.

19 Sec. 8220.102. ROAD PROJECTS. (a) To the extent authorized
20 by Section 52, Article III, Texas Constitution, 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, inside the district.

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

1 (c) The district may not undertake a road project unless
2 each municipality in whose corporate limits or extraterritorial
3 jurisdiction the district is located consents by ordinance or
4 resolution.

5 Sec. 8220.103. DIVISION OF DISTRICT. (a) The district may
6 be divided into two new districts only if the district:

7 (1) has no outstanding bonded debt; and

8 (2) is not imposing ad valorem taxes.

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

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

13 (d) Any new district created by the division of the district
14 may not, at the time the new district is created, contain any land
15 outside the area described by Section 2 of the Act creating this
16 chapter.

17 Sec. 8220.104. LIMIT ON EMINENT DOMAIN POWER; CONSENT OF
18 CITY REQUIRED. The district may not acquire land, an easement, or
19 other property in the corporate limits of the city of
20 McLendon-Chisholm by condemnation unless the governing body of the
21 city consents by resolution to the acquisition.

22 [Sections 8220.105-8220.150 reserved for expansion]

23 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

24 Sec. 8220.151. TAX TO REPAY BONDS. The district may impose
25 a tax to pay the principal of or interest on bonds or other
26 obligations issued under Section 8220.201.

27 Sec. 8220.152. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND

1 ASSESSMENTS. The district may not impose an impact fee or
2 assessment on the property, including the equipment,
3 rights-of-way, facilities, or improvements, of:

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

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

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

10 (4) a person who provides to the public cable
11 television or advanced telecommunications services.

12 [Sections 8220.153-8220.200 reserved for expansion]

13 SUBCHAPTER E. BONDS

14 Sec. 8220.201. AUTHORITY TO ISSUE BONDS AND OTHER
15 OBLIGATIONS. (a) The district may issue bonds or other obligations
16 as provided by Chapters 49 and 54, Water Code, to finance the
17 construction, maintenance, or operation of a project under Section
18 8220.101 or 8220.102.

19 (b) The district may not issue bonds or other obligations to
20 finance projects authorized by Section 8220.102 unless the issuance
21 is approved by a vote of a two-thirds majority of the district
22 voters voting at an election called for that purpose.

23 (c) Bonds or other obligations issued or incurred to finance
24 projects authorized by Section 8220.102 may not exceed one-fourth
25 of the assessed value of the real property in the district.

26 SECTION 2. The Ledbetter Utility District No. 1 of Kaufman
27 and Rockwall Counties includes all the territory contained in the

1 following area:

2 TRACT 1A

3 LEGAL DESCRIPTION

4 SEAY PROPERTY IN

5 KAUFMAN COUNTY OUTSIDE M-C ETJ

6 ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE JARED
7 STEPHENSON SURVEY, ABSTRACT NO. 451, KAUFMAN COUNTY, TEXAS, BEING A
8 PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO NANCY
9 CLEMENTS SEAY AS RECORDED IN VOLUME 1061, PAGE 556, DEED RECORDS OF
10 KAUFMAN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES
11 AND BOUNDS AS FOLLOWS:

12 COMMENCING AT A 1" PIPE FOUND AT THE WEST CORNER OF SAID SEAY TRACT
13 SAID POINT BEING ON THE SOUTHEAST RIGHT OF WAY LINE OF F.M. ROAD NO.
14 548;

15 THENCE ALONG THE NORTHWEST LINE OF SAID SEAY TRACT AND ALONG SAID
16 SOUTHEAST RIGHT OF WAY LINE, NORTH 44 DEGREES 31 MINUTES 24 SECONDS
17 EAST A DISTANCE OF 857.68 FEET TO THE ROCKWALL AND KAUFMAN COUNTY
18 LINE;

19 THENCE ALONG SAID COUNTY LINE, NORTH 89 DEGREES 28 MINUTES 04
20 SECONDS EAST A DISTANCE OF 860.65 FEET TO THE POINT OF BEGINNING,
21 SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE
22 EASTERLY HAVING A RADIUS OF 2640.00 FEET;

23 THENCE CONTINUING ALONG SAID COUNTY LINE, NORTH 89 DEGREES 28
24 MINUTES 04 SECONDS EAST A DISTANCE OF 1752.36 FEET TO THE NORTHEAST
25 LINE OF SAID SEAY TRACT;

26 THENCE ALONG THE NORTHEAST LINE OF SAID SEAY TRACT, SOUTH 45 DEGREES
27 35 MINUTES 40 SECONDS EAST A DISTANCE OF 2199.41 FEET TO A 1/2"

1 REBAR FOUND AT THE INTERSECTION OF SAID NORTHEAST LINE OF SAID SEAY
2 TRACT WITH THE SOUTHWEST RIGHT OF WAY LINE OF STATE HIGHWAY NO. 205,
3 SAID POINT BEING THE BEGINNING A NON-TANGENT CURVE CONCAVE
4 NORTHEASTERLY HAVING A RADIUS OF 4396.33 FEET;
5 THENCE ALONG SAID SOUTHWEST RIGHT OF WAY LINE AND CONTINUING ALONG
6 THE NORTHEAST LINE OF SAID SEAY TRACT THE FOLLOWING 4 COURSES:
7 1. ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 08 DEGREES 41
8 MINUTES 10 SECONDS, AN ARC LENGTH OF 666.48 FEET, BEING SUBTENDED BY
9 A CHORD BEARING SOUTH 41 DEGREES 14 MINUTES 59 SECONDS EAST, A
10 DISTANCE OF 665.84 FEET TO A 1/2" REBAR WITH ALUMINUM CAP STAMPED
11 "MLA RPLS 4873" SET;
12 2. SOUTH 45 DEGREES 35 MINUTES 40 SECONDS EAST A DISTANCE OF 462.20
13 FEET TO THE REMAINS OF A CONCRETE RIGHT OF WAY MONUMENT FOUND;
14 3. SOUTH 44 DEGREES 25 MINUTES 20 SECONDS WEST A DISTANCE OF 10.00
15 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND;
16 4. SOUTH 45 DEGREES 35 MINUTES 40 SECONDS EAST A DISTANCE OF 119.41
17 FEET TO A 1/2" REBAR WITH ALUMINUM CAP STAMPED "MLA RPLS 4873" SET
18 AT THE NORTHEAST CORNER OF THAT CERTAIN TRACT OF LAND DESCRIBED IN
19 DEED TO THE CITY OF DALLAS, RECORDED IN VOLUME 447, PAGE 222, DEED
20 RECORDS, KAUFMAN COUNTY, TEXAS;
21 THENCE ALONG THE NORTH LINE OF SAID CITY OF DALLAS TRACT, SOUTH 81
22 DEGREES 11 MINUTES 16 SECONDS WEST A DISTANCE OF 1500.55 FEET TO THE
23 REMAINS OF A CITY OF DALLAS CONCRETE MONUMENT;
24 THENCE CONTINUING ALONG THE NORTH LINE OF SAID CITY OF DALLAS TRACT,
25 SOUTH 79 DEGREES 06 MINUTES 01 SECONDS WEST A DISTANCE OF 1762.56
26 FEET TO A 1/2" REBAR WITH ALUMINUM CAP STAMPED "MLA RPLS 4873" SET
27 ON THE SOUTHWEST LINE OF SAID SEAY TRACT AND AT THE WEST CORNER OF

1 SAID CITY OF DALLAS TRACT;
2 THENCE ALONG THE SOUTHWEST LINE OF SAID SEAY TRACT, NORTH 45 DEGREES
3 27 MINUTES 29 SECONDS WEST A DISTANCE OF 1076.42 FEET TO THE
4 BEGINNING OF A NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS
5 2640.00 FEET;
6 THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 50 DEGREES 31
7 MINUTES 55 SECONDS AN ARC LENGTH OF 2328.35 FEET BEING SUBTENDED BY
8 A CHORD BEARING NORTH 04 DEGREES 50 MINUTES 36 SECONDS WEST A
9 DISTANCE OF 2253.62 FEET TO THE POINT OF BEGINNING, CONTAINING
10 7,675,493 SQUARE FEET OR 176.205 ACRES OF LAND MORE OR LESS.
11 TRACT 1B
12 LEGAL DESCRIPTION
13 SEAY PROPERTY IN
14 KAUFMAN COUNTY OUTSIDE M-C ETJ
15 ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE JARED
16 STEPHENSON SURVEY, ABSTRACT NUMBER 451, KAUFMAN COUNTY, TEXAS,
17 BEING A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO
18 NANCY CLEMENTS SEAY, RECORDED IN VOLUME 1061, PAGE 556, DEED
19 RECORDS, KAUFMAN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED
20 BY METES AND BOUNDS AS FOLLOWS:
21 COMMENCING AT A 1" PIPE FOUND AT THE WEST CORNER OF SAID SEAY TRACT
22 SAID POINT BEING ON THE SOUTHEAST RIGHT OF WAY LINE OF F.M. ROAD NO.
23 548;
24 THENCE ALONG THE SOUTHWEST LINE OF SAID SEAY TRACT, AND THE WEST
25 LINE OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO THE CITY OF
26 DALLAS, RECORDED IN VOLUME 447, PAGE 222, DEED RECORDS, KAUFMAN
27 COUNTY, TEXAS, SOUTH 45 DEGREES 27 MINUTES 29 SECONDS EAST A

1 DISTANCE OF 6452.37 FEET TO AN 8" WOODEN POST FOUND AT THE SOUTH
2 CORNER OF SAID SEAY TRACT, SAID POINT BEING THE POINT OF BEGINNING;
3 THENCE ALONG SAID SOUTHWEST LINE, NORTH 45 DEGREES 27 MINUTES 29
4 SECONDS WEST A DISTANCE OF 2827.00 FEET, TO THE SOUTHWEST CORNER OF
5 SAID CITY OF DALLAS TRACT, FROM WHICH A CITY OF DALLAS CONCRETE
6 MONUMENT FOUND BEARS SOUTH 79 DEGREES 06 MINUTES 01 SECONDS WEST A
7 DISTANCE OF 0.4 FEET;
8 THENCE ALONG THE SOUTH LINE OF SAID CITY OF DALLAS TRACT, NORTH 79
9 DEGREES 06 MINUTES 01 SECONDS EAST A DISTANCE OF 1631.69 FEET TO THE
10 REMAINS OF A CITY OF DALLAS CONCRETE MONUMENT;
11 THENCE CONTINUING ALONG SAID SOUTH LINE, NORTH 78 DEGREES 55
12 MINUTES 16 SECONDS EAST A DISTANCE OF 1589.81 FEET TO A 1/2" REBAR
13 WITH ALUMINUM CAP STAMPED "MLA RPLS 4873" SET AT THE SOUTHEAST
14 CORNER OF SAID CITY OF DALLAS TRACT, SAID POINT BEING ON THE
15 NORTHEAST LINE OF SAID SEAY TRACT, SAID POINT ALSO BEING ON THE
16 SOUTHWEST RIGHT OF WAY LINE OF STATE HIGHWAY NO. 205;
17 THENCE ALONG SAID NORTHEAST LINE OF SAID SEAY TRACT AND ALONG THE
18 SOUTHWEST RIGHT OF WAY LINE OF STATE HIGHWAY NO. 205, SOUTH 45
19 DEGREES 35 MINUTES 40 SECONDS EAST A DISTANCE OF 1024.44 FEET TO A
20 1/2" REBAR WITH ALUMINUM CAP STAMPED "MLA RPLS 4873" SET AT THE EAST
21 CORNER OF SAID SEAY TRACT SAID POINT BEING IN COUNTY ROAD NO. 250;
22 THENCE ALONG THE SOUTHEAST LINE OF SAID SEAY TRACT, SOUTH 44 DEGREES
23 59 MINUTES 19 SECONDS WEST A DISTANCE OF 2658.40 FEET TO THE POINT
24 OF BEGINNING, CONTAINING 5,111,647 SQUARE FEET OR 117.347 ACRES OF
25 LAND MORE OR LESS.

26 TRACT 2

27 LEGAL DESCRIPTION

1 SEAY PROPERTY IN
2 ROCKWALL COUNTY OUTSIDE M-C ETJ
3 ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE JARED
4 STEPHENSON SURVEY, ABSTRACT NO. 261, ROCKWALL COUNTY, TEXAS, BEING
5 A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO NANCY
6 CLEMENTS SEAY AS RECORDED IN VOLUME 1061, PAGE 556, DEED RECORDS OF
7 KAUFMAN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES
8 AND BOUNDS AS FOLLOWS:
9 COMMENCING AT A 1" PIPE FOUND AT THE WEST CORNER OF SAID SEAY TRACT
10 SAID POINT BEING ON THE SOUTHEAST RIGHT OF WAY LINE OF F.M. ROAD NO.
11 548;
12 THENCE ALONG THE NORTHWEST LINE OF SAID SEAY TRACT AND ALONG SAID
13 SOUTHEAST RIGHT OF WAY LINE, NORTH 44 DEGREES 31 MINUTES 24 SECONDS
14 EAST A DISTANCE OF 857.68 FEET TO THE ROCKWALL AND KAUFMAN COUNTY
15 LINE;
16 THENCE ALONG SAID COUNTY LINE, NORTH 89 DEGREES 28 MINUTES 04
17 SECONDS EAST A DISTANCE OF 860.65 FEET TO THE POINT OF BEGINNING,
18 SAID POINT BEING THE BEGINNING OF A NON-TANGENT CURVE CONCAVE
19 EASTERLY HAVING A RADIUS OF 2640.00 FEET;
20 THENCE CONTINUING ALONG SAID COUNTY LINE, NORTH 89 DEGREES 28
21 MINUTES 04 SECONDS EAST A DISTANCE OF 1752.36 FEET TO THE NORTHEAST
22 LINE OF SAID SEAY TRACT;
23 THENCE ALONG SAID NORTHEAST LINE, NORTH 45 DEGREES 35 MINUTES 40
24 SECONDS WEST A DISTANCE OF 1731.51 FEET TO THE BEGINNING OF A
25 NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A RADIUS 2640.00
26 FEET;
27 THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25 DEGREES 25

1 MINUTES 17 SECONDS AN ARC LENGTH OF 1171.34 FEET BEING SUBTENDED BY
2 A CHORD BEARING SOUTH 40 DEGREES 16 MINUTES 33 SECONDS WEST A
3 DISTANCE OF 1161.76 FEET TO THE BEGINNING OF A NON-TANGENT CURVE
4 CONCAVE EASTERLY HAVING A RADIUS OF 2640.00 FEET;
5 THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09 DEGREES 00
6 MINUTES 57 SECONDS AN ARC LENGTH OF 415.41 FEET BEING SUBTENDED BY A
7 CHORD BEARING SOUTH 34 DEGREES 37 MINUTES 02 SECONDS EAST A DISTANCE
8 OF 414.99 FEET TO THE POINT OF BEGINNING, CONTAINING 1,251,833
9 SQUARE FEET OR 28.738 ACRES OF LAND MORE OR LESS.

10 TRACT 3

11 LEGAL DESCRIPTION

12 SEAY PROPERTY IN

13 ROCKWALL COUNTY INSIDE M-C ETJ

14 ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE JARED
15 STEPHENSON SURVEY, ABSTRACT NO. 451, KAUFMAN COUNTY, TEXAS, BEING A
16 PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO NANCY
17 CLEMENTS SEAY AS RECORDED IN VOLUME 1061, PAGE 556, DEED RECORDS OF
18 KAUFMAN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES
19 AND BOUNDS AS FOLLOWS:

20 BEGINNING AT A 1" PIPE FOUND AT THE WEST CORNER OF SAID SEAY TRACT,
21 SAID POINT BEING ON THE SOUTHEAST RIGHT OF WAY LINE OF F.M. ROAD NO.
22 548;

23 THENCE ALONG THE NORTHWEST LINE OF SAID SEAY TRACT AND ALONG SAID
24 SOUTHEAST RIGHT OF WAY LINE, NORTH 44 DEGREES 31 MINUTES 24 SECONDS
25 EAST A DISTANCE OF 857.68 FEET TO THE ROCKWALL AND KAUFMAN COUNTY
26 LINE;

27 THENCE ALONG SAID COUNTY LINE, NORTH 89 DEGREES 30 MINUTES 02

1 SECONDS EAST A DISTANCE OF 860.65 FEET TO THE BEGINNING OF A
2 NON-TANGENT CURVE CONCAVE EASTERLY HAVING A RADIUS OF 2640.00 FEET;
3 THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 50 DEGREES 31
4 MINUTES 55 SECONDS AN ARC LENGTH OF 2328.35 FEET BEING SUBTENDED BY
5 A CHORD BEARING SOUTH 04 DEGREES 50 MINUTES 36 SECONDS EAST A
6 DISTANCE OF 2253.62 FEET TO THE SOUTHWEST LINE OF SAID SEAY TRACT;
7 THENCE ALONG SAID SOUTHWEST LINE, NORTH 45 DEGREES 27 MINUTES 29
8 SECONDS WEST A DISTANCE OF 2318.24 FEET TO THE POINT OF BEGINNING,
9 CONTAINING 2,344,421 SQUARE FEET OR 53.820 ACRES OF LAND MORE OR
10 LESS.

11 TRACT 4

12 LEGAL DESCRIPTION

13 SEAY PROPERTY IN

14 ROCKWALL COUNTY INSIDE M-C ETJ

15 ALL THAT CERTAIN TRACT OR PARCEL OF LAND SITUATED IN THE JARED
16 STEPHENSON SURVEY, ABSTRACT NO. 261, ROCKWALL COUNTY, TEXAS, BEING
17 A PORTION OF THAT CERTAIN TRACT OF LAND DESCRIBED IN DEED TO NANCY
18 CLEMENTS SEAY AS RECORDED IN VOLUME 1061, PAGE 556, DEED RECORDS OF
19 KAUFMAN COUNTY, TEXAS, BEING MORE PARTICULARLY DESCRIBED BY METES
20 AND BOUNDS AS FOLLOWS:

21 COMMENCING AT A 1" PIPE FOUND AT THE WEST CORNER OF SAID SEAY TRACT
22 SAID POINT BEING ON THE SOUTHEAST RIGHT OF WAY LINE OF F.M. ROAD NO.
23 548;

24 THENCE ALONG THE NORTHWEST LINE OF SAID SEAY TRACT AND ALONG SAID
25 SOUTHEAST RIGHT OF WAY LINE, NORTH 44 DEGREES 31 MINUTES 24 SECONDS
26 EAST A DISTANCE OF 857.68 FEET TO THE ROCKWALL AND KAUFMAN COUNTY
27 LINE, SAID POINT BEING THE POINT OF BEGINNING;

1 THENCE CONTINUING ALONG SAID NORTHWEST LINE AND ALONG SAID
2 SOUTHEAST RIGHT OF WAY LINE, NORTH 44 DEGREES 31 MINUTES 24 SECONDS
3 EAST A DISTANCE OF 1845.67 FEET TO A 1/ 2" REBAR FOUND AT THE NORTH
4 CORNER OF SAID SEAY TRACT;

5 THENCE ALONG THE NORTHEAST LINE OF SAID SEAY TRACT, SOUTH 45 DEGREES
6 35 MINUTES 40 SECONDS EAST A DISTANCE OF 114.38 FEET TO THE
7 BEGINNING OF A NON-TANGENT CURVE CONCAVE NORTHWESTERLY HAVING A
8 RADIUS 2640.00 FEET;

9 THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 25 DEGREES 25
10 MINUTES 17 SECONDS AN ARC LENGTH OF 1171.34 FEET BEING SUBTENDED BY
11 A CHORD BEARING SOUTH 40 DEGREES 16 MINUTES 33 SECONDS WEST A
12 DISTANCE OF 1161.76 FEET TO THE BEGINNING OF A NON-TANGENT CURVE
13 CONCAVE EASTERLY HAVING A RADIUS OF 2640.00 FEET;

14 THENCE ALONG SAID CURVE THROUGH A CENTRAL ANGLE OF 09 DEGREES 00
15 MINUTES 57 SECONDS AN ARC LENGTH OF 415.41 FEET BEING SUBTENDED BY A
16 CHORD BEARING SOUTH 34 DEGREES 37 MINUTES 02 SECONDS EAST A DISTANCE
17 OF 414.99 FEET TO THE ROCKWALL AND KAUFMAN COUNTY LINE;

18 THENCE ALONG SAID COUNTY LINE, SOUTH 89 DEGREES 28 MINUTES 04
19 SECONDS WEST A DISTANCE OF 860.65 FEET TO THE POINT OF BEGINNING,
20 CONTAINING 451,625 SQUARE FEET OR 10.368 ACRES OF LAND MORE OR LESS.

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

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

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

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

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