

By: Laubenberg

H.B. No. 4034

Substitute the following for H.B. No. 4034:

By: Puente

C.S.H.B. No. 4034

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Ledbetter Utility District No. 2 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 8246 to read as follows:

CHAPTER 8246. LEDBETTER UTILITY DISTRICT NO. 2 OF KAUFMAN AND

ROCKWALL COUNTIES

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8246.001. 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. 2 of Kaufman and Rockwall Counties.

Sec. 8246.002. 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. 8246.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8246.024 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. 8246.004. 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 8246.005-8246.020 reserved for expansion]

22                   SUBCHAPTER A-1. TEMPORARY PROVISIONS

23           Sec. 8246.021. TEMPORARY DIRECTORS. (a) The temporary  
24 board consists of:

25           (1) Bob Beasley;

26           (2) Eleanor Garison;

27           (3) Jerry Kramer;

1           (4) Tom Pearce; and

2           (5) Susan 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 8246.024; or

9           (2) the date this chapter expires under Section  
10 8246.003.

11           Sec. 8246.022. 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. 8246.023. CONSENT OF MUNICIPALITY REQUIRED. The  
19 temporary directors may not hold an election under Section 8246.024  
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. 8246.024. 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. 8246.025. INITIAL ELECTED DIRECTORS; TERMS. The

1 directors elected under Section 8246.024 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. 8246.026. EXPIRATION OF SUBCHAPTER. This subchapter  
6 expires September 1, 2014.

7 [Sections 8246.027-8246.050 reserved for expansion]

8 SUBCHAPTER B. BOARD OF DIRECTORS

9 Sec. 8246.051. 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 8246.052-8246.100 reserved for expansion]

13 SUBCHAPTER C. POWERS AND DUTIES

14 Sec. 8246.101. 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. 8246.102. 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. 8246.103. 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. 8246.104. 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-Chisolm by condemnation unless the governing body of the  
21 city consents by resolution to the acquisition.

22       [Sections 8246.105-8246.150 reserved for expansion]

23       SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

24       Sec. 8246.151. 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 8246.201.

27       Sec. 8246.152. 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 8246.153-8246.200 reserved for expansion]

13 SUBCHAPTER E. BONDS

14 Sec. 8246.201. 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 8246.101 or 8246.102.

19 (b) The district may not issue bonds or other obligations to  
20 finance projects authorized by Section 8246.102 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 8246.102 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. 2 of Kaufman  
27 and Rockwall Counties includes all the territory contained in the

1 following area:

2 METES & BOUNDS DESCRIPTION

3 FOR THE PORTION OF THE MANN PROPERTY

4 IN ROCKWALL COUNTY, TEXAS

5 BEING a tract of land in the Ruth Peckum Survey, A-175, Rockwall  
6 County, Texas, and being a portion of that certain 207.46 acre tract  
7 of land conveyed to Janice Sue Mann by deed recorded in Volume 2186,  
8 Page 265 Deed Records, Kaufman County, Texas (D.R.K.C.T.) and  
9 Volume 2186, Page 265 Deed Records, Kaufman County, Texas, and  
10 being more particularly described as follows:

11 BEGINNING at a 5/8-Inch iron rod set with plastic cap stamped  
12 "Tri-tech DFW Surveying" on the centerline of County Road No. 230  
13 (Mann Road/Smith Road) and the common line between said Ruth Peckum  
14 Survey, A-175, Rockwall County and the Ruth Peckum Survey A-374,  
15 Kaufman County and marking a common corner between said 207.46 acre  
16 tract and that certain 81.547 acre tract of land conveyed to Richard  
17 E. Mann Estate by deed recorded in Volume 1375, Page 425, Deed  
18 Records Kaufman County, Texas

19 THENCE North 43°48'15" East, along the centerline of said County  
20 Road No. 230 (Mann Road and Smith Road) and northwesterly fine of  
21 said 207.46 acre tract, a distance of 3275.83 feet to a 5/8" iron  
22 rod set with plastic cap stamped "Tri-Tech DFW Surveying", on the  
23 northeast line of said Ruth Peckum Survey, A-115 and marking a  
24 common corner between said 207.46 acre tract and that certain  
25 147.50 acre tract of land as conveyed to Joyce A. Davenport and  
26 McLendon Chisholm Ranch L.P. by deed recorded in Volume 4492, Page  
27 101, Deed Records, Rockwall County, Texas from which a found ½-inch

1 iron rod bears North 44°11'07" East; a distance of 13.91 feet;  
2 THENCE South 45°53'01" East, along the common line between said  
3 207.46 acre and 147.50 care tracts and Ruth Peckum Survey, a  
4 distance of 1578.50 feet to a ½-inch iron rod found marking the  
5 common corner between said 207.46 acre tract and that certain tract  
6 of land conveyed to Max B. and B. Beverly Chapman by deed recorded  
7 in Volume 643, Page 838, .Deed Records, Kaufman County, Texas;  
8 THENCE South 44'05'27" West; along the common line between said  
9 207.46 acre tract and Chapman tract, a distance of 747.34 feet to  
10 ½-iron rod found marking a common corner between said 207.46 acre  
11 tract and Chapman tract;  
12 THENCE South 46°07'40" East, continuing along said common line, a  
13 distance of 940.92 to a point on the common south line of said Ruth  
14 Peckum Survey A-175 and Rockwall County;  
15 THENCE South 88'46'07" West, along said common line, a distance of  
16 3559.88 feet to the POINT OF BEGINNING and containing a calculated  
17 area of 99.989 acres of land.

18 METES & BOUNDS DESCRIPTION

19 FOR THE PORTION OF THE MANN PROPERTY

20 IN KAUFMAN COUNTY, TEXAS

21 BEING a tract of land in the Ruth Peckum Survey, A-374, Kaufman  
22 County, Texas, and being a portion of the following tracts of land,  
23 a 81.547 acre tract of land conveyed to the Richard E. Mann Estate  
24 by deed recorded in Volume 1375, Page 425, D.R.K.T., \* 223.507 acre  
25 tract conveyed to Janice Sue Mann by deed recorded in Volume 652,  
26 Page 245, D.R.K.C.T., and a 207.46 acre tract of land conveyed to  
27 Janice Sue Mann by deed recorded In Volume 2186, Page 265 Deed



1 Records, Kaufman County Texas (D.R.K.C.T.) and Volume 2991, Page  
2 290 Deed Records, Rockwall County Texas, and being more  
3 particularly described as follows:

4 BEGINNING at a 5/8"-inch iron rod set with plastic cap stamped  
5 "Tri-Tech DFW Surveying" on the centerline of County Road No..230  
6 (Mann Road/Smith Road) and marking a common corner between said  
7 acre tract and 207.46 acre tract, also being on the common line  
8 between said Ruth Peckum Survey, A-374 Kaufman County and Ruth  
9 Peckum Survey, A-175 Rockwall County;

10 THENCE North 88°46'07" East, along said common line, a distance of  
11 3559.88 feet to the common line between said 207.46 acre tract and  
12 that certain tract of land conveyed to Max B. and B. Beverly Chapman  
13 by deed recorded in Volume 643, Page 838, Deed Records, Kaufman  
14 County Texas;

15 THENCE South 46°07'40"bst, along said common line, a distance of  
16 646.71 feet to a 1/2-inch iron rod found marking a common corner  
17 between said 207.46 acre tract and Chapman tract;

18 THENCE South 44°15'58" West, continuing along said common line, a  
19 distance of 1582.37 feet to a ½-inch iron rod found marking the  
20 westerly common corner between said Chapman Tract and the  
21 aforementioned 223.507 acre tract of land;

22 THENCE South 46°14'08" East, along the common line between said  
23 Chapman Tract and 223.507 acre tract, a distance of 3556.97 feet to  
24 a 5/8-inch iron rod set with plastic cap stamped "Tri-Tech DFW  
25 Surveying", on the northwesterly right-of-way line of F.M. 548 (100  
26 feet in width) and marking the easterly common corner between said  
27 Chapman and 223.507 acre tracts;

1 THENCE South 44°10'16" West, along the common line between said F.M  
2 548 right-of-way line and 223.507acre tract, a distance of 338.93  
3 feet to a point on the McLendon-Chisolm E.T.J. line;  
4 THENCE North 45°53'02" West, along the McLendon-Chisolm E.T.J.  
5 line, a distance of 4685.39 feet to a point for the beginning of a  
6 non-tangent curve to the right;  
7 THENCE Northwesterly, continuing along the McLendon-Chisolm E.T.J.  
8 line and arc of said non-tangent curve, an arc distance of 2313.25  
9 feet, having a radius of 2640.00 feet, a central angle of 50°12'16",  
10 and a chord which bears North 71°28'30" West, a distance of 2239.95  
11 feet to a point on the northwesterly line of said 81.547 acre tract  
12 and centerline of County Road No. 230 (Mann Road);  
13 THENCE 44°54'11" East along the centerline of said County Road No.  
14 230 (Mann Road) and northwesterly line of said 81,547 acre tract, a  
15 distance of 331.85 feet to the POINT OF BEGINNING and containing a  
16 computed area of 122.055 acres of land.

17 METES AND BOUNDS DESCRIPTION

18 FOR THE PORTION OF THE MANN PROPERTY

19 OUTSIDE THE CITY OF DALLAS E.T.J. & MCLENDON-CHISOLM E.T.J. LIMITS  
20 BEING a tract of land in the Ruth Peckum Survey, A-374, Kaufman  
21 county, Texas, and being a portion of the following tracts of land,  
22 a 50 acre tract of land as conveyed to Janice Sue Mann by deed  
23 recorded in Volume 1169, Page 901, Deed Records, Kaufman County,  
24 (D.R.K.C.T.), a 223.623 acre tract as conveyed to Richard E. and  
25 Janice Sue Mann by deed recorded in Volume 1208, Page 969,  
26 D.R.K.C.T., a 14.66 acre tract of land as conveyed to Richard E. &  
27 Sue Mann by deed recorded in Volume 131, Page 504, D.R.K.C.T., a

1 238.278 acre tract as conveyed to Richard E. and Janice sue Mann by  
2 deed recorded in Volume 1169, Page 904, D.R.K.C.T., a 81.547 acre  
3 tract of land conveyed to the Richard E. Mann Estate by Deed  
4 Recorded in Volume 1375, Page 425, D.R.K.C.T., a 44 acre tract of  
5 land conveyed to the Richard E. Mann Estate by deed recorded in  
6 Volume 1375, Page 425, D.R.K.C.T., a 223.507 acre tract conveyed to  
7 Janice Sue Mann by deed recorded in Volume 652, Page 245,  
8 D.R.K.C.T., and a 207.46 acre tract of land conveyed to Janice Sue  
9 Mann by deed recorded in Volume 2186, Page 265 Deed Records, Kaufman  
10 County, Texas, (D.R.K.C.T.) and Volume 2991, Page 290 Deed Records,  
11 Rockwall County, Texas, and being more particularly described as  
12 follows:

13 COMMENCING at a 5/8 inch rod set with plastic cap stamped "Tri-Tech  
14 DFW Surveying", on the northwesterly right-of-way line of F.M. 548  
15 9100 feet in width) and marking the easterly common corner between  
16 that certain tract of land conveyed to Max B. and B. Beverly Chapman  
17 by deed recorded in Volume 643, Page 838, Deed Records, Kaufman  
18 County, Texas and said 223.507 acre tract;

19 THENCE South 44°10'16" Wcst, along the common line between said F.M.  
20 548 right-of-way line and 223.507 acre tract, a distance of 338.93  
21 feet to a point on the McLendon-Chisolm E.T.J. line for the POINT  
22 BEGINNING;

23 THENCE South 44°10'16" West, continuing along the common line  
24 between said F.M. 548 right-of-way line and 223.507 acre tract and  
25 said 223.623 acre tract of land and containing a total distance of  
26 5091.49 feet to a concrete monument marking an angle point in said  
27 223.623 acre tract and F.M. 548 right-of-way line;

1 THENCE South 44°33'16" West, continuing along the common line  
2 between said 223.623 acre tract and F.M. 548 right-of-way line, a  
3 distance of 877.00 feet to a 5/8-inch iron rod set with plastic cap  
4 stamped "Tri-Tech DFW Surveying" marking the common easterly corner  
5 between said 223.623 acre tract and Miller Farms Addition as shown  
6 by plat recorded in Cabinet 1, Sleeve 442, Plat Records, Kaufman  
7 County, Texas.;

8 THENCE North 45°38'00" West, along the common line between said  
9 223.623 acre tract and Miller Farms Addition, a distance of 330.64  
10 feet to a 5/8-inch iron rod set with plastic cap stamped "Tri-Tech  
11 DFW Surveying" marking an angle point, from which a ½-inch iron pipe  
12 bears South 45°00'00" West, 9.94 feet;

13 THENCE north 45°24'04" West, continuing along said common line  
14 between the 223.623 acre tract and Miller Farms Addition, a  
15 distance 1750.04 feet to a ½-inch iron rod found marking an angle in  
16 said common line;

17 THENCE North 44°57'07" West, continuing along said common line, a  
18 distance of 778.76 feet to a 5/8-inch iron rod set with plastic cap  
19 stamped "Tri-Tech DFW Surveying" marking the common corner between  
20 said 223.623 acre tract and that certain tract of land conveyed to  
21 Marvel & Paul Rogers by deed recorded in Volume 2600, Page 347, Deed  
22 Records, Kaufman County, Texas;

23 THENCE North 43°47'50" East, along the common line between said  
24 223.623 acre and marvel & Paul Rogers tract, and those certain  
25 tracts of land conveyed to Mike and Marveenina Meeks by deed recorded  
26 in Volume 2415, Page 281, Johnny and Brigitta Farnsworth by deed  
27 recorded in Volume 845, page 537, all in the Deed Records, Kaufman

1 County, Texas, a distance of 1333.28 feet to a 5/8-inch iron rod set  
2 with plastic cap stamped "Tri-Tech DFW Surveying" marking the  
3 common easterly corner between said 14.66 acre tract and Johnny and  
4 Brigitta Farnsworth tract;

5 THENCE North 45°51'42" West, along the common line between said  
6 14.66 acre tract, Farnsworth tract and those certain tracts of land  
7 conveyed to Janice Sue Mann by deed recorded in Volume 1694, Page  
8 150 and Marveenia Wells by deed recorded in Volume 1907, Page 27,  
9 Deed Records, Kaufman County, Texas, a distance of 1129.59 feet to a  
10 point on the City of Dallas E.T.J. 5 mile limit line and are of a  
11 non-tangent curve to the left;

12 THENCE Northeasterly, along said City of Dallas E.T.J. line and are  
13 of said non-tangent curve, an arc distance of 335.20 feet, radius of  
14 26400.00 feet, a central angle of 00°44'39", and a chord which bears  
15 North 05°59'21" East, a distance of 335.19 feet to a point on the  
16 common line between said 14.66 acre tract and that certain 29.39  
17 acre tract of land conveyed to Richard E. and Sue Mann by deed  
18 recorded in Volume 1333, Page 325, Deed Records, Kaufman County,  
19 Texas;

20 THENCE South 45°51'43" East, along the common line between said  
21 14.66 acre tract and 29.39 acre tract, a distance of 1335.07 feet to  
22 a 5/8-inch iron rod set with plastic cap stamped "Tri-Tech DFW  
23 Surveying", marking the common easterly corner between said 14.66  
24 acre tract and 29.39 acre tract and being in the northwesterly line  
25 of that certain 223.623 acre tract conveyed to Richard E. and Janice  
26 sue Mann by deed recorded in Volume 1208, Page 969, Deed Records,  
27 Kaufman County, Texas;

1 THENCE 43°47'50" East, along the common line between said 223.623  
2 acre and 29.39 acre tract, a distance of 154.90 feet to an 8 inch  
3 square fence corner;

4 THENCE 44°38'27" East, along the common line between said 223.623  
5 acre tract and Richard E. and Sue Mann tract and those certain  
6 tracts of land conveyed to George Martin by deed recorded in Volume  
7 1986, Page 579 and Clifford A. and Mary K. Walker by deed recorded  
8 in Volume 2405, Page 461, Deed Records, Kaufman County, Texas a  
9 distance of 888.83 feet to a ¼-inch iron pipe found marking an angle  
10 point in said 223.623 acre tract and the common corner between said  
11 Walker tract and that the aforementioned 50 acre tract of land;

12 THENCE, 45°29'18" West, along the southwesterly line of said 50 acre  
13 tract, a distance of 2230.34 feet a point on the City of Dallas  
14 E.T.J. 5 mile limit line and arc of a non-tangent curve to the left;

15 THENCE, Northeasterly, along said City of Dallas E.T.J. line and  
16 arc of said non-tangent curve, an arc distance of 2320.61 feet,  
17 radius of 26400.00 feet, a central angle of 05°02'11", and a chord  
18 which bears North 00°06'30" East, a distance of 2319.87 feet to a  
19 point on the northwesterly line of said 81,547 acre tract and  
20 centerline of County Road No. 230 (Mann Road);

21 THENCE North 44°54'11" East, along the northwesterly line of said  
22 81.547 acre tract and centerline of County Road No. 230 (Mann Road),  
23 a distance of 647.61 feet to a point on the McLendon-Chisolm E.T.J.  
24 line and a non-tangent curve to the left;

25 THENCE Southeasterly, along said McLendon-Chisolm E.T.J. line and  
26 arc of said non-tangent curve an arc distance of 2313.25 feet,  
27 radius of 2640.00 feet, a central angle of 50°12'16", and a chord

1 which bears South 71°28'30" East, a distance of 2239.95 feet to a  
2 point for the end of said non-tangent curve;  
3 THENCE South 45°53'02" East, along the McLendon-Chisolm E.T.J.  
4 line, a distance of 4685.39 feet to the POINT OP BEGINNING and  
5 containing a computed area of 626.940 acres of land.  
6 SAVE AND EXCEPT 16 16.319 acres as conveyed to the City of Dallas by  
7 deeds recorded in Volume 435, Page 487 and Volume 444, Page392, and  
8 Judgment awarded to the City of Dallas in document dated  
9 September24, 1966 and recorded. in Volume 495, Page 279 of the Deed  
10 Records of Kaufman County, Texas.  
11 SAVE AND EXCEPT a 4.438 acre out parcel of land in the Ruth Peckum  
12 Survey, Abstract No. 374, Kaufman County, Texas, being a portion of  
13 that certain 223.507 acre tract conveyed to Janice Sue Mann by deed  
14 recorded in Volume 652 Page 245, Deed Records of Kaufman County,  
15 Texas, and being more completely described as follows:  
16 COMMENCING at a 5/8-inch iron rod set with plastic cap stamped  
17 "Tri-Tech DFW Surveying", on the northeasterly right-of-way line of  
18 F.M. 548 and marking the easterly common corner between said  
19 223.507 acre tract and that certain 223.623 acre tract of land  
20 conveyed to Richard E. and Janice sue Mann by deed recorded in  
21 Volume 1208 Page 969, Deed Records, Kaufman County, Texas.  
22 THENCE North 45°24'27" West (North 43°20'21" West), along the common  
23 line between said 223.507 acre tracts, a distance of 1835.15 feet to  
24 a 5/8-inch iron rod with plastic cap stamped "Tri-Tech DFW  
25 Surveying" for the POINT OF BEGINNING, from which a found 5/8-inch  
26 iron rod with plastic cap bears North 44°50'10" East, a distance of  
27 14.27 feet;

1 THENCE North 45°24'27" West (North 43°20'21" West), continuing along  
2 the common line between said 223.507 acre and 223.623 acre tracts, a  
3 distance of 30.00 feet to a 5/8-inch iron rod set with plastic cap  
4 stamped "Tri-Tech DFW Surveying" for a corner of this 4.438 acre  
5 tract, from which a found 5/8-inch iron rod with plastic cap bears  
6 North 44°50'10" East, a distance of 14.27 feet;  
7 THENCE 44°50'10" East, a distance of 69.63 feet to a found 5/8-inch  
8 iron rod with plastic cap for a corner of this 4.438 acre tract;  
9 THENCE North 10°00'29" West, a distance of 507.00 feet to a 5/8-inch  
10 iron rod set with plastic cap stamped "Tri-Tech DFW Surveying" for  
11 the beginning of a curve to the right;  
12 THENCE Northeasterly, an arc distance of 218.41 feet, a radius of  
13 260.50 feet, a central angle of 48°02'21" and a chord which bears  
14 North 14°00'41" East, a distance of 212.07 feet to the point of  
15 tangency of said curve;  
16 THENCE North 38°01'52" East, a distance of 269.72 feet to found  
17 5/8-inch iron rod with plastic cap for a corner of this 4.438 acre  
18 tract;  
19 THENCE North 23°28'33" West, a distance of 181.47 feet to a found  
20 5/8-inch iron rod with plastic cap for a corner of this 4.438 acre  
21 tract;  
22 THENCE North 66°29'31" East, a distance of 270.48 feet to a found  
23 5/8-inch iron rod with plastic cap for a corner of this 4.438 acre  
24 tract;  
25 THENCE South 11°33'47" East, a distance of 27.00 feet to a found  
26 5/8-inch iron rod with plastic cap for a corner of this 4.438 acre  
27 tract;



1 THENCE South  $81^{\circ}15'19''$  East, a distance of 21.31 feet to a found  
2  $5/8$ -inch iron rod with plastic cap for a corner of this 4.438 acre  
3 tract;

4 THENCE South  $23^{\circ}30'29''$  East, a distance of 270.11 feet to a  $5/8$ -inch  
5 iron rod set with plastic cap stamped "Tri-Tech DFW Surveying" for a  
6 corner of this 4438 acre tract;

7 THENCE South  $.37^{\circ}54'45''$  West a distance of 508.53 feet to a found  
8  $5/8$ -inch iron rod with plastic cap for a corner of this 4.438 acre  
9 tract;

10 THENCE North  $52^{\circ}05'15''$  West, a distance of 211.44 feet to a found  
11  $5/8$ -inch iron rod with plastic cap for the beginning of a  
12 non-tangent curve to the left whose radius bears South  $64^{\circ}40'15''$   
13 East;

14 THENCE Southwesterly, an arc distance of 142.16 feet, a radius of  
15 230.50 feet, a central angle of  $35^{\circ}20'14''$  and a chord which bears  
16 South  $07^{\circ}39'38''$  West, a distance of 139.92 feet to the point of  
17 tangency of said curve;

18 THENCE South  $10^{\circ}00'29''$  East, a distance of 522.57 feet to a found  
19  $5/8$ -inch iron rod with plastic cap for a corner of this 4.438 acre  
20 tract;

21 THENCE South  $44^{\circ}50'10''$  West, a distance of 85.07 feet to the POINT OF  
22 BEGINNING and containing 4.438 acres of land, leaving a net area of  
23 606.183 acres of land.

24 SECTION 3. (a) The legal notice of the intention to  
25 introduce this Act, setting forth the general substance of this  
26 Act, has been published as provided by law, and the notice and a  
27 copy of this Act have been furnished to all persons, agencies,

1 officials, or entities to which they are required to be furnished  
2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
3 Government Code.

4 (b) The governor, one of the required recipients, has  
5 submitted the notice and Act to the Texas Commission on  
6 Environmental Quality.

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

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

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