

1-1 By: Parker (Senate Sponsor - Estes) H.B. No. 4060  
1-2 (In the Senate - Received from the House May 14, 2007;  
1-3 May 15, 2007, read first time and referred to Committee on  
1-4 Intergovernmental Relations; May 21, 2007, reported favorably by  
1-5 the following vote: Yeas 4, Nays 0; May 21, 2007, sent to  
1-6 printer.)

1-7 A BILL TO BE ENTITLED  
1-8 AN ACT

1-9 relating to the creation of the Four Seasons Ranch Municipal  
1-10 Utility District No. 1 of Denton and Grayson Counties; providing  
1-11 authority to impose a tax and issue bonds.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-14 Code, is amended by adding Chapter 8208 to read as follows:

1-15 CHAPTER 8208. FOUR SEASONS RANCH MUNICIPAL UTILITY DISTRICT NO. 1  
1-16 OF DENTON COUNTY

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 8208.001. DEFINITIONS. In this chapter:

1-19 (1) "Board" means the district's board of directors.

1-20 (2) "Director" means a board member.

1-21 (3) "District" means the Four Seasons Ranch Municipal  
1-22 Utility District No. 1 of Denton County.

1-23 Sec. 8208.002. NATURE OF DISTRICT. The district is a  
1-24 municipal utility district in Denton County created under and  
1-25 essential to accomplish the purposes of Section 59, Article XVI,  
1-26 Texas Constitution.

1-27 Sec. 8208.003. CONFIRMATION ELECTION REQUIRED. If the  
1-28 creation of the district is not confirmed at a confirmation  
1-29 election held under Section 8208.024 before September 1, 2011:

1-30 (1) the district is dissolved September 1, 2011,  
1-31 except that the district shall:

1-32 (A) pay any debts incurred;

1-33 (B) transfer to Denton County any assets that  
1-34 remain after the payment of debts; and

1-35 (C) maintain the organization of the district  
1-36 until all debts are paid and remaining assets are transferred; and

1-37 (2) this chapter expires September 1, 2014.

1-38 Sec. 8208.004. INITIAL DISTRICT TERRITORY. (a) The  
1-39 district is initially composed of the territory described by  
1-40 Section 2 of the Act creating this chapter.

1-41 (b) The boundaries and field notes contained in Section 2 of  
1-42 the Act creating this chapter form a closure. A mistake made in the  
1-43 field notes or in copying the field notes in the legislative process  
1-44 does not affect:

1-45 (1) the organization, existence, or validity of the  
1-46 district;

1-47 (2) the right of the district to impose taxes;

1-48 (3) the validity of the district's bonds, notes, or  
1-49 other indebtedness; or

1-50 (4) the legality or operation of the board.

1-51 [Sections 8208.005-8208.020 reserved for expansion]

1-52 SUBCHAPTER A-1. TEMPORARY PROVISIONS

1-53 Sec. 8208.021. TEMPORARY DIRECTORS. (a) On or after  
1-54 September 1, 2007, a person who owns land in the district may submit  
1-55 a petition to the Texas Commission on Environmental Quality  
1-56 requesting that the commission appoint as temporary directors the  
1-57 five persons named in the petition.

1-58 (b) The commission shall appoint as temporary directors the  
1-59 five persons named in the first petition received by the commission  
1-60 under Subsection (a).

1-61 (c) If a temporary director fails to qualify for office, the  
1-62 commission shall appoint a person to fill the vacancy.

1-63 (d) Temporary directors serve until the earlier of:

1-64 (1) the date directors are elected under Section

2-1 8208.024; or  
 2-2 (2) the date this subchapter expires under Section  
 2-3 8208.026.  
 2-4 Sec. 8208.022. ORGANIZATIONAL MEETING OF TEMPORARY  
 2-5 DIRECTORS. As soon as practicable after all the temporary  
 2-6 directors have qualified under Section 49.055, Water Code, the  
 2-7 temporary directors shall meet at a location in the district  
 2-8 agreeable to a majority of the directors. At the meeting the  
 2-9 temporary directors shall elect officers from among the temporary  
 2-10 directors and conduct any other district business.  
 2-11 Sec. 8208.023. CONSENT OF MUNICIPALITY REQUIRED. The  
 2-12 temporary directors may not hold an election under Section 8208.024  
 2-13 until each municipality in whose corporate limits or  
 2-14 extraterritorial jurisdiction the district is located, if any, has  
 2-15 adopted a resolution consenting to the creation of the district.  
 2-16 Sec. 8208.024. CONFIRMATION AND INITIAL DIRECTORS'  
 2-17 ELECTION. The temporary directors shall hold an election to  
 2-18 confirm the creation of the district and to elect five directors as  
 2-19 provided by Section 49.102, Water Code.  
 2-20 Sec. 8208.025. INITIAL ELECTED DIRECTORS; TERMS. The  
 2-21 directors elected under Section 8208.024 shall draw lots to  
 2-22 determine which two shall serve until the first regularly scheduled  
 2-23 election of directors and which three shall serve until the second  
 2-24 regularly scheduled election of directors.  
 2-25 Sec. 8208.026. EXPIRATION OF SUBCHAPTER. This subchapter  
 2-26 expires September 1, 2014.  
 2-27 [Sections 8208.027-8208.050 reserved for expansion]  
 2-28 SUBCHAPTER B. BOARD OF DIRECTORS  
 2-29 Sec. 8208.051. DIRECTORS; TERMS. (a) The district is  
 2-30 governed by a board of five directors.  
 2-31 (b) Directors serve staggered four-year terms.  
 2-32 Sec. 8208.052. ELECTION OF DIRECTORS. On the uniform  
 2-33 election date in May of each even-numbered year, the appropriate  
 2-34 number of directors shall be elected.  
 2-35 [Sections 8208.053-8208.100 reserved for expansion]  
 2-36 SUBCHAPTER C. POWERS AND DUTIES  
 2-37 Sec. 8208.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
 2-38 DUTIES. The district has the powers and duties provided by the  
 2-39 general law of this state, including Chapters 49 and 54, Water Code,  
 2-40 applicable to municipal utility districts created under Section 59,  
 2-41 Article XVI, Texas Constitution.  
 2-42 Sec. 8208.102. ROAD PROJECTS. (a) To the extent authorized  
 2-43 by Section 52, Article III, Texas Constitution, the district may  
 2-44 construct, acquire, improve, maintain, or operate macadamized,  
 2-45 graveled, or paved roads, or improvements in aid of those roads,  
 2-46 inside the district.  
 2-47 (b) A road project must meet or exceed all applicable  
 2-48 construction standards, zoning and subdivision requirements, and  
 2-49 regulatory ordinances of each municipality in whose corporate  
 2-50 limits or extraterritorial jurisdiction the district is located.  
 2-51 (c) The district may not undertake a road project unless  
 2-52 each municipality in whose corporate limits or extraterritorial  
 2-53 jurisdiction the district is located consents by ordinance or  
 2-54 resolution.  
 2-55 (d) The district shall, at its sole cost and expense,  
 2-56 maintain, improve, operate, and repair all roads constructed or  
 2-57 acquired by the district unless the municipality or county in which  
 2-58 a road is located voluntarily assumes the obligation. An  
 2-59 assumption of an obligation under this subsection is not valid or  
 2-60 binding unless the assumption is in writing, executed by the  
 2-61 necessary parties, and filed in the land records of the county in  
 2-62 which the road is located.  
 2-63 Sec. 8208.103. COMPLIANCE WITH MUNICIPAL ORDINANCES OR  
 2-64 RESOLUTIONS. The district shall comply with all applicable  
 2-65 requirements of any ordinance or resolution adopted by the  
 2-66 governing body of each municipality in whose corporate limits or  
 2-67 extraterritorial jurisdiction the district is located.  
 2-68 Sec. 8208.104. ANNEXATION OF LAND IN GRAYSON COUNTY. The  
 2-69 district may not annex land located in Grayson County without the

3-1 prior consent of the Commissioners Court of Grayson County.

3-2 Sec. 8208.105. DIVISION OF DISTRICT. (a) The district may  
3-3 be divided into two new districts only if the district:

3-4 (1) has no outstanding bonded debt; and

3-5 (2) is not imposing ad valorem taxes.

3-6 (b) The division procedure is prescribed by Sections 53.030  
3-7 through 53.041, Water Code.

3-8 (c) Any new district created by the division of the district  
3-9 has all the powers and duties of the district.

3-10 (d) A new district, at the time it is created by the division  
3-11 of the district, may not contain land outside the area described by  
3-12 Section 2 of the Act creating this chapter.

3-13 [Sections 8208.106-8208.150 reserved for expansion]

3-14 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-15 Sec. 8208.151. TAX TO REPAY BONDS. The district may impose  
3-16 a tax to pay the principal of and interest on bonds issued under  
3-17 Section 8208.201.

3-18 [Sections 8208.152-8208.200 reserved for expansion]

3-19 SUBCHAPTER E. BONDS

3-20 Sec. 8208.201. AUTHORITY TO ISSUE BONDS AND OTHER  
3-21 OBLIGATIONS. (a) The district may issue bonds or other obligations  
3-22 as provided by Chapters 49 and 54, Water Code, and to finance the  
3-23 construction, maintenance, or operation of projects under Sections  
3-24 8208.101 and 8208.102.

3-25 (b) The district may not issue bonds to finance projects  
3-26 authorized by Section 8208.102 unless the issuance is approved by a  
3-27 vote of a two-thirds majority of district voters voting at an  
3-28 election called for that purpose.

3-29 (c) Bonds or other obligations issued or incurred to finance  
3-30 projects authorized by Section 8208.102 may not exceed one-fourth  
3-31 of the assessed value of the real property in the district.

3-32 SECTION 2. The Four Seasons Ranch Municipal Utility  
3-33 District No. 1 of Denton County initially includes all the  
3-34 territory contained in the following area:

3-35 All that certain tract or parcel of land situated in the Juana  
3-36 Curbello Survey, Abstract Number 213, and the A. H. Gee Survey,  
3-37 Abstract Number 1522, County of Denton, State of Texas, said tract  
3-38 being all of a Tract, as described in deed to Sadot Venture, LTD ,  
3-39 filed 03 December 2003, and recorded in clerk number 2003-195563,  
3-40 and being all of a tract as described in deed to McKinney 17 Venture  
3-41 L.T.D., filed 28 May 2002, and recorded in volume 3257 page 22 of  
3-42 the Deed Records of the County of Grayson, State of Texas, and  
3-43 recorded in volume 5094 page 2020 of the Deed Records of the County  
3-44 of Denton, State of Texas, said tract being all of a Tract, as  
3-45 described in deed to Sadot Venture, LTD , filed 17 December 2003,  
3-46 and recorded in clerk number 2003-203006, and being all of a tract  
3-47 as described in deed to Netzer Environmental Consulting,, filed 28  
3-48 May 2002, and recorded in volume 5094 page 2014 of the Deed Records  
3-49 of the County of Denton, State of Texas and being more fully  
3-50 described as follows:

3-51 Beginning for the southwest corner of the tract being described  
3-52 herein at a found 1\2 inch rebar at the intersection of Garell Road  
3-53 and Fritcher Road, said rebar being the southwest corner of said  
3-54 Brock South tract;

3-55 Thence: North 00 degrees 32 minutes 08 seconds West, with the west  
3-56 line of said Brock South tract, and with the center of said Garell  
3-57 Road, a distance of 2487.12 feet to a found 1\2 inch rebar for an  
3-58 angle point in the west line of said Brock South tract, same being  
3-59 an angle point in said road;

3-60 Thence: North 00 degrees 01 minutes 19 seconds West, with the west  
3-61 line of said Brock South tract, and with the center of said road, a  
3-62 distance of 1439.64 feet to a found 1\2 inch rebar for the northwest  
3-63 corner of said Brock South tract, same being a turn in said road;

3-64 Thence: North 86 degrees 29 minutes 35 seconds East, with the north  
3-65 line of said Brock South tract, and with the center of said road, a  
3-66 distance of 256.11 feet to a found 1\2 inch rebar for an ell corner  
3-67 of this tract, and said rebar being the southwest corner of said  
3-68 Street tract, same being a turn in said road, said rebar also being  
3-69 an angle point in the north line of said Brock South tract;

4-1 Thence: North 02 degrees 34 seconds 12 seconds East, with the west  
4-2 line of said Netzer tract, and with the center of said road, a  
4-3 distance of 2019.60 feet to a point for an ell corner of this tract;  
4-4 Thence: North 89 degrees 56 minutes 50 seconds East, a distance of  
4-5 27.25 feet to a found 1\2 inch steel rebar for a corner of this  
4-6 tract;  
4-7 Thence: North 02 degrees 25 seconds 53 seconds East, with the west  
4-8 line of said Venture tract, and with the east side of said road, a  
4-9 distance of 1028.83 feet to a point for an ell corner of this tract;  
4-10 Thence: North 89 degrees 53 minutes 08 seconds East, a distance of  
4-11 521.59 feet to a found 1\2 inch rebar;  
4-12 Thence: North 00 degrees 00 minutes 32 seconds East, with the west  
4-13 line of said venture tract, a distance of 4225.1 feet to a found 1\2  
4-14 inch steel square tubing for the northwest corner of said Venture  
4-15 tract;  
4-16 Thence: North 89 degrees 31 minutes 51 seconds East, with the north  
4-17 line of said Venture tract, a distance of 866.39 feet to a set 1\2  
4-18 inch steel square tubing for an ell corner of this tract;  
4-19 Thence: South 00 degrees 06 minutes 09 seconds East, a distance of  
4-20 18.01 feet to a set 1\2 inch steel square tubing for an ell corner of  
4-21 this tract;  
4-22 Thence: North 89 degrees 45 minutes 28 seconds East, with the north  
4-23 line of said Brock North tract, and with the center of said road, a  
4-24 distance of 1130.35 feet for a corner of this tract;  
4-25 Thence: South 00 degrees 07 minutes 51 seconds East, with the  
4-26 approximate location of the county line, a distance of 2818.67 feet  
4-27 for a corner of this tract;  
4-28 Thence: North 89 degrees 45 minutes 28 seconds East, with the  
4-29 approximate location of the county line a distance of 2100.00 feet  
4-30 for a corner of this tract;  
4-31 Thence: South 89 degrees 59 minutes 54 seconds East, a distance of  
4-32 244.55 feet to a found 1\2 inch steel square tubing, said tubing  
4-33 being in the intersection of Merilee Road and County Road Number 10;  
4-34 Thence: South 00 degrees 17 minutes 37 seconds East, with the  
4-35 center of said road, a distance of 1409.82 feet to a found 1\2 inch  
4-36 rebar;  
4-37 Thence: South 00 degrees 18 minutes 38 seconds East, with the east  
4-38 line of said Street tract, and with the center of said road, and  
4-39 passing at 3031.32 feet the southeast corner of said Street tract,  
4-40 same being the northeast corner of said Brock South tract, and  
4-41 continuing on said course a total distance of 3071.37 feet to a  
4-42 found 1\2 inch rebar for an angle point in said road;  
4-43 Thence: South 00 degrees 23 minutes 56 seconds East, with the east  
4-44 line of said Brock South tract, and with the center of said road, a  
4-45 distance of 1104.84 feet to a found 1\2 inch rebar for the most  
4-46 easterly southeast corner of said Brock South tract;  
4-47 Thence: North 89 degrees 30 minutes 05 seconds West, a distance of  
4-48 27.25 feet to a old wood fence corner post;  
4-49 Thence: South 00 degrees 19 minutes 28 seconds East, with the east  
4-50 line of said road, a distance of 1292.99 feet to a pipe fence corner  
4-51 post for an ell corner of this tract;  
4-52 Thence: North 89 degrees 31 minutes 21 seconds West, with the south  
4-53 line of said Venture tract, a distance of 3326.78 feet to a pipe  
4-54 fence corner post for an ell corner of said Venture South tract;  
4-55 Thence: South 00 degrees 41 minutes 02 seconds East, a distance of  
4-56 1534.63 feet to a found nail for the southeast corner of said  
4-57 Venture tract, said nail being in the center of Fritcher Road;  
4-58 Thence: North 89 degrees 30 minutes 14 seconds West, with the south  
4-59 line of said Venture tract, and with the center of said road, a  
4-60 distance of 527.38 feet to a found 1\2 inch rebar for an ell corner  
4-61 of said Venture tract;  
4-62 Thence: South 89 degrees 34 minutes 19 seconds West, with the south  
4-63 line of said Venture tract, and with the center of said road, a  
4-64 distance of 1437.85 feet to the POINT OF BEGINNING and containing  
4-65 979.408 acres of land.

4-66 SECTION 3. (a) The legal notice of the intention to  
4-67 introduce this Act, setting forth the general substance of this  
4-68 Act, has been published as provided by law, and the notice and a  
4-69 copy of this Act have been furnished to all persons, agencies,

5-1 officials, or entities to which they are required to be furnished  
5-2 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
5-3 Government Code.

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

5-7 (c) The Texas Commission on Environmental Quality has filed  
5-8 its recommendations relating to this Act with the governor, the  
5-9 lieutenant governor, and the speaker of the house of  
5-10 representatives within the required time.

5-11 (d) All requirements of the constitution and laws of this  
5-12 state and the rules and procedures of the legislature with respect  
5-13 to the notice, introduction, and passage of this Act are fulfilled  
5-14 and accomplished.

5-15 SECTION 4. This Act takes effect September 1, 2007.

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