

By: Laubenberg, Brown of Kaufman

H.B. No. 4085

Substitute the following for H.B. No. 4085:

By: Puente

C.S.H.B. No. 4085

A BILL TO BE ENTITLED

1

AN ACT

2 relating to the creation of the Triple Creek Municipal Management
3 District; providing authority to levy an assessment, impose a tax,
4 and issue bonds.

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

6 SECTION 1. TRIPLE CREEK MANAGEMENT DISTRICT. Subtitle C,
7 Title 4, Special District Local Laws Code, is amended by adding
8 Chapter 3851 to read as follows:

9 CHAPTER 3851. TRIPLE CREEK MUNICIPAL MANAGEMENT DISTRICT

10 SUBCHAPTER A. GENERAL PROVISIONS

11 Sec. 3851.001. DEFINITIONS. In this chapter:

12 (1) "Board" means the board of directors of the
13 district.

14 (2) "City" means the city of McLendon-Chisholm.

15 (3) "District" means the Triple Creek Municipal
16 Management District.

17 (4) "Improvement project" means a program or project
18 authorized by Section 3851.102, inside or outside the district.

19 Sec. 3851.002. CREATION AND NATURE OF DISTRICT. The Triple
20 Creek Municipal Management District is a special district created
21 under Section 59, Article XVI, Texas Constitution.

22 Sec. 3851.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The
23 creation of the district is essential to accomplish the purposes of
24 Sections 52 and 52-a, Article III, and Section 59, Article XVI,

1 Texas Constitution, and other public purposes stated in Section
2 375.001, Local Government Code, and Section 54.012, Water Code. By
3 creating the district and in authorizing the city and other
4 political subdivisions to contract with the district, the
5 legislature has established a program to accomplish the public
6 purposes set out in Section 52-a, Article III, Texas Constitution.

7 (b) This chapter and the creation of the district may not be
8 interpreted to relieve the City or Rockwall or Kaufman County from
9 providing the level of services provided as of the effective date of
10 the Act enacting this chapter to the area in the district. The
11 district is created to supplement and not to supplant the city and
12 county services provided in the area in the district.

13 Sec. 3851.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
14 The district is created to serve a public use and benefit.

15 (b) All land and other property included in the district
16 will benefit from the improvements and services to be provided by
17 the district under powers conferred by Sections 52 and 52-a,
18 Article III, and Section 59, Article XVI, Texas Constitution, and
19 other powers granted under this chapter.

20 (c) The creation of the district is in the public interest
21 and is essential to accomplish the purposes stated in Section
22 375.001, Local Government Code, and Section 54.012, Water Code.

23 Sec. 3851.005. DISTRICT TERRITORY. (a) The district is
24 composed of the territory described by Section 2 of the Act enacting
25 this chapter, as that territory may have been modified under
26 Section 3851.106.

27 (b) A mistake in the field notes of the district contained

1 in Section 2 of the Act enacting this chapter or in copying the
2 field notes in the legislative process does not in any way affect:

3 (1) the district's organization, existence, or
4 validity;

5 (2) the district's right to contract, including the
6 right to issue any type of bond or other obligation for a purpose
7 for which the district is created;

8 (3) the district's right to impose or collect an
9 assessment, tax, or any other revenue; or

10 (4) the legality or operation of the board.

11 Sec. 3851.006. APPLICABILITY OF MUNICIPAL MANAGEMENT
12 DISTRICTS LAW. Except as otherwise provided by this chapter,
13 Chapter 375, Local Government Code, applies to the district.

14 [Sections 3851.007-3851.050 reserved for expansion]

15 SUBCHAPTER B. BOARD OF DIRECTORS

16 Sec. 3851.051. GOVERNING BODY; TERMS. The district is
17 governed by a board of five directors who serve staggered terms of
18 four years, with two or three directors' terms expiring November 30
19 of each even-numbered year.

20 Sec. 3851.052. ELECTION DATE. The board shall hold
21 elections for directors on the uniform election date in November in
22 even-numbered years.

23 Sec. 3851.053. ELIGIBILITY. To be qualified to serve as a
24 director, a person must be at least 18 years of age and:

25 (1) reside in the district and be qualified to vote;

26 (2) own real property in the district; or

27 (3) have served as an initial director.

1 Sec. 3851.054. VACANCY. The remaining directors shall fill
2 a vacancy on the board by appointing a person who meets the
3 qualifications prescribed by Section 3851.053.

4 Sec. 3851.055. DISTRICT CONFIRMATION ELECTION. (a) As
5 soon as practicable after all initial directors have qualified for
6 office, the board shall hold an organizational meeting and call a
7 confirmation election to be held not later than the second uniform
8 election date occurring after the date of the organizational
9 meeting.

10 (b) The board shall hold the confirmation election to
11 confirm the establishment of the district in the manner provided by
12 Subchapter D, Chapter 49, Water Code, not later than the second
13 uniform election date after:

14 (1) the governing body of the city, by resolution,
15 consents to the holding of the election; and

16 (2) the district and the city agree on the development
17 plans and rules for the district.

18 (c) Before the district is confirmed at an election, the
19 district may carry on business as the board may determine except
20 that the district may not borrow money or impose or assess a tax or
21 an assessment.

22 (d) If the creation of the district is not confirmed at a
23 confirmation election held before September 1, 2010:

24 (1) the district is dissolved on September 1, 2010,
25 except that the district shall:

26 (A) pay any debts incurred;

27 (B) transfer to the city any assets that remain

1 after the payment of debts; and

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

4 (2) this chapter expires September 1, 2010.

5 Sec. 3851.056. INITIAL DIRECTORS. (a) The initial board
6 consists of the following directors:

<u>Pos. No.</u>	<u>Name of Director</u>
<u>1</u>	<u>David Owen Butler</u>
<u>2</u>	<u>Harry Allen Starkweather</u>
<u>3</u>	<u>Stephen Wilson Griffin</u>
<u>4</u>	<u>Andrew E. Kidd</u>
<u>5</u>	<u>R. Edward Noble</u>

13 (b) Of the initial directors, the terms of directors
14 appointed for positions 1 and 2 expire November 30, 2008, and the
15 terms of directors appointed for positions 3 through 5 expire
16 November 30, 2010.

17 (c) Section 49.052(a), Water Code, does not apply to an
18 initial director.

19 (d) This section expires September 1, 2011.

20 [Sections 3851.057-3851.100 reserved for expansion]

21 SUBCHAPTER C. POWERS AND DUTIES

22 Sec. 3851.101. GENERAL POWERS AND DUTIES. The district has
23 the powers and duties provided by:

24 (1) the general laws relating to conservation and
25 reclamation districts created under Section 59, Article XVI, Texas
26 Constitution, including Chapters 49 and 54, Water Code;

27 (2) the general laws relating to road districts and

1 road utility districts created under Section 52(b), Article III,
2 Texas Constitution, including Chapter 441, Transportation Code;

3 (3) Subchapter A, Chapter 372, Local Government Code,
4 in the same manner as a municipality or a county;

5 (4) Chapter 375, Local Government Code; and

6 (5) Section 4B, Development Corporation Act of 1979
7 (Article 5190.6, Vernon's Texas Civil Statutes).

8 Sec. 3851.102. IMPROVEMENT PROJECTS. (a) The district may
9 provide, or it may enter into contracts with a governmental or
10 private entity to provide, improvement projects or activities in
11 support of or incidental to district projects authorized under
12 Section 3851.101.

13 (b) An improvement project must comply with any applicable
14 city codes and ordinances.

15 (c) The district may not provide, conduct, or authorize any
16 improvement project on the city streets, highways, rights-of-way,
17 or easements without the consent of the governing body of the city.

18 (d) Subject to the agreement required by Section
19 3851.055(b)(2), the city may:

20 (1) require that title to all or any portion of an
21 improvement project vest in the city; or

22 (2) by ordinance or other directive authorize the
23 district to own, encumber, maintain, and operate an improvement
24 project, subject to the right of the city to order a conveyance of
25 the project to the city on a date determined by the city.

26 Sec. 3851.103. GENERAL POWERS REGARDING CONTRACTS. (a)
27 The district may:

1 (1) contract with a state agency, municipality,
2 county, other political subdivision, corporation, individual, or
3 other entity to carry out the purposes of the district, including a
4 contract for:

5 (A) the payment, repayment, or reimbursement of
6 costs incurred on behalf of the district, including all or part of
7 the costs of an improvement project and interest on the reimbursed
8 cost; or

9 (B) the use, occupancy, lease, rental,
10 operation, maintenance, or management of all or part of a proposed
11 or existing improvement project; and

12 (2) apply for and contract with a state agency,
13 municipality, county, other political subdivision, corporation,
14 individual, or other entity to receive, administer, and perform a
15 duty or obligation of the district under a federal, state, local, or
16 private gift, grant, loan, conveyance, transfer, bequest, or other
17 financial assistance arrangement relating to the investigation,
18 planning, analysis, study, design, acquisition, construction,
19 improvement, completion, implementation, or operation by the
20 district or others of a proposed or existing improvement project.

21 (b) A contract payable from ad valorem taxes for a period
22 longer than one year must be approved by the governing body of the
23 city.

24 Sec. 3851.104. RULES; ENFORCEMENT. (a) The district may
25 adopt and enforce rules:

26 (1) to administer or operate the district;

27 (2) for the use, enjoyment, availability, protection,

1 security, and maintenance of the district's properties and
2 facilities; or

3 (3) to provide for public safety and security in the
4 district.

5 (b) The district may enforce its rules by injunctive relief.

6 Sec. 3851.105. NAME CHANGE. The board by resolution may
7 change the district's name. The board shall give written notice of
8 the change to the city.

9 Sec. 3851.106. ADDING OR REMOVING TERRITORY. The board may
10 add or remove territory under Subchapter J, Chapter 49, and Section
11 54.016, Water Code, except that:

12 (1) the addition or removal of the territory must be
13 approved by:

14 (A) the governing body of the city; and

15 (B) the owners of the territory being added or
16 removed;

17 (2) a reference to a tax in Subchapter J, Chapter 49,
18 or Section 54.016, Water Code, means an ad valorem tax; and

19 (3) territory may not be removed from the district if
20 bonds or other obligations of the district payable wholly or partly
21 from ad valorem taxes on the territory are outstanding.

22 [Sections 3851.107-3851.150 reserved for expansion]

23 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

24 Sec. 3851.151. GENERAL POWERS REGARDING FINANCIAL MATTERS.

25 The district may:

26 (1) impose an ad valorem tax in accordance with
27 Chapter 375, Local Government Code, on all taxable property in the

1 district to pay for an improvement project;

2 (2) impose an assessment or impact fee in the manner
3 provided for a municipality or county under Subchapter A, Chapter
4 372, Local Government Code, on all industrial, commercial, and
5 residential property in the district to pay for an improvement
6 project;

7 (3) impose a rate, fee, including an impact fee, or
8 charge for the use of an improvement project or the consumption of a
9 product resulting from an improvement project;

10 (4) borrow money for a district purpose by issuing or
11 executing bonds, notes, credit agreements, or other obligations of
12 any kind found by the board to be necessary or appropriate for the
13 district purpose;

14 (5) establish, revise, repeal, enforce, collect, and
15 apply the proceeds from a user fee or charge for the enjoyment,
16 sale, rental, or other use of a district facility, service,
17 property, or improvement project;

18 (6) provide or secure the payment or repayment of the
19 costs and expenses of the establishment, administration, and
20 operation of the district and the district's costs or share of the
21 costs or revenue of an improvement project or district contractual
22 obligation or indebtedness by or through a lease, installment
23 purchase contract, or other agreement with any person, or the
24 imposition of taxes, assessments, user fees, concessions, rentals,
25 or other revenue or resources of the district;

26 (7) establish user charges related to the operation of
27 various public services, including public water supply services,

1 for the collection and treatment of wastewater, and for the
2 operation of storm-water facilities, including the regulation of
3 storm water for the protection of water quality in the district; and

4 (8) undertake separately or jointly with other
5 persons, including the city, Kaufman County, or Rockwall County,
6 all or part of the cost of an improvement project, including an
7 improvement project:

8 (A) for improving, enhancing, and supporting
9 public safety and security, fire protection and emergency medical
10 services, and law enforcement in and adjacent to the district; or

11 (B) that confers a general benefit on the entire
12 district or a special benefit on a definable part of the district.

13 Sec. 3851.152. IMPACT FEES AND ASSESSMENTS; EXEMPTION. (a)
14 The district may impose an impact fee or assessment on property in
15 the district, including an impact fee or assessment on residential
16 or commercial property, only in the manner provided by Subchapter
17 A, Chapter 372, or Subchapter F, Chapter 375, Local Government
18 Code, for a municipality, county, or public improvement district,
19 according to the benefit received by the property.

20 (b) An impact fee for residential property must be for the
21 limited purpose of providing capital funding for:

22 (1) public water and wastewater facilities;

23 (2) drainage and storm-water facilities; and

24 (3) streets and alleys.

25 (c) An assessment, a reassessment, or an assessment
26 resulting from an addition to or correction of the assessment roll
27 by the district, penalties and interest on an assessment or

1 reassessment, an expense of collection, and reasonable attorney's
2 fees incurred by the district:

3 (1) are a first and prior lien against the property
4 assessed; and

5 (2) are superior to any other lien or claim other than
6 a lien or claim for county, school district, or municipal ad valorem
7 taxes.

8 (d) The board may make a correction to or deletion from the
9 assessment roll that does not increase the amount of assessment of
10 any parcel of land without providing notice and holding a hearing in
11 the manner required for additional assessments.

12 (e) The district may not impose an impact fee on the
13 property, including equipment and facilities, of a public utility
14 provider in the district.

15 (f) Section 375.161, Local Government Code, does not apply
16 to the district.

17 Sec. 3851.153. MAINTENANCE AND OPERATION TAX; ELECTION.

18 (a) The district may impose a tax for maintenance and operation
19 purposes, including for:

20 (1) planning, constructing, acquiring, maintaining,
21 repairing, and operating all necessary land, plants, works,
22 facilities, improvements, appliances, and equipment of the
23 district; and

24 (2) paying costs of services, engineering and legal
25 fees, and organization and administrative expenses.

26 (b) The district may not impose a maintenance and operation
27 tax unless the tax is approved by the governing body of the city and

1 a majority of the voters voting at an election held for that
2 purpose. If the tax is approved, the board may impose the tax in the
3 same manner as other district ad valorem taxes.

4 (c) A maintenance and operation tax election may be held at
5 the same time and in conjunction with any other district election.
6 The election may be called by a separate election order or as part
7 of any other election order.

8 (d) The proposition in a maintenance and operation tax
9 election may be for a specific maximum rate.

10 Sec. 3851.154. BONDS AND OTHER OBLIGATIONS; MUNICIPAL
11 APPROVAL. (a) The district may issue by competitive bid or
12 negotiated sale bonds, notes, or other obligations payable wholly
13 or partly from ad valorem taxes or assessments in the manner
14 provided by Subchapter A, Chapter 372, or Subchapter J, Chapter
15 375, Local Government Code.

16 (b) In exercising the district's borrowing power, the
17 district may issue a bond or other obligation in the form of a bond,
18 note, certificate of participation or other instrument evidencing a
19 proportionate interest in payments to be made by the district, or
20 other type of obligation.

21 (c) In addition to the sources of money described by
22 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local
23 Government Code, district bonds may be secured and made payable,
24 wholly or partly, by a pledge of any part of the net proceeds the
25 district receives from any other district revenue.

26 (d) District bonds payable by ad valorem taxes may not be
27 issued unless the bonds and the taxes are approved by:

1 (1) the governing body of the city; and

2 (2) a majority of the district voters voting in an
3 election called for that purpose.

4 (e) The city is not obligated to pay, repay, or guarantee
5 any bonds, notes, or other obligations of the district unless the
6 city dissolves the district under Subchapter E.

7 Sec. 3851.155. BOND MATURITY. Bonds may mature not more
8 than 40 years from their date of issue.

9 Sec. 3851.156. TAXES FOR BONDS AND OTHER OBLIGATIONS. (a)
10 At the time bonds or other obligations payable wholly or partly from
11 ad valorem taxes are issued:

12 (1) the board shall impose a continuing direct annual
13 ad valorem tax for each year that all or part of the bonds are
14 outstanding; and

15 (2) the district annually shall impose an ad valorem
16 tax on all taxable property in the district in an amount sufficient
17 to:

18 (A) pay the interest on the bonds or other
19 obligations as the interest becomes due;

20 (B) create a sinking fund for the payment of the
21 principal of the bonds or other obligations when due or the
22 redemption price at any earlier required redemption date; and

23 (C) pay the expenses of imposing the taxes.

24 (b) Bonds or other obligations that are secured by and
25 payable from ad valorem taxes may not be issued unless the bonds and
26 the imposition of the taxes are approved by a majority of the voters
27 in the district voting at an election held for that purpose.

1 (c) The district shall hold an election required by this
2 section in the manner provided by Subchapter L, Chapter 375, Local
3 Government Code.

4 [Sections 3851.157-3851.200 reserved for expansion]

5 SUBCHAPTER E. DISSOLUTION

6 Sec. 3851.201. DISSOLUTION. (a) The city by ordinance
7 adopted by a two-thirds majority vote of its governing body may
8 dissolve the district.

9 (b) The city may not dissolve the district until the
10 district's outstanding indebtedness or contractual obligations
11 payable from ad valorem taxes have been repaid or discharged.

12 (c) After the city dissolves the district, the city assumes
13 the obligations of the district, including any bonds or other
14 indebtedness payable from assessments or other district revenue.

15 (d) If the city dissolves the district, the board shall
16 transfer ownership of all district property to the city.

17 SECTION 2. BOUNDARIES. As of the effective date of this
18 Act, the Triple Creek Management District includes all territory
19 contained in the following three described tracts of land located
20 in the corporate limits of the city of McLendon-Chisholm, partially
21 in Kaufman County, and partially in Rockwall County, and described
22 by metes and bounds as follows:

23 TRACT ONE: 352.817 Acres Located in Rockwall County and Kaufman
24 County, Texas:

25 BEING all that certain lot, tract or parcel of land situated in the
26 King Latham Survey, Abstract Number 133, located in Rockwall
27 County, Texas and King Latham Survey, Abstract Number 622, located

1 in Kaufman County, Texas, and being a portion of a called 203.728
2 acre tract of land described in deed to WED Limited Partnership, as
3 recorded in Volume 2053, Page 273 of the Deed Records of Rockwall
4 County, Texas, and also being a portion of Tract No. 1, a called
5 850.14 acre tract of land described in deed to The
6 McLendon-Chisholm Ranch, L.P., as recorded in Volume 4492, Page 101
7 of the Deed Records of Rockwall County, Texas and being more
8 particularly described by metes and bounds as follows:

9 BEGINNING at a 1/2 inch iron rod with a cap stamped "Arthur
10 Surveying Company" set in the west right of way line of State
11 Highway No. 205 (a variable width right of way);

12 THENCE South 44 degrees 36 minutes 15 seconds East, along said west
13 right of way line, a distance of 2208.26 feet to a 1/2 inch iron rod
14 with cap stamped "Weir & Associates" found for the most northerly
15 corner of Lot 27, Block A, Chisholm Ranch Estates Addition, an
16 addition to Rockwall County, according to the plat recorded in
17 Cabinet F, Page 247, of the Plat Records of Rockwall County, Texas;

18 THENCE South 45 degrees 14 minutes 10 seconds West, along the
19 northwest line of Block A, of said Chisholm Ranch Estates Addition,
20 a distance of 3117.04 feet to a 1/2 inch iron rod found for corner;

21 THENCE South 44 degrees 27 minutes 13 seconds East, along the
22 southwest line of Block A, of said Chisholm Ranch Estates Addition,
23 a distance of 923.44 feet to a 1/2 inch iron rod with a cap stamped
24 "Arthur Surveying Company" set, from which a 1/2 inch iron rod found
25 in the northwest right of way line of Farm to Market Road No. 548
26 bears South 44 degrees 27 minutes 13 seconds East, a distance of
27 2260.45 feet;

1 THENCE South 44 degrees 18 minutes 39 seconds West, along the
2 northwest line of a tract of land described in deed to Dorothy Lynn
3 Sulling, Martha Nell McAllister, Mary Elizabeth Awanessian &
4 William Dewey Samuels, Jr., as recorded in Volume 579, Page 86 of
5 the Deed Records of Rockwall County, Texas, a distance of 1159.29
6 feet to a 1/2 inch iron rod found for corner;
7 THENCE South 45 degrees 50 minutes 06 seconds West, continuing
8 along said northwest line, a distance of 1874.24 feet to a 1/2 inch
9 iron rod found in the northeast line of said WED Limited Partnership
10 Tract;
11 THENCE South 44 degrees 02 minutes 51 seconds East, along the
12 southwest line of said Dorothy Lynn Sulling, Martha Nell
13 McAllister, Mary Elizabeth Awanessian & William Dewey Samuels, Jr.
14 Tract, a distance of 2229.61 feet to a 1/2 inch iron rod found in the
15 northwest right of way line of said Farm to Market Road No. 548, for
16 the beginning of a non-tangent curve to the right having a radius of
17 1395.90 feet, a central angle of 19 degrees 43 minutes 37 seconds, a
18 chord bearing of South 65 degrees 19 minutes 10 seconds West, and a
19 chord distance of 478.24 feet;
20 THENCE along said northwest right of way line, the following
21 courses and distances:
22 Southwesterly along said curve for an arc length of 480.61 feet to a
23 concrete monument found for corner;
24 South 75 degrees 19 minutes 35 seconds West, a distance of 511.95
25 feet to a concrete monument found for corner by a wooden right of
26 way marker, for the beginning of a tangent curve to the left having
27 a radius of 1481.35 feet, a central angle of 30 degrees 01 minutes

1 03 seconds, a chord bearing of South 60 degrees 20 minutes 50
2 seconds West, and a chord distance of 767.24 feet;
3 Southwesterly along said curve for an arc length of 776.09 feet to a
4 concrete monument found for corner by a wooden right of way marker;
5 South 45 degrees 23 minutes 00 seconds West, a distance of 190.29
6 feet to a 1/2 inch iron rod found for the most southerly corner of
7 said WED Limited Partnership Tract;
8 THENCE North 44 degrees 39 minutes 33 seconds West, along the
9 southwest line of said WED Limited Partnership Tract, a distance of
10 2082.11 feet to a 1/2 inch iron rod with a cap stamped "Arthur
11 Surveying Company" set for corner;
12 THENCE over and across said WED Limited Partnership Tract and said
13 Tract No. 1, the following courses and distances:
14 North 45 degrees 20 minutes 27 seconds East, a distance of 400.00
15 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
16 Company" set for the beginning of a tangent curve to the left having
17 a radius of 600.00 feet, a central angle of 18 degrees 00 minutes 00
18 seconds, a chord bearing of North 36 degrees 20 minutes 44 seconds
19 East, and a chord distance of 187.72 feet;
20 Northeasterly along said curve for an arc length of 188.50 feet to a
21 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
22 for the beginning of a reverse curve to the right having a radius of
23 600.00 feet, a central angle of 10 degrees 00 minutes 00 seconds, a
24 chord bearing of North 32 degrees 20 minutes 44 seconds East, and a
25 chord distance of 104.59 feet;
26 Northeasterly along said curve for an arc length of 104.72 feet to a
27 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set

1 for corner;
2 North 37 degrees 20 minutes 44 seconds East, a distance of 250.00
3 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
4 Company" set for the beginning of a tangent curve to the left having
5 a radius of 600.00 feet, a central angle of 15 degrees 00 minutes 00
6 seconds, a chord bearing of North 29 degrees 50 minutes 44 seconds
7 East, and a chord distance of 156.63 feet;
8 Northeasterly along said curve for an arc length of 157.08 feet to a
9 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
10 for corner;
11 North 22 degrees 20 minutes 44 seconds East, a distance of 350.00
12 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
13 Company" set for the beginning of a tangent curve to the right
14 having a radius of 600.00 feet, a central angle of 25 degrees 23
15 minutes 21 seconds, a chord bearing of North 35 degrees 02 minutes
16 24 seconds East, and a chord distance of 263.70 feet;
17 Northeasterly along said curve for an arc length of 265.87 feet to a
18 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
19 for the beginning of a reverse curve to the left having a radius of
20 500.00 feet, a central angle of 55 degrees 58 minutes 53 seconds, a
21 chord bearing of North 19 degrees 44 minutes 38 seconds East, and a
22 chord distance of 469.33 feet;
23 Northeasterly along said curve for an arc length of 488.53 feet to a
24 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
25 for corner;
26 North 08 degrees 14 minutes 48 seconds West, a distance of 47.60
27 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying

1 Company" set for the beginning of a tangent curve to the right
2 having a radius of 800.00 feet, a central angle of 56 degrees 31
3 minutes 24 seconds, a chord bearing of North 20 degrees 00 minutes
4 54 seconds East, and a chord distance of 757.60 feet;
5 Northeasterly along said curve for an arc length of 789.21 feet to a
6 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
7 for corner;
8 North 48 degrees 16 minutes 36 seconds East, a distance of 100.00
9 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
10 Company" set for the beginning of a tangent curve to the left having
11 a radius of 400.00 feet, a central angle of 33 degrees 15 minutes 03
12 seconds, a chord bearing of North 31 degrees 39 minutes 05 seconds
13 East, and a chord distance of 228.89 feet;
14 Northeasterly along said curve for an arc length of 232.13 feet to a
15 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
16 for corner;
17 North 16 degrees 51 minutes 30 seconds East, a distance of 205.87
18 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
19 Company" set for the beginning of a tangent curve to the right
20 having a radius of 900.00 feet, a central angle of 27 degrees 31
21 minutes 30 seconds, a chord bearing of North 30 degrees 37 minutes
22 15 seconds East, and a chord distance of 428.22 feet;
23 Northeasterly along said curve for an arc length of 432.36 feet to a
24 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
25 for corner;
26 North 44 degrees 23 minutes 00 seconds East, a distance of 100.00
27 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying

1 Company" set for the beginning of a tangent curve to the left having
2 a radius of 300.00 feet, a central angle of 08 degrees 50 minutes 10
3 seconds, a chord bearing of North 39 degrees 57 minutes 55 seconds
4 East, and a chord distance of 46.22 feet;
5 Northeasterly along said curve for an arc length of 46.27 feet to a
6 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
7 for corner;
8 North 35 degrees 32 minutes 50 seconds East, a distance of 100.00
9 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
10 Company" set for the beginning of a tangent curve to the right
11 having a radius of 800.00 feet, a central angle of 12 degrees 12
12 minutes 45 seconds, a chord bearing of North 41 degrees 39 minutes
13 12 seconds East, and a chord distance of 170.20 feet;
14 Northeasterly along said curve for an arc length of 170.52 feet to a
15 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
16 for corner;
17 North 47 degrees 45 minutes 35 seconds East, a distance of 120.00
18 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
19 Company" set for the beginning of a tangent curve to the left having
20 a radius of 400.00 feet, a central angle of 82 degrees 26 minutes 29
21 seconds, a chord bearing of North 06 degrees 32 minutes 21 seconds
22 East, and a chord distance of 527.17 feet;
23 Northeasterly along said curve for an arc length of 575.55 feet to a
24 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
25 for corner;
26 North 34 degrees 40 minutes 54 seconds West, a distance of 22.07
27 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying

1 Company" set for corner;
2 South 66 degrees 13 minutes 45 seconds East, a distance of 580.20
3 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
4 Company" set for corner;
5 North 23 degrees 56 minutes 15 seconds East, a distance of 330.00
6 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
7 Company" set for corner;
8 North 66 degrees 13 minutes 45 seconds West, a distance of 1030.80
9 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
10 Company" set for the beginning of a non-tangent curve to the right
11 having a radius of 800.00 feet, a central angle of 64 degrees 07
12 minutes 58 seconds, a chord bearing of North 16 degrees 54 minutes
13 14 seconds East, and a chord distance of 849.44 feet;
14 Northeasterly along said curve for an arc length of 895.46 feet to a
15 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
16 for corner;
17 North 48 degrees 58 minutes 13 seconds East, a distance of 114.18
18 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
19 Company" set for corner;
20 South 74 degrees 46 minutes 50 seconds East, a distance of 655.54
21 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
22 Company" set for corner;
23 North 15 degrees 13 minutes 10 seconds East, a distance of 295.16
24 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
25 Company" set for corner;
26 North 74 degrees 46 minutes 50 seconds West, a distance of 567.55
27 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying

1 Company" set for corner;
2 North 21 degrees 58 minutes 38 seconds East, a distance of 374.09
3 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
4 Company" set for the beginning of a tangent curve to the right
5 having a radius of 1500.00 feet, a central angle of 14 degrees 24
6 minutes 59 seconds, a chord bearing of North 29 degrees 11 minutes
7 07 seconds East, and a chord distance of 376.42 feet;
8 Northeast along said curve for an arc length of 377.42 feet to a 1/2
9 inch iron rod with a cap stamped "Arthur Surveying Company" set for
10 corner;
11 North 36 degrees 23 minutes 36 seconds East, a distance of 334.54
12 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
13 Company" set for the beginning of a tangent curve to the right
14 having a radius of 800.00 feet, a central angle of 28 degrees 16
15 minutes 07 seconds, a chord bearing of North 50 degrees 31 minutes
16 40 seconds East, and a chord distance of 390.71 feet;
17 Northeasterly along said curve for an arc length of 394.70 feet to a
18 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
19 for corner;
20 North 64 degrees 39 minutes 43 seconds East, a distance of 302.18
21 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
22 Company" set for the beginning of a tangent curve to the left having
23 a radius of 400.00 feet, a central angle of 19 degrees 15 minutes 58
24 seconds, a chord bearing of North 55 degrees 01 minutes 44 seconds
25 East, and a chord distance of 133.87 feet;
26 Northeasterly along said curve for an arc length of 134.50 feet to a
27 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set

1 for corner;

2 North 45 degrees 23 minutes 45 seconds East, a distance of 190.11
3 feet to the POINT OF BEGINNING and containing 352.817 acres of land,
4 more or less, and being subject to any and all easements that may
5 affect.

6 TRACT TWO: 424.915 Acres Located in Rockwall County, Texas:

7 BEING all that certain lot, tract or parcel of land situated in the
8 King Latham Survey, Abstract Number 133, located in Rockwall
9 County, Texas, and being all of a called 159.4006 acre tract of land
10 described in deed to Tyrone E. Davenport, as recorded in Volume
11 1374, Page 302 of the Deed Records of Rockwall County, Texas, a
12 portion of a called 10.03 acre tract of land described in deed to
13 Tyrone Davenport, as recorded in Volume 3742, Page 268 of the Deed
14 Records of Rockwall County, Texas, and being all of a 89.00 acre
15 tract of land described in deed to T. A. Lewis, as recorded in
16 Volume 30, Page 306, Deed Records of Rockwall County, Texas, and
17 also being all of the First and Second Tracts, as described in deed
18 to D. E. Lewis, Thomas Eugene Lewis, Dorothy Dee Lewis, and David
19 Arden Lewis, as recorded in Volume 63, Page 436, Deed Records of
20 Rockwall County, Texas, and being more particularly described by
21 metes and bounds as follows:

22 BEGINNING at a 1/2 inch iron rod found in the southeast right of way
23 line of Farm to Market Road No. 550 (a variable width right of way)
24 same being the most westerly corner of a called 18.274 acre tract of
25 land described in deed to Garin Reetz and Linda Reetz, as recorded
26 in Volume 2231, Page 142 of the Deed Records of Rockwall County,
27 Texas, from which a 1/2 inch iron rod found for the most northerly

1 corner of said Reetz Tract bears North 45 degrees 34 minutes 28
2 seconds East, a distance of 873.50 feet;
3 THENCE South 44 degrees 30 minutes 02 seconds East, along the
4 southwest line of said Reetz Tract, a distance of 916.53 feet to a
5 1/2 inch iron rod found for corner;
6 THENCE North 44 degrees 36 minutes 22 seconds East, along the
7 southeast line of said Reetz Tract, a distance of 876.61 feet to a
8 3/8 inch iron rod found in the southwest line of Tract IV, a called
9 215.607 acre tract of land described in deed to Mariah Bay
10 Development, Inc., as recorded in Volume 2245, Page 278 of the Deed
11 Records of Rockwall County, Texas;
12 THENCE along the south lines of said Mariah Bay Development Tract,
13 the following courses and distances:
14 South 44 degrees 41 minutes 25 seconds East, a distance of 1673.16
15 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
16 Company" set for corner;
17 North 45 degrees 40 minutes 12 seconds East, a distance of 1558.33
18 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
19 Company" set for corner;
20 South 45 degrees 01 minutes 57 seconds East, a distance of 375.00
21 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
22 Company" set for corner;
23 North 44 degrees 58 minutes 03 seconds East, a distance of 413.26
24 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
25 Company" set for the most westerly corner of a called 79.335 acre
26 tract of land described in deed to Albert Meyers, as recorded in
27 Volume 153, Page 699 of the Deed Records of Rockwall County, Texas;

1 THENCE South 43 degrees 51 minutes 51 seconds East, along the
2 southwest line of said Meyers Tract, a distance of 1434.52 feet to a
3 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
4 for the northerly corner of a Second Tract, a called 53.446 acre
5 tract of land described in deed to Jerry L. Klutts and wife Rita C.
6 Klutts, as recorded in Volume 1119, Page 22 of the Deed Records of
7 Rockwall County, Texas;

8 THENCE South 44 degrees 59 minutes 05 seconds West, along the
9 northwest line of said Second Tract and a called 199.719 acre tract
10 of land described in deed to Beverly Farrar, as recorded in Volume
11 1150, Page 112 of the Deed Records of Rockwall County, Texas, a
12 distance of 4480.56 feet to a 1/2 inch iron rod found for the most
13 easterly corner of a called 98.730 acre tract of land described in
14 deed to G. H. Development, Inc., as recorded in Volume 4061, Page
15 257 of the Deed Records of Rockwall County, Texas;

16 THENCE North 43 degrees 20 minutes 06 seconds West, along the
17 northeast line of said G. H. Development Tract, a distance of
18 1451.15 feet to a Fence Post found in the southeast line of said
19 Davenport Tract, from which a 1/2 inch iron rod found for the east
20 corner of said 159.4006 acre tract bears North 45 degrees 37 minutes
21 38 seconds East, a distance of 761.57 feet;

22 THENCE South 45 degrees 37 minutes 38 seconds West, along the
23 northwest line of said G. H. Development Tract, a distance of
24 1482.10 feet to a 3/8 inch iron rod found for the most easterly
25 corner of said 10.03 acre tract;

26 THENCE South 46 degrees 00 minutes 41 seconds West, continuing
27 along the northwest line of said G. H. Development Tract, same being

1 the southeast line of said 10.03 acre tract, a distance of 510.00
2 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
3 Company" set for corner;

4 THENCE North 46 degrees 13 minutes 43 seconds West, over and across
5 said Davenport Tract, a distance of 299.71 feet to a 1/2 inch iron
6 rod with a cap stamped "Arthur Surveying Company" set in the
7 northwest line of said 10.03 acre tract, same being in the southeast
8 line of a called 10.00 acre tract of land described in deed to
9 Robert G. Vernon, as recorded in Volume 1547, Page 91 of the Deed
10 Records of Rockwall County, Texas;

11 THENCE North 46 degrees 01 minutes 08 seconds East, along said
12 southeast line, a distance of 520.00 feet to a 3/4 inch iron pipe
13 found for the most easterly corner of said Vernon Tract;

14 THENCE North 44 degrees 19 minutes 00 seconds West, along a
15 southwest line of said 159.4006 acre tract, a distance of 1195.42
16 feet to a 3/4 inch iron pipe found for corner;

17 THENCE South 45 degrees 30 minutes 07 seconds West, continuing
18 along said 159.4006 acre tract, a distance of 213.27 feet to a 1/2
19 inch iron rod with a cap stamped "Arthur Surveying Company" set for
20 the most easterly corner of a called 50 acre tract of land described
21 in deed to Mary E. Young, as recorded in Volume 547, Page 322 of the
22 Deed Records of Rockwall County, Texas;

23 THENCE North 44 degrees 23 minutes 02 seconds West, along the
24 northeast line of said Young Tract, a distance of 1478.44 feet to a
25 1/2 inch iron rod found in the southeast right of way line of said
26 Farm to Market Road No. 550;

27 THENCE North 45 degrees 24 minutes 42 seconds East, along said

1 southeast right of way line, a distance of 2421.45 feet to a 1/2
2 inch iron rod found for the most northerly corner of said 159.4006
3 acre tract;

4 THENCE North 45 degrees 48 minutes 18 seconds East, continuing
5 along said southeast right of way line, a distance of 875.84 feet to
6 the POINT OF BEGINNING and containing 424.915 acres of land, more or
7 less, and being subject to any and all easements that may affect.

8 TRACT THREE: 802.220 Acres Located in Rockwall County and Kaufman
9 County, Texas:

10 BEING all that certain lot, tract or parcel of land situated in the
11 King Latham Survey, Abstract Number 133, located in Rockwall
12 County, Texas and the King Latham Survey, Abstract Number 622,
13 located in Kaufman County, Texas, and being a portion of a called
14 203.728 acre tract of land described in deed to WED Limited
15 Partnership, as recorded in Volume 2053, Page 273 of the Deed
16 Records of Rockwall County, Texas, and also being a portion of Tract
17 No. 1, a called 850.14 acre tract of land and a all of Tract No. 2, a
18 called 150 acre tract of land described in deed to The
19 McLendon-Chisholm Ranch, L.P., as recorded in Volume 4492, Page 101
20 of the Deed Records of Rockwall County, Texas and being more
21 particularly described by metes and bounds as follows:

22 BEGINNING at a 1/2 inch iron rod with a cap stamped "Arthur
23 Surveying Company" set in the west right of way line of State
24 Highway No. 205 (a variable width right of way) from which a 1/2
25 inch iron rod with cap stamped "Weir & Associates" found for the
26 most northerly corner of Lot 27, Block A, Chisholm Ranch Estates
27 Addition, an addition to Rockwall County, according to the plat

1 recorded in Cabinet F, Page 247, of the Plat Records of Rockwall
2 County, Texas, bears South 44 degrees 36 minutes 15 seconds East, a
3 distance of 2208.26 feet;
4 THENCE over and across said Tract No. 1 and said WED Limited
5 Partnership Tract, the following courses and distances:
6 South 45 degrees 23 minutes 45 seconds West, a distance of 190.11
7 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
8 Company" set for the beginning of a tangent curve to the right
9 having a radius of 400.00 feet, a central angle of 19 degrees 15
10 minutes 58 seconds, a chord bearing of South 55 degrees 01 minutes
11 44 seconds West, and a chord distance of 133.87 feet;
12 Southwesterly along said curve for an arc length of 134.50 feet to a
13 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
14 for corner;
15 South 64 degrees 39 minutes 43 seconds West, a distance of 302.18
16 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
17 Company" set for the beginning of a tangent curve to the left having
18 a radius of 800.00 feet, a central angle of 28 degrees 16 minutes 07
19 seconds, a chord bearing of South 50 degrees 31 minutes 40 seconds
20 West, and a chord distance of 390.71 feet;
21 Southwesterly along said curve for an arc length of 394.70 feet to a
22 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
23 for corner;
24 South 36 degrees 23 minutes 36 seconds West, a distance of 334.54
25 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
26 Company" set for the beginning of a tangent curve to the left having
27 a radius of 1500.00 feet, a central angle of 14 degrees 24 minutes

1 59 seconds, a chord bearing of South 29 degrees 11 minutes 07
2 seconds West, and a chord distance of 376.42 feet;
3 Southwesterly along said curve for an arc length of 377.42 feet to a
4 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
5 for corner;
6 South 21 degrees 58 minutes 38 seconds West, a distance of 374.09
7 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
8 Company" set for corner;
9 South 74 degrees 46 minutes 50 seconds East, a distance of 567.55
10 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
11 Company" set for corner;
12 South 15 degrees 13 minutes 10 seconds West, a distance of 295.16
13 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
14 Company" set for corner;
15 North 74 degrees 46 minutes 50 seconds West, a distance of 655.54
16 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
17 Company" set for corner;
18 South 48 degrees 58 minutes 13 seconds West, a distance of 114.18
19 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
20 Company" set for the beginning of a tangent curve to the left having
21 a radius of 800.00 feet, a central angle of 64 degrees 07 minutes 58
22 seconds, a chord bearing of South 16 degrees 54 minutes 14 seconds
23 West, and a chord distance of 849.44 feet;
24 Southwesterly along said curve for an arc length of 895.46 feet to a
25 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
26 for corner;
27 South 66 degrees 13 minutes 45 seconds East, a distance of 1030.80

1 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
2 Company" set for corner;
3 South 23 degrees 56 minutes 15 seconds West, a distance of 330.00
4 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
5 Company" set for corner;
6 North 66 degrees 13 minutes 45 seconds West, a distance of 580.20
7 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
8 Company" set for corner;
9 South 34 degrees 40 minutes 54 seconds East, a distance of 22.07
10 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
11 Company" set for the beginning of a tangent curve to the right
12 having a radius of 400.00 feet, a central angle of 82 degrees 26
13 minutes 29 seconds, a chord bearing of South 06 degrees 32 minutes
14 21 seconds West, and a chord distance of 527.17 feet;
15 Southwesterly along said curve for an arc length of 575.55 feet to a
16 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
17 for corner;
18 South 47 degrees 45 minutes 35 seconds West, a distance of 120.00
19 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
20 Company" set for the beginning of a tangent curve to the left having
21 a radius of 800.00 feet, a central angle of 12 degrees 12 minutes 45
22 seconds, a chord bearing of South 41 degrees 39 minutes 12 seconds
23 West, and a chord distance of 170.20 feet;
24 Southwesterly along said curve for an arc length of 170.52 feet to a
25 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
26 for corner;
27 South 35 degrees 32 minutes 50 seconds West, a distance of 100.00

1 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
2 Company" set for the beginning of a tangent curve to the right
3 having a radius of 300.00 feet, a central angle of 08 degrees 50
4 minutes 10 seconds, a chord bearing of South 39 degrees 57 minutes
5 55 seconds West, and a chord distance of 46.22 feet;
6 Southwesterly along said curve for an arc length of 46.27 feet to a
7 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
8 for corner;
9 South 44 degrees 23 minutes 00 seconds West, a distance of 100.00
10 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
11 Company" set for the beginning of a tangent curve to the left having
12 a radius of 900.00 feet, a central angle of 27 degrees 31 minutes 30
13 seconds, a chord bearing of South 30 degrees 37 minutes 15 seconds
14 West, and a chord distance of 428.22 feet;
15 Southwesterly along said curve for an arc length of 432.36 feet to a
16 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
17 for corner;
18 South 16 degrees 51 minutes 30 seconds West, a distance of 205.87
19 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
20 Company" set for the beginning of a non-tangent curve to the right
21 having a radius of 400.00 feet, a central angle of 33 degrees 15
22 minutes 03 seconds, a chord bearing of South 31 degrees 39 minutes
23 05 seconds West, and a chord distance of 228.89 feet;
24 Southwesterly along said curve for an arc length of 232.13 feet to a
25 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
26 for corner;
27 South 48 degrees 16 minutes 36 seconds West, a distance of 100.00

1 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
2 Company" set for the beginning of a tangent curve to the left having
3 a radius of 800.00 feet, a central angle of 56 degrees 31 minutes 24
4 seconds, a chord bearing of South 20 degrees 00 minutes 54 seconds
5 West, and a chord distance of 757.60 feet;
6 Southwesterly along said curve for an arc length of 789.21 feet to a
7 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
8 for corner;
9 South 08 degrees 14 minutes 48 seconds East, a distance of 47.60
10 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
11 Company" set for the beginning of a tangent curve to the right
12 having a radius of 500.00 feet, a central angle of 55 degrees 58
13 minutes 53 seconds, a chord bearing of South 19 degrees 44 minutes
14 38 seconds West, and a chord distance of 469.33 feet;
15 Southwesterly along said curve for an arc length of 488.53 feet to a
16 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
17 for the beginning of a reverse curve to the left having a radius of
18 600.00 feet, a central angle of 25 degrees 23 minutes 21 seconds, a
19 chord bearing of South 35 degrees 02 minutes 24 seconds West, and a
20 chord distance of 263.70 feet;
21 Southwesterly along said curve for an arc length of 265.87 feet to a
22 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
23 for corner;
24 South 22 degrees 20 minutes 44 seconds West, a distance of 350.00
25 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
26 Company" set for the beginning of a tangent curve to the right
27 having a radius of 600.00 feet, a central angle of 15 degrees 00

1 minutes 00 seconds, a chord bearing of South 29 degrees 50 minutes
2 44 seconds West, and a chord distance of 156.63 feet;
3 Southwesterly along said curve for an arc length of 157.08 feet to a
4 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
5 for corner;
6 South 37 degrees 20 minutes 44 seconds West, a distance of 250.00
7 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
8 Company" set for the beginning of a tangent curve to the left having
9 a radius of 600.00 feet, a central angle of 10 degrees 00 minutes 00
10 seconds, a chord bearing of South 32 degrees 20 minutes 44 seconds
11 West, and a chord distance of 104.59 feet;
12 Southwesterly along said curve for an arc length of 104.72 feet to a
13 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
14 for the beginning of a reverse curve to the right having a radius of
15 600.00 feet, a central angle of 18 degrees 00 minutes 00 seconds, a
16 chord bearing of South 36 degrees 20 minutes 44 seconds West, and a
17 chord distance of 187.72 feet;
18 Southwesterly along said curve for an arc length of 188.50 feet to a
19 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
20 for corner;
21 South 45 degrees 20 minutes 27 seconds West, a distance of 400.00
22 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
23 Company" set in the southwest line of said WED Limited Partnership
24 Tract, from which a 1/2 inch iron rod found for the most westerly
25 corner of a called One Acre tract of land, bears South 44 degrees 39
26 minutes 33 seconds East, a distance of 1167.10 feet;
27 THENCE North 44 degrees 39 minutes 33 seconds West, along said

1 southwest line, a distance of 250.00 feet to a 1/2 inch iron rod
2 with a cap stamped "Arthur Surveying Company" set for corner, same
3 being the east corner of the remainder of a called 165.695 acre
4 tract of land described in deed to Max B. Chapman and wife Beverly
5 Ann Chapman, as recorded in Volume 643, Page 838 of the Deed Records
6 of Rockwall County, Texas,

7 THENCE North 44 degrees 39 minutes 16 seconds West, along the
8 northeast line of said Chapman Tract, and a called 95.6 acre tract
9 of land described in deed to Glenn R. Rash, as recorded in Volume
10 421, Page 353 of the Deed Records of Kaufman County, Texas, a
11 distance of 1647.27 feet to a 1/2 inch iron rod with a cap stamped
12 "Arthur Surveying Company" set for the most southerly corner of the
13 aforementioned Tract No. 2;

14 THENCE North 44 degrees 39 minutes 20 seconds West, along the
15 northeast line of said Rash Tract, and a called 207.46 acre tract of
16 land described in deed to Janice Sue Mann, as recorded in Volume
17 2991, Page 290 of the Deed Records of Rockwall County, Texas, a
18 distance of 2740.97 feet to a 1/2 inch iron rod found for corner;

19 THENCE South 45 degrees 20 minutes 40 seconds West, along the
20 northwest line of said Mann Tract, a distance of 967.65 feet to a
21 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
22 for corner in Smith Road;

23 THENCE North 44 degrees 58 minutes 53 seconds West, along or near
24 the centerline of said Smith Road, a distance of 1548.75 feet to a
25 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
26 in or near the centerline of Klutts Road, same being the most
27 southerly corner of a called 199.719 acre tract of land described in

1 deed to Beverly Farrar, as recorded in Volume 1150, Page 112 of the
2 Deed Records of Rockwall County, Texas;
3 THENCE North 45 degrees 07 minutes 33 seconds East, along the
4 southeast line of said Farrar Tract, same being in or near the
5 centerline of said road, a distance of 2129.15 feet to a 1/2 inch
6 iron rod with a cap stamped "Arthur Surveying Company" set for
7 corner;
8 THENCE North 44 degrees 57 minutes 36 seconds East, continuing
9 along said southeast line, a distance of 2894.76 feet to a 1/2 inch
10 iron rod found for the west corner of a called 25.337 acre tract of
11 land described in deed to Jerry L. Klutts and Rita C. Klutts, as
12 recorded in Volume 1119, Page 22 of the Deed Records of Rockwall
13 County, Texas;
14 THENCE South 45 degrees 35 minutes 10 seconds East, along the
15 southwest line of said Klutts Tract, a distance of 932.43 feet to a
16 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
17 for corner;
18 THENCE North 45 degrees 00 minutes 08 seconds East, along the
19 southeast line of said Klutts Tracts, and a called 12.000 acre tract
20 of land described in deed to Veterans Land Board of the State of
21 Texas, as recorded in Volume 181, Page 567 of the Deed Records of
22 Rockwall County, Texas, a distance of 2400.54 feet to a 1/2 inch
23 iron rod with a cap stamped "Arthur Surveying Company" set for the
24 most easterly corner of said Veterans Land Board of the State of
25 Texas Tract;
26 THENCE over and across said Tract No. 1, the following courses and
27 distances:

1 South 44 degrees 25 minutes 26 seconds East, a distance of 1103.00
2 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
3 Company" set for corner;
4 North 31 degrees 56 minutes 53 seconds East, a distance of 400.00
5 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
6 Company" set for corner;
7 North 34 degrees 36 minutes 26 seconds East, a distance of 400.00
8 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
9 Company" set for corner;
10 North 37 degrees 36 minutes 23 seconds East, a distance of 400.00
11 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12 Company" set for corner;
13 North 37 degrees 04 minutes 25 seconds East, a distance of 284.94
14 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
15 Company" set in the west right of way line of said State Highway No.
16 205, from which a 1/2 inch iron rod found bears North 48 degrees 15
17 minutes 04 seconds West, a distance 109.00 feet;
18 THENCE South 48 degrees 15 minutes 04 seconds East, along said west
19 right of way line, a distance of 1071.21 feet to a 1/2 inch iron rod
20 with a cap stamped "Arthur Surveying Company" set for the beginning
21 of a non-tangent curve to the right having a radius of 10555.41
22 feet, a central angle of 03 degrees 38 minutes 18 seconds, a chord
23 bearing of South 46 degrees 09 minutes 03 seconds East, and a chord
24 distance of 670.16 feet;
25 THENCE Southeasterly along said curve for an arc length of 670.27
26 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
27 Company" set for corner;

1 THENCE South 44 degrees 36 minutes 15 seconds East, continuing
2 along said west right of way line, a distance of 44.68 feet to the
3 POINT OF BEGINNING and containing 802.220 acres of land, more or
4 less, and being subject to any and all easements that may affect.

5 SECTION 3. LEGISLATIVE FINDINGS. The legislature finds
6 that:

7 (1) proper and legal notice of the intention to
8 introduce this Act, setting forth the general substance of this
9 Act, has been published as provided by law, and the notice and a
10 copy of this Act have been furnished to all persons, agencies,
11 officials, or entities to which they are required to be furnished by
12 the constitution and laws of this state, including the governor,
13 who has submitted the notice and Act to the Texas Commission on
14 Environmental Quality;

15 (2) the Texas Commission on Environmental Quality has
16 filed its recommendations relating to this Act with the governor,
17 lieutenant governor, and speaker of the house of representatives
18 within the required time;

19 (3) the general law relating to consent by political
20 subdivisions to the creation of districts with conservation,
21 reclamation, and road powers and the inclusion of land in those
22 districts has been complied with; and

23 (4) all requirements of the constitution and laws of
24 this state and the rules and procedures of the legislature with
25 respect to the notice, introduction, and passage of this Act have
26 been fulfilled and accomplished.

27 SECTION 4. EFFECTIVE DATE. This Act takes effect

C.S.H.B. No. 4085

1 immediately if it receives a vote of two-thirds of all the members
2 elected to each house, as provided by Section 39, Article III, Texas
3 Constitution. If this Act does not receive the vote necessary for
4 immediate effect, this Act takes effect September 1, 2007.