

1-1 By: Laubenberg, Brown of Kaufman H.B. No. 4085
1-2 (Senate Sponsor - Deuell)
1-3 (In the Senate - Received from the House May 18, 2007;
1-4 May 18, 2007, read first time and referred to Committee on Natural
1-5 Resources; May 19, 2007, reported favorably by the following vote:
1-6 Yeas 9, Nays 0; May 19, 2007, sent to printer.)

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

1-9 relating to the creation of the Triple Creek Municipal Management
1-10 District; providing authority to levy an assessment, impose a tax,
1-11 and issue bonds.

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

1-13 SECTION 1. TRIPLE CREEK MANAGEMENT DISTRICT. Subtitle C,
1-14 Title 4, Special District Local Laws Code, is amended by adding
1-15 Chapter 3851 to read as follows:

1-16 CHAPTER 3851. TRIPLE CREEK MUNICIPAL MANAGEMENT DISTRICT

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 3851.001. DEFINITIONS. In this chapter:

1-19 (1) "Board" means the board of directors of the
1-20 district.

1-21 (2) "City" means the city of McLendon-Chisholm.

1-22 (3) "District" means the Triple Creek Municipal
1-23 Management District.

1-24 (4) "Improvement project" means a program or project
1-25 authorized by Section 3851.102, inside or outside the district.

1-26 Sec. 3851.002. CREATION AND NATURE OF DISTRICT. The Triple
1-27 Creek Municipal Management District is a special district created
1-28 under Section 59, Article XVI, Texas Constitution.

1-29 Sec. 3851.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The
1-30 creation of the district is essential to accomplish the purposes of
1-31 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-32 Texas Constitution, and other public purposes stated in Section
1-33 375.001, Local Government Code, and Section 54.012, Water Code. By
1-34 creating the district and in authorizing the city and other
1-35 political subdivisions to contract with the district, the
1-36 legislature has established a program to accomplish the public
1-37 purposes set out in Section 52-a, Article III, Texas Constitution.

1-38 (b) This chapter and the creation of the district may not be
1-39 interpreted to relieve the City or Rockwall or Kaufman County from
1-40 providing the level of services provided as of the effective date of
1-41 the Act enacting this chapter to the area in the district. The
1-42 district is created to supplement and not to supplant the city and
1-43 county services provided in the area in the district.

1-44 Sec. 3851.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
1-45 The district is created to serve a public use and benefit.

1-46 (b) All land and other property included in the district
1-47 will benefit from the improvements and services to be provided by
1-48 the district under powers conferred by Sections 52 and 52-a,
1-49 Article III, and Section 59, Article XVI, Texas Constitution, and
1-50 other powers granted under this chapter.

1-51 (c) The creation of the district is in the public interest
1-52 and is essential to accomplish the purposes stated in Section
1-53 375.001, Local Government Code, and Section 54.012, Water Code.

1-54 Sec. 3851.005. DISTRICT TERRITORY. (a) The district is
1-55 composed of the territory described by Section 2 of the Act enacting
1-56 this chapter, as that territory may have been modified under
1-57 Section 3851.106.

1-58 (b) A mistake in the field notes of the district contained
1-59 in Section 2 of the Act enacting this chapter or in copying the
1-60 field notes in the legislative process does not in any way affect:

1-61 (1) the district's organization, existence, or
1-62 validity;

1-63 (2) the district's right to contract, including the
1-64 right to issue any type of bond or other obligation for a purpose

2-1 for which the district is created;
 2-2 (3) the district's right to impose or collect an
 2-3 assessment, tax, or any other revenue; or
 2-4 (4) the legality or operation of the board.

2-5 Sec. 3851.006. APPLICABILITY OF MUNICIPAL MANAGEMENT
 2-6 DISTRICTS LAW. Except as otherwise provided by this chapter,
 2-7 Chapter 375, Local Government Code, applies to the district.

2-8 [Sections 3851.007-3851.050 reserved for expansion]

2-9 SUBCHAPTER B. BOARD OF DIRECTORS

2-10 Sec. 3851.051. GOVERNING BODY; TERMS. The district is
 2-11 governed by a board of five directors who serve staggered terms of
 2-12 four years, with two or three directors' terms expiring November 30
 2-13 of each even-numbered year.

2-14 Sec. 3851.052. ELECTION DATE. The board shall hold
 2-15 elections for directors on the uniform election date in November in
 2-16 even-numbered years.

2-17 Sec. 3851.053. ELIGIBILITY. To be qualified to serve as a
 2-18 director, a person must be at least 18 years of age and:

- 2-19 (1) reside in the district and be qualified to vote;
- 2-20 (2) own real property in the district; or
- 2-21 (3) have served as an initial director.

2-22 Sec. 3851.054. VACANCY. The remaining directors shall fill
 2-23 a vacancy on the board by appointing a person who meets the
 2-24 qualifications prescribed by Section 3851.053.

2-25 Sec. 3851.055. DISTRICT CONFIRMATION ELECTION. (a) As
 2-26 soon as practicable after all initial directors have qualified for
 2-27 office, the board shall hold an organizational meeting and call a
 2-28 confirmation election to be held not later than the second uniform
 2-29 election date occurring after the date of the organizational
 2-30 meeting.

2-31 (b) The board shall hold the confirmation election to
 2-32 confirm the establishment of the district in the manner provided by
 2-33 Subchapter D, Chapter 49, Water Code, not later than the second
 2-34 uniform election date after:

- 2-35 (1) the governing body of the city, by resolution,
 2-36 consents to the holding of the election; and
- 2-37 (2) the district and the city agree on the development
 2-38 plans and rules for the district.

2-39 (c) Before the district is confirmed at an election, the
 2-40 district may carry on business as the board may determine except
 2-41 that the district may not borrow money or impose or assess a tax or
 2-42 an assessment.

2-43 (d) If the creation of the district is not confirmed at a
 2-44 confirmation election held before September 1, 2010:

2-45 (1) the district is dissolved on September 1, 2010,
 2-46 except that the district shall:

- 2-47 (A) pay any debts incurred;
- 2-48 (B) transfer to the city any assets that remain
 2-49 after the payment of debts; and
- 2-50 (C) maintain the organization of the district
 2-51 until all debts are paid and remaining assets are transferred; and

2-52 (2) this chapter expires September 1, 2010.

2-53 Sec. 3851.056. INITIAL DIRECTORS. (a) The initial board
 2-54 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> |

2-61 (b) Of the initial directors, the terms of directors
 2-62 appointed for positions 1 and 2 expire November 30, 2008, and the
 2-63 terms of directors appointed for positions 3 through 5 expire
 2-64 November 30, 2010.

2-65 (c) Section 49.052(a), Water Code, does not apply to an
 2-66 initial director.

2-67 (d) This section expires September 1, 2011.

2-68 [Sections 3851.057-3851.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

3-1 Sec. 3851.101. GENERAL POWERS AND DUTIES. The district has
 3-2 the powers and duties provided by:

3-3 (1) the general laws relating to conservation and
 3-4 reclamation districts created under Section 59, Article XVI, Texas
 3-5 Constitution, including Chapters 49 and 54, Water Code;

3-6 (2) the general laws relating to road districts and
 3-7 road utility districts created under Section 52(b), Article III,
 3-8 Texas Constitution, including Chapter 441, Transportation Code;

3-9 (3) Subchapter A, Chapter 372, Local Government Code,
 3-10 in the same manner as a municipality or a county;

3-11 (4) Chapter 375, Local Government Code; and

3-12 (5) Section 4B, Development Corporation Act of 1979
 3-13 (Article 5190.6, Vernon's Texas Civil Statutes).

3-14 Sec. 3851.102. IMPROVEMENT PROJECTS. (a) The district may
 3-15 provide, or it may enter into contracts with a governmental or
 3-16 private entity to provide, improvement projects or activities in
 3-17 support of or incidental to district projects authorized under
 3-18 Section 3851.101.

3-19 (b) An improvement project must comply with any applicable
 3-20 city codes and ordinances.

3-21 (c) The district may not provide, conduct, or authorize any
 3-22 improvement project on the city streets, highways, rights-of-way,
 3-23 or easements without the consent of the governing body of the city.

3-24 (d) Subject to the agreement required by Section
 3-25 3851.055(b)(2), the city may:

3-26 (1) require that title to all or any portion of an
 3-27 improvement project vest in the city; or

3-28 (2) by ordinance or other directive authorize the
 3-29 district to own, encumber, maintain, and operate an improvement
 3-30 project, subject to the right of the city to order a conveyance of
 3-31 the project to the city on a date determined by the city.

3-32 Sec. 3851.103. GENERAL POWERS REGARDING CONTRACTS. (a)
 3-33 The district may:

3-34 (1) contract with a state agency, municipality,
 3-35 county, other political subdivision, corporation, individual, or
 3-36 other entity to carry out the purposes of the district, including a
 3-37 contract for:

3-38 (A) the payment, repayment, or reimbursement of
 3-39 costs incurred on behalf of the district, including all or part of
 3-40 the costs of an improvement project and interest on the reimbursed
 3-41 cost; or

3-42 (B) the use, occupancy, lease, rental,
 3-43 operation, maintenance, or management of all or part of a proposed
 3-44 or existing improvement project; and

3-45 (2) apply for and contract with a state agency,
 3-46 municipality, county, other political subdivision, corporation,
 3-47 individual, or other entity to receive, administer, and perform a
 3-48 duty or obligation of the district under a federal, state, local, or
 3-49 private gift, grant, loan, conveyance, transfer, bequest, or other
 3-50 financial assistance arrangement relating to the investigation,
 3-51 planning, analysis, study, design, acquisition, construction,
 3-52 improvement, completion, implementation, or operation by the
 3-53 district or others of a proposed or existing improvement project.

3-54 (b) A contract payable from ad valorem taxes for a period
 3-55 longer than one year must be approved by the governing body of the
 3-56 city.

3-57 Sec. 3851.104. RULES; ENFORCEMENT. (a) The district may
 3-58 adopt and enforce rules:

3-59 (1) to administer or operate the district;

3-60 (2) for the use, enjoyment, availability, protection,
 3-61 security, and maintenance of the district's properties and
 3-62 facilities; or

3-63 (3) to provide for public safety and security in the
 3-64 district.

3-65 (b) The district may enforce its rules by injunctive relief.

3-66 Sec. 3851.105. NAME CHANGE. The board by resolution may
 3-67 change the district's name. The board shall give written notice of
 3-68 the change to the city.
 3-69

4-1 Sec. 3851.106. ADDING OR REMOVING TERRITORY. The board may
4-2 add or remove territory under Subchapter J, Chapter 49, and Section
4-3 54.016, Water Code, except that:

4-4 (1) the addition or removal of the territory must be
4-5 approved by:

4-6 (A) the governing body of the city; and
4-7 (B) the owners of the territory being added or
4-8 removed;

4-9 (2) a reference to a tax in Subchapter J, Chapter 49,
4-10 or Section 54.016, Water Code, means an ad valorem tax; and

4-11 (3) territory may not be removed from the district if
4-12 bonds or other obligations of the district payable wholly or partly
4-13 from ad valorem taxes on the territory are outstanding.

4-14 [Sections 3851.107-3851.150 reserved for expansion]

4-15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

4-16 Sec. 3851.151. GENERAL POWERS REGARDING FINANCIAL MATTERS.
4-17 The district may:

4-18 (1) impose an ad valorem tax in accordance with
4-19 Chapter 375, Local Government Code, on all taxable property in the
4-20 district to pay for an improvement project;

4-21 (2) impose an assessment or impact fee in the manner
4-22 provided for a municipality or county under Subchapter A, Chapter
4-23 372, Local Government Code, on all industrial, commercial, and
4-24 residential property in the district to pay for an improvement
4-25 project;

4-26 (3) impose a rate, fee, including an impact fee, or
4-27 charge for the use of an improvement project or the consumption of a
4-28 product resulting from an improvement project;

4-29 (4) borrow money for a district purpose by issuing or
4-30 executing bonds, notes, credit agreements, or other obligations of
4-31 any kind found by the board to be necessary or appropriate for the
4-32 district purpose;

4-33 (5) establish, revise, repeal, enforce, collect, and
4-34 apply the proceeds from a user fee or charge for the enjoyment,
4-35 sale, rental, or other use of a district facility, service,
4-36 property, or improvement project;

4-37 (6) provide or secure the payment or repayment of the
4-38 costs and expenses of the establishment, administration, and
4-39 operation of the district and the district's costs or share of the
4-40 costs or revenue of an improvement project or district contractual
4-41 obligation or indebtedness by or through a lease, installment
4-42 purchase contract, or other agreement with any person, or the
4-43 imposition of taxes, assessments, user fees, concessions, rentals,
4-44 or other revenue or resources of the district;

4-45 (7) establish user charges related to the operation of
4-46 various public services, including public water supply services,
4-47 for the collection and treatment of wastewater, and for the
4-48 operation of storm-water facilities, including the regulation of
4-49 storm water for the protection of water quality in the district; and

4-50 (8) undertake separately or jointly with other
4-51 persons, including the city, Kaufman County, or Rockwall County,
4-52 all or part of the cost of an improvement project, including an
4-53 improvement project:

4-54 (A) for improving, enhancing, and supporting
4-55 public safety and security, fire protection and emergency medical
4-56 services, and law enforcement in and adjacent to the district; or

4-57 (B) that confers a general benefit on the entire
4-58 district or a special benefit on a definable part of the district.

4-59 Sec. 3851.152. IMPACT FEES AND ASSESSMENTS; EXEMPTION. (a)
4-60 The district may impose an impact fee or assessment on property in
4-61 the district, including an impact fee or assessment on residential
4-62 or commercial property, only in the manner provided by Subchapter
4-63 A, Chapter 372, or Subchapter F, Chapter 375, Local Government
4-64 Code, for a municipality, county, or public improvement district,
4-65 according to the benefit received by the property.

4-66 (b) An impact fee for residential property must be for the
4-67 limited purpose of providing capital funding for:

4-68 (1) public water and wastewater facilities;
4-69 (2) drainage and storm-water facilities; and

5-1 (3) streets and alleys.

5-2 (c) An assessment, a reassessment, or an assessment
 5-3 resulting from an addition to or correction of the assessment roll
 5-4 by the district, penalties and interest on an assessment or
 5-5 reassessment, an expense of collection, and reasonable attorney's
 5-6 fees incurred by the district:

5-7 (1) are a first and prior lien against the property
 5-8 assessed; and

5-9 (2) are superior to any other lien or claim other than
 5-10 a lien or claim for county, school district, or municipal ad valorem
 5-11 taxes.

5-12 (d) The board may make a correction to or deletion from the
 5-13 assessment roll that does not increase the amount of assessment of
 5-14 any parcel of land without providing notice and holding a hearing in
 5-15 the manner required for additional assessments.

5-16 (e) The district may not impose an impact fee on the
 5-17 property, including equipment and facilities, of a public utility
 5-18 provider in the district.

5-19 (f) Section 375.161, Local Government Code, does not apply
 5-20 to the district.

5-21 Sec. 3851.153. MAINTENANCE AND OPERATION TAX; ELECTION.

5-22 (a) The district may impose a tax for maintenance and operation
 5-23 purposes, including for:

5-24 (1) planning, constructing, acquiring, maintaining,
 5-25 repairing, and operating all necessary land, plants, works,
 5-26 facilities, improvements, appliances, and equipment of the
 5-27 district; and

5-28 (2) paying costs of services, engineering and legal
 5-29 fees, and organization and administrative expenses.

5-30 (b) The district may not impose a maintenance and operation
 5-31 tax unless the tax is approved by the governing body of the city and
 5-32 a majority of the voters voting at an election held for that
 5-33 purpose. If the tax is approved, the board may impose the tax in the
 5-34 same manner as other district ad valorem taxes.

5-35 (c) A maintenance and operation tax election may be held at
 5-36 the same time and in conjunction with any other district election.
 5-37 The election may be called by a separate election order or as part
 5-38 of any other election order.

5-39 (d) The proposition in a maintenance and operation tax
 5-40 election may be for a specific maximum rate.

5-41 Sec. 3851.154. BONDS AND OTHER OBLIGATIONS; MUNICIPAL
 5-42 APPROVAL. (a) The district may issue by competitive bid or
 5-43 negotiated sale bonds, notes, or other obligations payable wholly
 5-44 or partly from ad valorem taxes or assessments in the manner
 5-45 provided by Subchapter A, Chapter 372, or Subchapter J, Chapter
 5-46 375, Local Government Code.

5-47 (b) In exercising the district's borrowing power, the
 5-48 district may issue a bond or other obligation in the form of a bond,
 5-49 note, certificate of participation or other instrument evidencing a
 5-50 proportionate interest in payments to be made by the district, or
 5-51 other type of obligation.

5-52 (c) In addition to the sources of money described by
 5-53 Subchapter A, Chapter 372, and Subchapter J, Chapter 375, Local
 5-54 Government Code, district bonds may be secured and made payable,
 5-55 wholly or partly, by a pledge of any part of the net proceeds the
 5-56 district receives from any other district revenue.

5-57 (d) District bonds payable by ad valorem taxes may not be
 5-58 issued unless the bonds and the taxes are approved by:

5-59 (1) the governing body of the city; and

5-60 (2) a majority of the district voters voting in an
 5-61 election called for that purpose.

5-62 (e) The city is not obligated to pay, repay, or guarantee
 5-63 any bonds, notes, or other obligations of the district unless the
 5-64 city dissolves the district under Subchapter E.

5-65 Sec. 3851.155. BOND MATURITY. Bonds may mature not more
 5-66 than 40 years from their date of issue.

5-67 Sec. 3851.156. TAXES FOR BONDS AND OTHER OBLIGATIONS. (a)
 5-68 At the time bonds or other obligations payable wholly or partly from
 5-69 ad valorem taxes are issued:

6-1 (1) the board shall impose a continuing direct annual
6-2 ad valorem tax for each year that all or part of the bonds are
6-3 outstanding; and

6-4 (2) the district annually shall impose an ad valorem
6-5 tax on all taxable property in the district in an amount sufficient
6-6 to:

6-7 (A) pay the interest on the bonds or other
6-8 obligations as the interest becomes due;

6-9 (B) create a sinking fund for the payment of the
6-10 principal of the bonds or other obligations when due or the
6-11 redemption price at any earlier required redemption date; and

6-12 (C) pay the expenses of imposing the taxes.

6-13 (b) Bonds or other obligations that are secured by and
6-14 payable from ad valorem taxes may not be issued unless the bonds and
6-15 the imposition of the taxes are approved by a majority of the voters
6-16 in the district voting at an election held for that purpose.

6-17 (c) The district shall hold an election required by this
6-18 section in the manner provided by Subchapter L, Chapter 375, Local
6-19 Government Code.

6-20 [Sections 3851.157-3851.200 reserved for expansion]

6-21 SUBCHAPTER E. DISSOLUTION

6-22 Sec. 3851.201. DISSOLUTION. (a) The city by ordinance
6-23 adopted by a two-thirds majority vote of its governing body may
6-24 dissolve the district.

6-25 (b) The city may not dissolve the district until the
6-26 district's outstanding indebtedness or contractual obligations
6-27 payable from ad valorem taxes have been repaid or discharged.

6-28 (c) After the city dissolves the district, the city assumes
6-29 the obligations of the district, including any bonds or other
6-30 indebtedness payable from assessments or other district revenue.

6-31 (d) If the city dissolves the district, the board shall
6-32 transfer ownership of all district property to the city.

6-33 SECTION 2. BOUNDARIES. As of the effective date of this
6-34 Act, the Triple Creek Management District includes all territory
6-35 contained in the following three described tracts of land located
6-36 in the corporate limits of the city of McLendon-Chisholm, partially
6-37 in Kaufman County, and partially in Rockwall County, and described
6-38 by metes and bounds as follows:

6-39 TRACT ONE: 352.817 Acres Located in Rockwall County and Kaufman
6-40 County, Texas:

6-41 BEING all that certain lot, tract or parcel of land situated in the
6-42 King Latham Survey, Abstract Number 133, located in Rockwall
6-43 County, Texas and King Latham Survey, Abstract Number 622, located
6-44 in Kaufman County, Texas, and being a portion of a called 203.728
6-45 acre tract of land described in deed to WED Limited Partnership, as
6-46 recorded in Volume 2053, Page 273 of the Deed Records of Rockwall
6-47 County, Texas, and also being a portion of Tract No. 1, a called
6-48 850.14 acre tract of land described in deed to The
6-49 McLendon-Chisholm Ranch, L.P., as recorded in Volume 4492, Page 101
6-50 of the Deed Records of Rockwall County, Texas and being more
6-51 particularly described by metes and bounds as follows:

6-52 BEGINNING at a 1/2 inch iron rod with a cap stamped "Arthur
6-53 Surveying Company" set in the west right of way line of State
6-54 Highway No. 205 (a variable width right of way);

6-55 THENCE South 44 degrees 36 minutes 15 seconds East, along said west
6-56 right of way line, a distance of 2208.26 feet to a 1/2 inch iron rod
6-57 with cap stamped "Weir & Associates" found for the most northerly
6-58 corner of Lot 27, Block A, Chisholm Ranch Estates Addition, an
6-59 addition to Rockwall County, according to the plat recorded in
6-60 Cabinet F, Page 247, of the Plat Records of Rockwall County, Texas;

6-61 THENCE South 45 degrees 14 minutes 10 seconds West, along the
6-62 northwest line of Block A, of said Chisholm Ranch Estates Addition,
6-63 a distance of 3117.04 feet to a 1/2 inch iron rod found for corner;

6-64 THENCE South 44 degrees 27 minutes 13 seconds East, along the
6-65 southwest line of Block A, of said Chisholm Ranch Estates Addition,
6-66 a distance of 923.44 feet to a 1/2 inch iron rod with a cap stamped
6-67 "Arthur Surveying Company" set, from which a 1/2 inch iron rod found
6-68 in the northwest right of way line of Farm to Market Road No. 548
6-69 bears South 44 degrees 27 minutes 13 seconds East, a distance of

7-1 2260.45 feet;
7-2 THENCE South 44 degrees 18 minutes 39 seconds West, along the
7-3 northwest line of a tract of land described in deed to Dorothy Lynn
7-4 Sulling, Martha Nell McAllister, Mary Elizabeth Awanessian &
7-5 William Dewey Samuels, Jr., as recorded in Volume 579, Page 86 of
7-6 the Deed Records of Rockwall County, Texas, a distance of 1159.29
7-7 feet to a 1/2 inch iron rod found for corner;
7-8 THENCE South 45 degrees 50 minutes 06 seconds West, continuing
7-9 along said northwest line, a distance of 1874.24 feet to a 1/2 inch
7-10 iron rod found in the northeast line of said WED Limited Partnership
7-11 Tract;
7-12 THENCE South 44 degrees 02 minutes 51 seconds East, along the
7-13 southwest line of said Dorothy Lynn Sulling, Martha Nell
7-14 McAllister, Mary Elizabeth Awanessian & William Dewey Samuels, Jr.
7-15 Tract, a distance of 2229.61 feet to a 1/2 inch iron rod found in the
7-16 northwest right of way line of said Farm to Market Road No. 548, for
7-17 the beginning of a non-tangent curve to the right having a radius of
7-18 1395.90 feet, a central angle of 19 degrees 43 minutes 37 seconds, a
7-19 chord bearing of South 65 degrees 19 minutes 10 seconds West, and a
7-20 chord distance of 478.24 feet;
7-21 THENCE along said northwest right of way line, the following
7-22 courses and distances:
7-23 Southwesterly along said curve for an arc length of 480.61 feet to a
7-24 concrete monument found for corner;
7-25 South 75 degrees 19 minutes 35 seconds West, a distance of 511.95
7-26 feet to a concrete monument found for corner by a wooden right of
7-27 way marker, for the beginning of a tangent curve to the left having
7-28 a radius of 1481.35 feet, a central angle of 30 degrees 01 minutes
7-29 03 seconds, a chord bearing of South 60 degrees 20 minutes 50
7-30 seconds West, and a chord distance of 767.24 feet;
7-31 Southwesterly along said curve for an arc length of 776.09 feet to a
7-32 concrete monument found for corner by a wooden right of way marker;
7-33 South 45 degrees 23 minutes 00 seconds West, a distance of 190.29
7-34 feet to a 1/2 inch iron rod found for the most southerly corner of
7-35 said WED Limited Partnership Tract;
7-36 THENCE North 44 degrees 39 minutes 33 seconds West, along the
7-37 southwest line of said WED Limited Partnership Tract, a distance of
7-38 2082.11 feet to a 1/2 inch iron rod with a cap stamped "Arthur
7-39 Surveying Company" set for corner;
7-40 THENCE over and across said WED Limited Partnership Tract and said
7-41 Tract No. 1, the following courses and distances:
7-42 North 45 degrees 20 minutes 27 seconds East, a distance of 400.00
7-43 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
7-44 Company" set for the beginning of a tangent curve to the left having
7-45 a radius of 600.00 feet, a central angle of 18 degrees 00 minutes 00
7-46 seconds, a chord bearing of North 36 degrees 20 minutes 44 seconds
7-47 East, and a chord distance of 187.72 feet;
7-48 Northeasterly along said curve for an arc length of 188.50 feet to a
7-49 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
7-50 for the beginning of a reverse curve to the right having a radius of
7-51 600.00 feet, a central angle of 10 degrees 00 minutes 00 seconds, a
7-52 chord bearing of North 32 degrees 20 minutes 44 seconds East, and a
7-53 chord distance of 104.59 feet;
7-54 Northeasterly along said curve for an arc length of 104.72 feet to a
7-55 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
7-56 for corner;
7-57 North 37 degrees 20 minutes 44 seconds East, a distance of 250.00
7-58 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
7-59 Company" set for the beginning of a tangent curve to the left having
7-60 a radius of 600.00 feet, a central angle of 15 degrees 00 minutes 00
7-61 seconds, a chord bearing of North 29 degrees 50 minutes 44 seconds
7-62 East, and a chord distance of 156.63 feet;
7-63 Northeasterly along said curve for an arc length of 157.08 feet to a
7-64 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
7-65 for corner;
7-66 North 22 degrees 20 minutes 44 seconds East, a distance of 350.00
7-67 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
7-68 Company" set for the beginning of a tangent curve to the right
7-69 having a radius of 600.00 feet, a central angle of 25 degrees 23

8-1 minutes 21 seconds, a chord bearing of North 35 degrees 02 minutes
8-2 24 seconds East, and a chord distance of 263.70 feet;
8-3 Northeasterly along said curve for an arc length of 265.87 feet to a
8-4 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
8-5 for the beginning of a reverse curve to the left having a radius of
8-6 500.00 feet, a central angle of 55 degrees 58 minutes 53 seconds, a
8-7 chord bearing of North 19 degrees 44 minutes 38 seconds East, and a
8-8 chord distance of 469.33 feet;
8-9 Northeasterly along said curve for an arc length of 488.53 feet to a
8-10 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
8-11 for corner;
8-12 North 08 degrees 14 minutes 48 seconds West, a distance of 47.60
8-13 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
8-14 Company" set for the beginning of a tangent curve to the right
8-15 having a radius of 800.00 feet, a central angle of 56 degrees 31
8-16 minutes 24 seconds, a chord bearing of North 20 degrees 00 minutes
8-17 54 seconds East, and a chord distance of 757.60 feet;
8-18 Northeasterly along said curve for an arc length of 789.21 feet to a
8-19 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
8-20 for corner;
8-21 North 48 degrees 16 minutes 36 seconds East, a distance of 100.00
8-22 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
8-23 Company" set for the beginning of a tangent curve to the left having
8-24 a radius of 400.00 feet, a central angle of 33 degrees 15 minutes 03
8-25 seconds, a chord bearing of North 31 degrees 39 minutes 05 seconds
8-26 East, and a chord distance of 228.89 feet;
8-27 Northeasterly along said curve for an arc length of 232.13 feet to a
8-28 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
8-29 for corner;
8-30 North 16 degrees 51 minutes 30 seconds East, a distance of 205.87
8-31 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
8-32 Company" set for the beginning of a tangent curve to the right
8-33 having a radius of 900.00 feet, a central angle of 27 degrees 31
8-34 minutes 30 seconds, a chord bearing of North 30 degrees 37 minutes
8-35 15 seconds East, and a chord distance of 428.22 feet;
8-36 Northeasterly along said curve for an arc length of 432.36 feet to a
8-37 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
8-38 for corner;
8-39 North 44 degrees 23 minutes 00 seconds East, a distance of 100.00
8-40 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
8-41 Company" set for the beginning of a tangent curve to the left having
8-42 a radius of 300.00 feet, a central angle of 08 degrees 50 minutes 10
8-43 seconds, a chord bearing of North 39 degrees 57 minutes 55 seconds
8-44 East, and a chord distance of 46.22 feet;
8-45 Northeasterly along said curve for an arc length of 46.27 feet to a
8-46 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
8-47 for corner;
8-48 North 35 degrees 32 minutes 50 seconds East, a distance of 100.00
8-49 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
8-50 Company" set for the beginning of a tangent curve to the right
8-51 having a radius of 800.00 feet, a central angle of 12 degrees 12
8-52 minutes 45 seconds, a chord bearing of North 41 degrees 39 minutes
8-53 12 seconds East, and a chord distance of 170.20 feet;
8-54 Northeasterly along said curve for an arc length of 170.52 feet to a
8-55 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
8-56 for corner;
8-57 North 47 degrees 45 minutes 35 seconds East, a distance of 120.00
8-58 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
8-59 Company" set for the beginning of a tangent curve to the left having
8-60 a radius of 400.00 feet, a central angle of 82 degrees 26 minutes 29
8-61 seconds, a chord bearing of North 06 degrees 32 minutes 21 seconds
8-62 East, and a chord distance of 527.17 feet;
8-63 Northeasterly along said curve for an arc length of 575.55 feet to a
8-64 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
8-65 for corner;
8-66 North 34 degrees 40 minutes 54 seconds West, a distance of 22.07
8-67 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
8-68 Company" set for corner;
8-69 South 66 degrees 13 minutes 45 seconds East, a distance of 580.20

9-1 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 9-2 Company" set for corner;
 9-3 North 23 degrees 56 minutes 15 seconds East, a distance of 330.00
 9-4 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 9-5 Company" set for corner;
 9-6 North 66 degrees 13 minutes 45 seconds West, a distance of 1030.80
 9-7 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 9-8 Company" set for the beginning of a non-tangent curve to the right
 9-9 having a radius of 800.00 feet, a central angle of 64 degrees 07
 9-10 minutes 58 seconds, a chord bearing of North 16 degrees 54 minutes
 9-11 14 seconds East, and a chord distance of 849.44 feet;
 9-12 Northeasterly along said curve for an arc length of 895.46 feet to a
 9-13 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
 9-14 for corner;
 9-15 North 48 degrees 58 minutes 13 seconds East, a distance of 114.18
 9-16 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 9-17 Company" set for corner;
 9-18 South 74 degrees 46 minutes 50 seconds East, a distance of 655.54
 9-19 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 9-20 Company" set for corner;
 9-21 North 15 degrees 13 minutes 10 seconds East, a distance of 295.16
 9-22 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 9-23 Company" set for corner;
 9-24 North 74 degrees 46 minutes 50 seconds West, a distance of 567.55
 9-25 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 9-26 Company" set for corner;
 9-27 North 21 degrees 58 minutes 38 seconds East, a distance of 374.09
 9-28 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 9-29 Company" set for the beginning of a tangent curve to the right
 9-30 having a radius of 1500.00 feet, a central angle of 14 degrees 24
 9-31 minutes 59 seconds, a chord bearing of North 29 degrees 11 minutes
 9-32 07 seconds East, and a chord distance of 376.42 feet;
 9-33 Northeast along said curve for an arc length of 377.42 feet to a 1/2
 9-34 inch iron rod with a cap stamped "Arthur Surveying Company" set for
 9-35 corner;
 9-36 North 36 degrees 23 minutes 36 seconds East, a distance of 334.54
 9-37 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 9-38 Company" set for the beginning of a tangent curve to the right
 9-39 having a radius of 800.00 feet, a central angle of 28 degrees 16
 9-40 minutes 07 seconds, a chord bearing of North 50 degrees 31 minutes
 9-41 40 seconds East, and a chord distance of 390.71 feet;
 9-42 Northeasterly along said curve for an arc length of 394.70 feet to a
 9-43 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
 9-44 for corner;
 9-45 North 64 degrees 39 minutes 43 seconds East, a distance of 302.18
 9-46 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 9-47 Company" set for the beginning of a tangent curve to the left having
 9-48 a radius of 400.00 feet, a central angle of 19 degrees 15 minutes 58
 9-49 seconds, a chord bearing of North 55 degrees 01 minutes 44 seconds
 9-50 East, and a chord distance of 133.87 feet;
 9-51 Northeasterly along said curve for an arc length of 134.50 feet to a
 9-52 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
 9-53 for corner;
 9-54 North 45 degrees 23 minutes 45 seconds East, a distance of 190.11
 9-55 feet to the POINT OF BEGINNING and containing 352.817 acres of land,
 9-56 more or less, and being subject to any and all easements that may
 9-57 affect.
 9-58 TRACT TWO: 424.915 Acres Located in Rockwall County, Texas:
 9-59 BEING all that certain lot, tract or parcel of land situated in the
 9-60 King Latham Survey, Abstract Number 133, located in Rockwall
 9-61 County, Texas, and being all of a called 159.4006 acre tract of land
 9-62 described in deed to Tyrone E. Davenport, as recorded in Volume
 9-63 1374, Page 302 of the Deed Records of Rockwall County, Texas, a
 9-64 portion of a called 10.03 acre tract of land described in deed to
 9-65 Tyrone Davenport, as recorded in Volume 3742, Page 268 of the Deed
 9-66 Records of Rockwall County, Texas, and being all of a 89.00 acre
 9-67 tract of land described in deed to T. A. Lewis, as recorded in
 9-68 Volume 30, Page 306, Deed Records of Rockwall County, Texas, and
 9-69 also being all of the First and Second Tracts, as described in deed

10-1 to D. E. Lewis, Thomas Eugene Lewis, Dorothy Dee Lewis, and David
10-2 Arden Lewis, as recorded in Volume 63, Page 436, Deed Records of
10-3 Rockwall County, Texas, and being more particularly described by
10-4 metes and bounds as follows:
10-5 BEGINNING at a 1/2 inch iron rod found in the southeast right of way
10-6 line of Farm to Market Road No. 550 (a variable width right of way)
10-7 same being the most westerly corner of a called 18.274 acre tract of
10-8 land described in deed to Garin Reetz and Linda Reetz, as recorded
10-9 in Volume 2231, Page 142 of the Deed Records of Rockwall County,
10-10 Texas, from which a 1/2 inch iron rod found for the most northerly
10-11 corner of said Reetz Tract bears North 45 degrees 34 minutes 28
10-12 seconds East, a distance of 873.50 feet;
10-13 THENCE South 44 degrees 30 minutes 02 seconds East, along the
10-14 southwest line of said Reetz Tract, a distance of 916.53 feet to a
10-15 1/2 inch iron rod found for corner;
10-16 THENCE North 44 degrees 36 minutes 22 seconds East, along the
10-17 southeast line of said Reetz Tract, a distance of 876.61 feet to a
10-18 3/8 inch iron rod found in the southwest line of Tract IV, a called
10-19 215.607 acre tract of land described in deed to Mariah Bay
10-20 Development, Inc., as recorded in Volume 2245, Page 278 of the Deed
10-21 Records of Rockwall County, Texas;
10-22 THENCE along the south lines of said Mariah Bay Development Tract,
10-23 the following courses and distances:
10-24 South 44 degrees 41 minutes 25 seconds East, a distance of 1673.16
10-25 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
10-26 Company" set for corner;
10-27 North 45 degrees 40 minutes 12 seconds East, a distance of 1558.33
10-28 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
10-29 Company" set for corner;
10-30 South 45 degrees 01 minutes 57 seconds East, a distance of 375.00
10-31 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
10-32 Company" set for corner;
10-33 North 44 degrees 58 minutes 03 seconds East, a distance of 413.26
10-34 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
10-35 Company" set for the most westerly corner of a called 79.335 acre
10-36 tract of land described in deed to Albert Meyers, as recorded in
10-37 Volume 153, Page 699 of the Deed Records of Rockwall County, Texas;
10-38 THENCE South 43 degrees 51 minutes 51 seconds East, along the
10-39 southwest line of said Meyers Tract, a distance of 1434.52 feet to a
10-40 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
10-41 for the northerly corner of a Second Tract, a called 53.446 acre
10-42 tract of land described in deed to Jerry L. Klutts and wife Rita C.
10-43 Klutts, as recorded in Volume 1119, Page 22 of the Deed Records of
10-44 Rockwall County, Texas;
10-45 THENCE South 44 degrees 59 minutes 05 seconds West, along the
10-46 northwest line of said Second Tract and a called 199.719 acre tract
10-47 of land described in deed to Beverly Farrar, as recorded in Volume
10-48 1150, Page 112 of the Deed Records of Rockwall County, Texas, a
10-49 distance of 4480.56 feet to a 1/2 inch iron rod found for the most
10-50 easterly corner of a called 98.730 acre tract of land described in
10-51 deed to G. H. Development, Inc., as recorded in Volume 4061, Page
10-52 257 of the Deed Records of Rockwall County, Texas;
10-53 THENCE North 43 degrees 20 minutes 06 seconds West, along the
10-54 northeast line of said G. H. Development Tract, a distance of
10-55 1451.15 feet to a Fence Post found in the southeast line of said
10-56 Davenport Tract, from which a 1/2 inch iron rod found for the east
10-57 corner of said 159.4006 acre tract bears North 45 degrees 37 minutes
10-58 38 seconds East, a distance of 761.57 feet;
10-59 THENCE South 45 degrees 37 minutes 38 seconds West, along the
10-60 northwest line of said G. H. Development Tract, a distance of
10-61 1482.10 feet to a 3/8 inch iron rod found for the most easterly
10-62 corner of said 10.03 acre tract;
10-63 THENCE South 46 degrees 00 minutes 41 seconds West, continuing
10-64 along the northwest line of said G. H. Development Tract, same being
10-65 the southeast line of said 10.03 acre tract, a distance of 510.00
10-66 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
10-67 Company" set for corner;
10-68 THENCE North 46 degrees 13 minutes 43 seconds West, over and across
10-69 said Davenport Tract, a distance of 299.71 feet to a 1/2 inch iron

11-1 rod with a cap stamped "Arthur Surveying Company" set in the
 11-2 northwest line of said 10.03 acre tract, same being in the southeast
 11-3 line of a called 10.00 acre tract of land described in deed to
 11-4 Robert G. Vernon, as recorded in Volume 1547, Page 91 of the Deed
 11-5 Records of Rockwall County, Texas;
 11-6 THENCE North 46 degrees 01 minutes 08 seconds East, along said
 11-7 southeast line, a distance of 520.00 feet to a 3/4 inch iron pipe
 11-8 found for the most easterly corner of said Vernon Tract;
 11-9 THENCE North 44 degrees 19 minutes 00 seconds West, along a
 11-10 southwest line of said 159.4006 acre tract, a distance of 1195.42
 11-11 feet to a 3/4 inch iron pipe found for corner;
 11-12 THENCE South 45 degrees 30 minutes 07 seconds West, continuing
 11-13 along said 159.4006 acre tract, a distance of 213.27 feet to a 1/2
 11-14 inch iron rod with a cap stamped "Arthur Surveying Company" set for
 11-15 the most easterly corner of a called 50 acre tract of land described
 11-16 in deed to Mary E. Young, as recorded in Volume 547, Page 322 of the
 11-17 Deed Records of Rockwall County, Texas;
 11-18 THENCE North 44 degrees 23 minutes 02 seconds West, along the
 11-19 northeast line of said Young Tract, a distance of 1478.44 feet to a
 11-20 1/2 inch iron rod found in the southeast right of way line of said
 11-21 Farm to Market Road No. 550;
 11-22 THENCE North 45 degrees 24 minutes 42 seconds East, along said
 11-23 southeast right of way line, a distance of 2421.45 feet to a 1/2
 11-24 inch iron rod found for the most northerly corner of said 159.4006
 11-25 acre tract;
 11-26 THENCE North 45 degrees 48 minutes 18 seconds East, continuing
 11-27 along said southeast right of way line, a distance of 875.84 feet to
 11-28 the POINT OF BEGINNING and containing 424.915 acres of land, more or
 11-29 less, and being subject to any and all easements that may affect.
 11-30 TRACT THREE: 802.220 Acres Located in Rockwall County and Kaufman
 11-31 County, Texas:
 11-32 BEING all that certain lot, tract or parcel of land situated in the
 11-33 King Latham Survey, Abstract Number 133, located in Rockwall
 11-34 County, Texas and the King Latham Survey, Abstract Number 622,
 11-35 located in Kaufman County, Texas, and being a portion of a called
 11-36 203.728 acre tract of land described in deed to WED Limited
 11-37 Partnership, as recorded in Volume 2053, Page 273 of the Deed
 11-38 Records of Rockwall County, Texas, and also being a portion of Tract
 11-39 No. 1, a called 850.14 acre tract of land and a all of Tract No. 2, a
 11-40 called 150 acre tract of land described in deed to The
 11-41 McLendon-Chisholm Ranch, L.P., as recorded in Volume 4492, Page 101
 11-42 of the Deed Records of Rockwall County, Texas and being more
 11-43 particularly described by metes and bounds as follows:
 11-44 BEGINNING at a 1/2 inch iron rod with a cap stamped "Arthur
 11-45 Surveying Company" set in the west right of way line of State
 11-46 Highway No. 205 (a variable width right of way) from which a 1/2
 11-47 inch iron rod with cap stamped "Weir & Associates" found for the
 11-48 most northerly corner of Lot 27, Block A, Chisholm Ranch Estates
 11-49 Addition, an addition to Rockwall County, according to the plat
 11-50 recorded in Cabinet F, Page 247, of the Plat Records of Rockwall
 11-51 County, Texas, bears South 44 degrees 36 minutes 15 seconds East, a
 11-52 distance of 2208.26 feet;
 11-53 THENCE over and across said Tract No. 1 and said WED Limited
 11-54 Partnership Tract, the following courses and distances:
 11-55 South 45 degrees 23 minutes 45 seconds West, a distance of 190.11
 11-56 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 11-57 Company" set for the beginning of a tangent curve to the right
 11-58 having a radius of 400.00 feet, a central angle of 19 degrees 15
 11-59 minutes 58 seconds, a chord bearing of South 55 degrees 01 minutes
 11-60 44 seconds West, and a chord distance of 133.87 feet;
 11-61 Southwesterly along said curve for an arc length of 134.50 feet to a
 11-62 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
 11-63 for corner;
 11-64 South 64 degrees 39 minutes 43 seconds West, a distance of 302.18
 11-65 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 11-66 Company" set for the beginning of a tangent curve to the left having
 11-67 a radius of 800.00 feet, a central angle of 28 degrees 16 minutes 07
 11-68 seconds, a chord bearing of South 50 degrees 31 minutes 40 seconds
 11-69 West, and a chord distance of 390.71 feet;

12-1 Southwesterly along said curve for an arc length of 394.70 feet to a
12-2 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
12-3 for corner;
12-4 South 36 degrees 23 minutes 36 seconds West, a distance of 334.54
12-5 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-6 Company" set for the beginning of a tangent curve to the left having
12-7 a radius of 1500.00 feet, a central angle of 14 degrees 24 minutes
12-8 59 seconds, a chord bearing of South 29 degrees 11 minutes 07
12-9 seconds West, and a chord distance of 376.42 feet;
12-10 Southwesterly along said curve for an arc length of 377.42 feet to a
12-11 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
12-12 for corner;
12-13 South 21 degrees 58 minutes 38 seconds West, a distance of 374.09
12-14 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-15 Company" set for corner;
12-16 South 74 degrees 46 minutes 50 seconds East, a distance of 567.55
12-17 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-18 Company" set for corner;
12-19 South 15 degrees 13 minutes 10 seconds West, a distance of 295.16
12-20 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-21 Company" set for corner;
12-22 North 74 degrees 46 minutes 50 seconds West, a distance of 655.54
12-23 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-24 Company" set for corner;
12-25 South 48 degrees 58 minutes 13 seconds West, a distance of 114.18
12-26 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-27 Company" set for the beginning of a tangent curve to the left having
12-28 a radius of 800.00 feet, a central angle of 64 degrees 07 minutes 58
12-29 seconds, a chord bearing of South 16 degrees 54 minutes 14 seconds
12-30 West, and a chord distance of 849.44 feet;
12-31 Southwesterly along said curve for an arc length of 895.46 feet to a
12-32 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
12-33 for corner;
12-34 South 66 degrees 13 minutes 45 seconds East, a distance of 1030.80
12-35 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-36 Company" set for corner;
12-37 South 23 degrees 56 minutes 15 seconds West, a distance of 330.00
12-38 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-39 Company" set for corner;
12-40 North 66 degrees 13 minutes 45 seconds West, a distance of 580.20
12-41 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-42 Company" set for corner;
12-43 South 34 degrees 40 minutes 54 seconds East, a distance of 22.07
12-44 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-45 Company" set for the beginning of a tangent curve to the right
12-46 having a radius of 400.00 feet, a central angle of 82 degrees 26
12-47 minutes 29 seconds, a chord bearing of South 06 degrees 32 minutes
12-48 21 seconds West, and a chord distance of 527.17 feet;
12-49 Southwesterly along said curve for an arc length of 575.55 feet to a
12-50 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
12-51 for corner;
12-52 South 47 degrees 45 minutes 35 seconds West, a distance of 120.00
12-53 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-54 Company" set for the beginning of a tangent curve to the left having
12-55 a radius of 800.00 feet, a central angle of 12 degrees 12 minutes 45
12-56 seconds, a chord bearing of South 41 degrees 39 minutes 12 seconds
12-57 West, and a chord distance of 170.20 feet;
12-58 Southwesterly along said curve for an arc length of 170.52 feet to a
12-59 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
12-60 for corner;
12-61 South 35 degrees 32 minutes 50 seconds West, a distance of 100.00
12-62 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
12-63 Company" set for the beginning of a tangent curve to the right
12-64 having a radius of 300.00 feet, a central angle of 08 degrees 50
12-65 minutes 10 seconds, a chord bearing of South 39 degrees 57 minutes
12-66 55 seconds West, and a chord distance of 46.22 feet;
12-67 Southwesterly along said curve for an arc length of 46.27 feet to a
12-68 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
12-69 for corner;

13-1 South 44 degrees 23 minutes 00 seconds West, a distance of 100.00
13-2 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
13-3 Company" set for the beginning of a tangent curve to the left having
13-4 a radius of 900.00 feet, a central angle of 27 degrees 31 minutes 30
13-5 seconds, a chord bearing of South 30 degrees 37 minutes 15 seconds
13-6 West, and a chord distance of 428.22 feet;
13-7 Southwesterly along said curve for an arc length of 432.36 feet to a
13-8 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
13-9 for corner;
13-10 South 16 degrees 51 minutes 30 seconds West, a distance of 205.87
13-11 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
13-12 Company" set for the beginning of a non-tangent curve to the right
13-13 having a radius of 400.00 feet, a central angle of 33 degrees 15
13-14 minutes 03 seconds, a chord bearing of South 31 degrees 39 minutes
13-15 05 seconds West, and a chord distance of 228.89 feet;
13-16 Southwesterly along said curve for an arc length of 232.13 feet to a
13-17 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
13-18 for corner;
13-19 South 48 degrees 16 minutes 36 seconds West, a distance of 100.00
13-20 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
13-21 Company" set for the beginning of a tangent curve to the left having
13-22 a radius of 800.00 feet, a central angle of 56 degrees 31 minutes 24
13-23 seconds, a chord bearing of South 20 degrees 00 minutes 54 seconds
13-24 West, and a chord distance of 757.60 feet;
13-25 Southwesterly along said curve for an arc length of 789.21 feet to a
13-26 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
13-27 for corner;
13-28 South 08 degrees 14 minutes 48 seconds East, a distance of 47.60
13-29 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
13-30 Company" set for the beginning of a tangent curve to the right
13-31 having a radius of 500.00 feet, a central angle of 55 degrees 58
13-32 minutes 53 seconds, a chord bearing of South 19 degrees 44 minutes
13-33 38 seconds West, and a chord distance of 469.33 feet;
13-34 Southwesterly along said curve for an arc length of 488.53 feet to a
13-35 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
13-36 for the beginning of a reverse curve to the left having a radius of
13-37 600.00 feet, a central angle of 25 degrees 23 minutes 21 seconds, a
13-38 chord bearing of South 35 degrees 02 minutes 24 seconds West, and a
13-39 chord distance of 263.70 feet;
13-40 Southwesterly along said curve for an arc length of 265.87 feet to a
13-41 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
13-42 for corner;
13-43 South 22 degrees 20 minutes 44 seconds West, a distance of 350.00
13-44 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
13-45 Company" set for the beginning of a tangent curve to the right
13-46 having a radius of 600.00 feet, a central angle of 15 degrees 00
13-47 minutes 00 seconds, a chord bearing of South 29 degrees 50 minutes
13-48 44 seconds West, and a chord distance of 156.63 feet;
13-49 Southwesterly along said curve for an arc length of 157.08 feet to a
13-50 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
13-51 for corner;
13-52 South 37 degrees 20 minutes 44 seconds West, a distance of 250.00
13-53 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
13-54 Company" set for the beginning of a tangent curve to the left having
13-55 a radius of 600.00 feet, a central angle of 10 degrees 00 minutes 00
13-56 seconds, a chord bearing of South 32 degrees 20 minutes 44 seconds
13-57 West, and a chord distance of 104.59 feet;
13-58 Southwesterly along said curve for an arc length of 104.72 feet to a
13-59 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
13-60 for the beginning of a reverse curve to the right having a radius of
13-61 600.00 feet, a central angle of 18 degrees 00 minutes 00 seconds, a
13-62 chord bearing of South 36 degrees 20 minutes 44 seconds West, and a
13-63 chord distance of 187.72 feet;
13-64 Southwesterly along said curve for an arc length of 188.50 feet to a
13-65 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
13-66 for corner;
13-67 South 45 degrees 20 minutes 27 seconds West, a distance of 400.00
13-68 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
13-69 Company" set in the southwest line of said WED Limited Partnership

14-1 Tract, from which a 1/2 inch iron rod found for the most westerly
14-2 corner of a called One Acre tract of land, bears South 44 degrees 39
14-3 minutes 33 seconds East, a distance of 1167.10 feet;
14-4 THENCE North 44 degrees 39 minutes 33 seconds West, along said
14-5 southwest line, a distance of 250.00 feet to a 1/2 inch iron rod
14-6 with a cap stamped "Arthur Surveying Company" set for corner, same
14-7 being the east corner of the remainder of a called 165.695 acre
14-8 tract of land described in deed to Max B. Chapman and wife Beverly
14-9 Ann Chapman, as recorded in Volume 643, Page 838 of the Deed Records
14-10 of Rockwall County, Texas,
14-11 THENCE North 44 degrees 39 minutes 16 seconds West, along the
14-12 northeast line of said Chapman Tract, and a called 95.6 acre tract
14-13 of land described in deed to Glenn R. Rash, as recorded in Volume
14-14 421, Page 353 of the Deed Records of Kaufman County, Texas, a
14-15 distance of 1647.27 feet to a 1/2 inch iron rod with a cap stamped
14-16 "Arthur Surveying Company" set for the most southerly corner of the
14-17 aforementioned Tract No. 2;
14-18 THENCE North 44 degrees 39 minutes 20 seconds West, along the
14-19 northeast line of said Rash Tract, and a called 207.46 acre tract of
14-20 land described in deed to Janice Sue Mann, as recorded in Volume
14-21 2991, Page 290 of the Deed Records of Rockwall County, Texas, a
14-22 distance of 2740.97 feet to a 1/2 inch iron rod found for corner;
14-23 THENCE South 45 degrees 20 minutes 40 seconds West, along the
14-24 northwest line of said Mann Tract, a distance of 967.65 feet to a
14-25 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
14-26 for corner in Smith Road;
14-27 THENCE North 44 degrees 58 minutes 53 seconds West, along or near
14-28 the centerline of said Smith Road, a distance of 1548.75 feet to a
14-29 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
14-30 in or near the centerline of Klutts Road, same being the most
14-31 southerly corner of a called 199.719 acre tract of land described in
14-32 deed to Beverly Farrar, as recorded in Volume 1150, Page 112 of the
14-33 Deed Records of Rockwall County, Texas;
14-34 THENCE North 45 degrees 07 minutes 33 seconds East, along the
14-35 southeast line of said Farrar Tract, same being in or near the
14-36 centerline of said road, a distance of 2129.15 feet to a 1/2 inch
14-37 iron rod with a cap stamped "Arthur Surveying Company" set for
14-38 corner;
14-39 THENCE North 44 degrees 57 minutes 36 seconds East, continuing
14-40 along said southeast line, a distance of 2894.76 feet to a 1/2 inch
14-41 iron rod found for the west corner of a called 25.337 acre tract of
14-42 land described in deed to Jerry L. Klutts and Rita C. Klutts, as
14-43 recorded in Volume 1119, Page 22 of the Deed Records of Rockwall
14-44 County, Texas;
14-45 THENCE South 45 degrees 35 minutes 10 seconds East, along the
14-46 southwest line of said Klutts Tract, a distance of 932.43 feet to a
14-47 1/2 inch iron rod with a cap stamped "Arthur Surveying Company" set
14-48 for corner;
14-49 THENCE North 45 degrees 00 minutes 08 seconds East, along the
14-50 southeast line of said Klutts Tracts, and a called 12.000 acre tract
14-51 of land described in deed to Veterans Land Board of the State of
14-52 Texas, as recorded in Volume 181, Page 567 of the Deed Records of
14-53 Rockwall County, Texas, a distance of 2400.54 feet to a 1/2 inch
14-54 iron rod with a cap stamped "Arthur Surveying Company" set for the
14-55 most easterly corner of said Veterans Land Board of the State of
14-56 Texas Tract;
14-57 THENCE over and across said Tract No. 1, the following courses and
14-58 distances:
14-59 South 44 degrees 25 minutes 26 seconds East, a distance of 1103.00
14-60 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
14-61 Company" set for corner;
14-62 North 31 degrees 56 minutes 53 seconds East, a distance of 400.00
14-63 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
14-64 Company" set for corner;
14-65 North 34 degrees 36 minutes 26 seconds East, a distance of 400.00
14-66 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
14-67 Company" set for corner;
14-68 North 37 degrees 36 minutes 23 seconds East, a distance of 400.00
14-69 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying

15-1 Company" set for corner;
 15-2 North 37 degrees 04 minutes 25 seconds East, a distance of 284.94
 15-3 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 15-4 Company" set in the west right of way line of said State Highway No.
 15-5 205, from which a 1/2 inch iron rod found bears North 48 degrees 15
 15-6 minutes 04 seconds West, a distance 109.00 feet;
 15-7 THENCE South 48 degrees 15 minutes 04 seconds East, along said west
 15-8 right of way line, a distance of 1071.21 feet to a 1/2 inch iron rod
 15-9 with a cap stamped "Arthur Surveying Company" set for the beginning
 15-10 of a non-tangent curve to the right having a radius of 10555.41
 15-11 feet, a central angle of 03 degrees 38 minutes 18 seconds, a chord
 15-12 bearing of South 46 degrees 09 minutes 03 seconds East, and a chord
 15-13 distance of 670.16 feet;
 15-14 THENCE Southeasterly along said curve for an arc length of 670.27
 15-15 feet to a 1/2 inch iron rod with a cap stamped "Arthur Surveying
 15-16 Company" set for corner;
 15-17 THENCE South 44 degrees 36 minutes 15 seconds East, continuing
 15-18 along said west right of way line, a distance of 44.68 feet to the
 15-19 POINT OF BEGINNING and containing 802.220 acres of land, more or
 15-20 less, and being subject to any and all easements that may affect.

15-21 SECTION 3. LEGISLATIVE FINDINGS. The legislature finds
 15-22 that:

15-23 (1) proper and legal notice of the intention to
 15-24 introduce this Act, setting forth the general substance of this
 15-25 Act, has been published as provided by law, and the notice and a
 15-26 copy of this Act have been furnished to all persons, agencies,
 15-27 officials, or entities to which they are required to be furnished by
 15-28 the constitution and laws of this state, including the governor,
 15-29 who has submitted the notice and Act to the Texas Commission on
 15-30 Environmental Quality;

15-31 (2) the Texas Commission on Environmental Quality has
 15-32 filed its recommendations relating to this Act with the governor,
 15-33 lieutenant governor, and speaker of the house of representatives
 15-34 within the required time;

15-35 (3) the general law relating to consent by political
 15-36 subdivisions to the creation of districts with conservation,
 15-37 reclamation, and road powers and the inclusion of land in those
 15-38 districts has been complied with; and

15-39 (4) all requirements of the constitution and laws of
 15-40 this state and the rules and procedures of the legislature with
 15-41 respect to the notice, introduction, and passage of this Act have
 15-42 been fulfilled and accomplished.

15-43 SECTION 4. EFFECTIVE DATE. This Act takes effect
 15-44 immediately if it receives a vote of two-thirds of all the members
 15-45 elected to each house, as provided by Section 39, Article III, Texas
 15-46 Constitution. If this Act does not receive the vote necessary for
 15-47 immediate effect, this Act takes effect September 1, 2007.

15-48 * * * * *