

1-1 By: Phillips (Senate Sponsor - Estes) H.B. No. 4099
1-2 (In the Senate - Received from the House May 10, 2007;
1-3 May 14, 2007, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 18, 2007, reported favorably by
1-5 the following vote: Yeas 4, Nays 0; May 18, 2007, sent to
1-6 printer.)

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

1-9 relating to the creation of the Preston Summit Municipal Utility
1-10 District No. 1 of Grayson County; providing authority to impose a
1-11 tax and issue bonds; granting the power of eminent domain.

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

1-13 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-14 Code, is amended by adding Chapter 8254 to read as follows:

1-15 CHAPTER 8254. PRESTON SUMMIT MUNICIPAL UTILITY DISTRICT NO. 1 OF
1-16 GRAYSON COUNTY

1-17 SUBCHAPTER A. GENERAL PROVISIONS

1-18 Sec. 8254.001. DEFINITIONS. In this chapter:

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

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

1-21 (3) "District" means the Preston Summit Municipal
1-22 Utility District No. 1 of Grayson County.

1-23 Sec. 8254.002. NATURE OF DISTRICT. The district is a
1-24 municipal utility district in Grayson County created under and
1-25 essential to accomplish the purposes of Section 52, Article III,
1-26 and Section 59, Article XVI, Texas Constitution.

1-27 Sec. 8254.003. CONFIRMATION ELECTION REQUIRED. If the
1-28 creation of the district is not confirmed at a confirmation
1-29 election held under Section 8254.023 before September 1, 2011:

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

1-32 (A) pay any debts incurred;

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

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

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

1-38 Sec. 8254.004. INITIAL DISTRICT TERRITORY. (a) The
1-39 district is initially composed of the territory described by
1-40 Section 2 of the Act creating this chapter.

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

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

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

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

1-50 (4) the legality or operation of the district or the
1-51 board.

1-52 [Sections 8254.005-8254.020 reserved for expansion]

1-53 SUBCHAPTER A-1. TEMPORARY PROVISIONS

1-54 Sec. 8254.021. TEMPORARY DIRECTORS. (a) On or after
1-55 September 1, 2007, a person who owns land in the district may submit
1-56 a petition to the Texas Commission on Environmental Quality
1-57 requesting that the commission appoint as temporary directors the
1-58 five persons named in the petition.

1-59 (b) The commission shall appoint as temporary directors the
1-60 five persons named in the first petition received by the commission
1-61 under Subsection (a).

1-62 (c) If a temporary director fails to qualify for office, the
1-63 commission shall appoint a person to fill the vacancy.

1-64 (d) Temporary directors serve until the earlier of:

2-1 (1) the date directors are elected under Section
 2-2 8254.023; or
 2-3 (2) the date this chapter expires under Section
 2-4 8254.003.

2-5 Sec. 8254.022. ORGANIZATIONAL MEETING OF TEMPORARY
 2-6 DIRECTORS. As soon as practicable after all the temporary
 2-7 directors have qualified under Section 49.055, Water Code, the
 2-8 temporary directors shall meet at a location in the district
 2-9 agreeable to a majority of the directors. At the meeting, the
 2-10 temporary directors shall elect officers from among the temporary
 2-11 directors and conduct any other district business.

2-12 Sec. 8254.023. CONFIRMATION AND INITIAL DIRECTORS'
 2-13 ELECTION; ANNEXATION BY CITY. (a) The temporary directors shall
 2-14 hold an election to confirm the creation of the district and to
 2-15 elect five directors as provided by Section 49.102, Water Code.

2-16 (b) The temporary directors may not hold the election until
 2-17 the City of Gunter has annexed into its corporate limits all
 2-18 territory described by Section 2 of the Act creating this chapter.

2-19 Sec. 8254.024. INITIAL ELECTED DIRECTORS; TERMS. The
 2-20 directors elected under Section 8254.023 shall draw lots to
 2-21 determine which two shall serve until the first regularly scheduled
 2-22 election of directors and which three shall serve until the second
 2-23 regularly scheduled election of directors.

2-24 Sec. 8254.025. EXPIRATION OF SUBCHAPTER. This subchapter
 2-25 expires September 1, 2014.

2-26 [Sections 8254.026-8254.050 reserved for expansion]
 2-27 SUBCHAPTER B. BOARD OF DIRECTORS

2-28 Sec. 8254.051. GOVERNING BODY; TERMS. (a) The district is
 2-29 governed by a board of five directors.

2-30 (b) Directors serve staggered four-year terms.

2-31 [Sections 8254.052-8254.100 reserved for expansion]
 2-32 SUBCHAPTER C. POWERS AND DUTIES

2-33 Sec. 8254.101. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-34 DUTIES. The district has the powers and duties provided by the
 2-35 general law of this state, including Chapters 49 and 54, Water Code,
 2-36 applicable to municipal utility districts created under Section 59,
 2-37 Article XVI, Texas Constitution.

2-38 Sec. 8254.102. WATER AND WASTEWATER FACILITIES AND
 2-39 SERVICES. (a) The district shall make available any district water
 2-40 or wastewater facility to each person that holds a certificate of
 2-41 convenience and necessity for land in the district.

2-42 (b) The district may not provide retail water or wastewater
 2-43 services.

2-44 Sec. 8254.103. ROAD PROJECTS. (a) To the extent authorized
 2-45 by Section 52, Article III, Texas Constitution, the district may
 2-46 construct, acquire, improve, maintain, or operate macadamized,
 2-47 graveled, or paved roads or turnpikes, or improvements in aid of
 2-48 those roads or turnpikes, inside the district.

2-49 (b) A road project must meet all applicable construction
 2-50 standards, zoning and subdivision requirements, and regulations of
 2-51 each municipality in whose corporate limits or extraterritorial
 2-52 jurisdiction the district is located.

2-53 Sec. 8254.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY
 2-54 EXCLUDED FROM CITY. If the City of Gunter excludes district
 2-55 territory from the city's corporate limits, the district shall
 2-56 maintain, improve, operate, and repair any road located in that
 2-57 territory in accordance with the ordinances and rules of each
 2-58 political subdivision in whose jurisdiction the road is located.

2-59 Sec. 8254.105. DIVISION OF DISTRICT. (a) The district may
 2-60 be divided into two new districts only if the district:

2-61 (1) has no outstanding bonded debt; and

2-62 (2) is not imposing ad valorem taxes.

2-63 (b) The division procedure is prescribed by Sections 53.030
 2-64 through 53.041, Water Code.

2-65 (c) Any new district created by the division of the district
 2-66 has all the powers and duties of the district.

2-67 (d) Any new district created by the division of the district
 2-68 may not, at the time the new district is created, contain any land:

2-69 (1) outside the area described by Section 2 of the Act

3-1 creating this chapter; or
 3-2 (2) outside the corporate limits of the city of
 3-3 Gunter.

3-4 Sec. 8254.106. COMPLIANCE WITH MUNICIPAL CONSENT
 3-5 RESOLUTIONS. The district shall comply with all applicable
 3-6 requirements of any ordinance or resolution adopted by the
 3-7 governing body of each municipality in whose corporate limits or
 3-8 extraterritorial jurisdiction the district is located.

3-9 Sec. 8254.107. LIMITATION ON ANNEXATION. (a) The district
 3-10 may not add land to the district under Subchapter J, Chapter 49,
 3-11 Water Code, if the land is located outside the corporate limits of
 3-12 the city of Gunter.

3-13 (b) Section 43.075, Local Government Code, does not apply to
 3-14 the district.

3-15 [Sections 8254.108-8254.150 reserved for expansion]

3-16 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-17 Sec. 8254.151. TAX TO REPAY BONDS. The district may impose
 3-18 a tax to pay the principal of or interest on bonds or other
 3-19 obligations issued under Section 8254.201.

3-20 [Sections 8254.152-8254.200 reserved for expansion]

3-21 SUBCHAPTER E. BONDS

3-22 Sec. 8254.201. AUTHORITY TO ISSUE BONDS AND OTHER
 3-23 OBLIGATIONS. (a) The district may issue bonds or other obligations
 3-24 as provided by Chapters 49 and 54, Water Code, to finance the
 3-25 construction, maintenance, or operation of a project under Section
 3-26 8254.101 or 8254.103.

3-27 (b) The district may not issue bonds or other obligations to
 3-28 finance projects authorized by Section 8254.103 unless the issuance
 3-29 is approved by a vote of a two-thirds majority of the district
 3-30 voters voting at an election held for that purpose.

3-31 (c) Bonds or other obligations issued or incurred to finance
 3-32 projects authorized by Section 8254.103 may not exceed one-fourth
 3-33 of the assessed value of the real property in the district.

3-34 SECTION 2. The Preston Summit Municipal Utility District
 3-35 No. 1 of Grayson County includes all the territory contained in the
 3-36 following area:

3-37 TRACT 1:

3-38 SITUATED in the County of Grayson, State of Texas, being a part of
 3-39 the John Blundell Survey, Abstract No. 95, a part of the Orry A.
 3-40 VanDusen Survey, Abstract, No. 1424, a part of the William P.
 3-41 Johnson Survey, Abstract No. 628 and a part of the Daniel Lloyd
 3-42 Survey, Abstract No. 706, being a part of the 709.93648 acre tract
 3-43 of land (Tract Two) and a part of the "approximate" 68.3 acre tract
 3-44 of land (Tract One), conveyed by Correction Warranty Deed from C. J.
 3-45 Christie and wife, Mattie P. Christie, to Christie Farm, Ltd., on
 3-46 February 12, 1993 (effective date: June 17, 1992), recorded in
 3-47 Volume 2255, Page 516, Real Property Records, Grayson County,
 3-48 Texas, and being more particularly described as one tract of land,
 3-49 by metes and bounds as follows, to-wit:

3-50 BEGINNING at a 1/2 inch rebar set in the South line of said Blundell
 3-51 Survey and the North line of the Asa Hartfield Survey, Abstract No.
 3-52 490, at an angle point in the East line of the Tommy Allen, III,
 3-53 537.375 ac. in Vol. 3187, Pg. 766, O.P.R.G.C.T., at the Southwest
 3-54 corner of said Christie 709.93648 ac. and the Northwest corner of
 3-55 the Sangani Properties, Ltd. 26.861 ac. (Tract 3) in Vol. 3684, Pg.
 3-56 182, O.P.R.G.C.T., said rebar being in the West ditch of Fallon
 3-57 Road, a "North-South" public road, and being 15.5 ft. West of the
 3-58 center of the asphalt paving of Fallon Road, and being in-line with
 3-59 the center of Savage Road, a public road to the East;

3-60 THENCE North 24 deg. 58 min. 30 sec. East, with the East line of said
 3-61 Allen 537.375 ac., intersecting the center of the asphalt paving of
 3-62 Fallon Road at about 100 ft., and continuing now with said center of
 3-63 Fallon Road, leaving said center of road at about 2400, and
 3-64 continuing for a total distance of 2457.37 ft. to a 1/2 inch rebar
 3-65 set near the East edge of said asphalt paving of said road, in the
 3-66 East line of said VanDusen Survey and the most Western West line of
 3-67 said Johnson Survey, at an angle point in said East line of the
 3-68 Allen 537.375 ac.;

3-69 THENCE North 01 deg. 50 min. 30 sec. East, with said East line of the

4-1 VanDusen Survey and then the most Eastern East line of the H.T. &
 4-2 B.R.R. Survey, Abstract No. 605 and with said Western West line of
 4-3 the Johnson Survey, intersecting the center of the asphalt paving
 4-4 of Fallon Road at about 80 ft., and continuing now with said center
 4-5 of Fallon Road, leaving said center of road at about 4800, and
 4-6 continuing for a total distance of 5330.70 ft. to a 1/2 inch rebar
 4-7 set in an "East-West" wire fence maintaining the South line of both
 4-8 the John S. Thom (AKA.; John. S. Thorn) Survey, Abstract No. 1189
 4-9 and the Phillip S. Wildman 183.689 ac. (Exhibit "A") in Vol. 2535,
 4-10 Pg. 484, O.P.R.G.C.T., at the Northwest corner of both said Johnson
 4-11 Survey and the Christie 709.93648 ac., the most Eastern Northeast
 4-12 corner of said H.T. & B.R.R. Survey;
 4-13 THENCE South 89 deg. 00 min. 22 sec. East, with the general course
 4-14 of said wire fence maintaining said South line of the Thom Survey
 4-15 and the North line of said Johnson Survey, a distance of 1618.98 ft.
 4-16 to a 5/8 inch rebar found in concrete, at the Southeast base of a
 4-17 crosstie corner post, at the Southeast corner of said Wildman
 4-18 183.689 ac. and the Southwest corner of the Phillip Sherwood
 4-19 Wildman and wife, Teresa Marie "Donohoe" Wildman 240.811 ac.
 4-20 (Exhibit "A") in Vol. 2583, Pg. 538, O.P.R.G.C.T.;
 4-21 THENCE South 87 deg. 56 min. 05 sec. East, with the "scattered"
 4-22 remains of an old fence, continuing with said South line of the Thom
 4-23 Survey and said North line of the Johnson Survey, a distance of
 4-24 2665.50 ft. to a spike nail found near the West base of a corner
 4-25 post, in the center of an old "North-South" public road, now
 4-26 abandoned, in the West line of both the Mary Miller Survey, Abstract
 4-27 No. 775 and the Jack A. Turpin 233.480 ac. (Tract No. 1) in Vol.
 4-28 1963, Pg. 436. R.P.R.G.C.T., at the Southeast corner of both the
 4-29 Thom Survey and the Wildman 240.811 ac., the Northeast corner of
 4-30 both the Johnson Survey and the Christie 709.93648 ac.;
 4-31 THENCE South 00 deg. 12 min. 02 sec. East, with the general course
 4-32 of a wire fence along the center of said abandoned road, with said
 4-33 West line of the Miller Survey and the East line of said Johnson
 4-34 Survey, a distance of 1331.48 ft. to an 8 inch wood post maintaining
 4-35 an angle point in the west line of said Turpin 233.480 ac.;
 4-36 THENCE South 17 deg. 23 min.. 18 sec. East, with a wire fence
 4-37 maintaining the West line of said Turpin 233.480 ac., but not with
 4-38 said Miller & Johnson Survey lines and not with the center of said
 4-39 abandoned road, a distance of 301.70 ft. to an 8 inch wood post
 4-40 maintaining another angle point in the West said Turpin 233.480 ac,
 4-41 in the West line of said abandoned road;
 4-42 THENCE South 00 deg. 28 min. 22 sec. East, with the general course
 4-43 of a wire fence maintaining the West line of said Turpin 233.480
 4-44 ac., and along the West line of said abandoned road, a distance of
 4-45 1461.48 ft. to a crosstie corner post maintaining the Southwest
 4-46 corner of said Turpin 233.480 ac.;
 4-47 THENCE South 89 deg. 20 min. 53 sec. East, with a wire fence
 4-48 maintaining the South line of said Turpin 233.480 ac., a distance of
 4-49 16.97 ft. to a 1/2 inch rebar found at the base of a corner post, in
 4-50 the center of said abandoned road, in the East line of both said
 4-51 Johnson Survey and the Christie 709.93648 Sc., the West line of said
 4-52 Miller Survey, at the Northwest corner of the Edwin A. Trapp, Jr.
 4-53 Revocable Trust, 278.389 ac. (Tract One Exhibit "A") in Vol. 2271,
 4-54 Pg. 274, R.P.R.G.C.T.;
 4-55 THENCE South 00 deg. 17 min. 02 sec. East, with the general course
 4-56 of a wire fence along the center of said abandoned road, with said
 4-57 West line of the Miller Survey and said East line of the Johnson
 4-58 Survey, a distance of 1813.09 ft. to a 5/8 inch rebar found at the
 4-59 base of a corner post, at the Southwest corner of said Miller
 4-60 Survey, the most Western Southwest corner of said Trapp 278.389ac.
 4-61 and the Northwest corner of both said Daniel Lloyd Survey and the
 4-62 Christie 68.3 ac.;
 4-63 THENCE North 89 deg. 30 min. 05 sec. East, with the general course
 4-64 of a wire fence maintaining a South line of said Miller Survey and
 4-65 the North line of both said Lloyd Survey and the Christie 68.3 ac.,
 4-66 leaving said abandoned road at 17 ft., and continuing with said
 4-67 fence, for a total distance 914.48 ft. to a 1/2 inch rebar found at
 4-68 the base of a corner post, in the West right-of-way line of State
 4-69 Hwy. 289, at the most Eastern Northeast corner of the herein

5-1 described tract;

5-2 THENCE Southwesterly, with the West right-of-way line of State Hwy.

5-3 289, the following calls and distances:

5-4 1. South 28 deg. 15 min. 55 sec. West, a distance of 774.73 ft. to a

5-5 point at the East base of fence post;

5-6 2. South 15 deg. 32 min. 08 sec. West, a distance of 251.91 ft. to a

5-7 point at the East base of a corner post, in North right-of-way line

5-8 of the St. Louis, San Francisco & Texas (Frisco) Railroad, at the

5-9 most Eastern Southeast corner of the herein described tract;

5-10 THENCE Southwesterly, with the North right-of-way line of said

5-11 Frisco Railroad, the following calls and distances:

5-12 1. South 76 deg. 48 min. 15 sec. West, a distance of 3250.09 ft. to a

5-13 point at the beginning of a curve;

5-14 2. Southwesterly, with a curve to the left having a central angle

5-15 (delta) of 29 deg. 09 min. 37 sec. and a radius of 3869.83 ft. (chord

5-16 bears South 62 deg. 13 min. 27 sec. West, 1948.33 ft.), an arc

5-17 distance of 1969.52 ft. to a 1/2 inch rebar set in the center of said

5-18 Savage Road, in the South line of said Blundell Survey and the North

5-19 line of said Hartfield Survey, at the most Southern Southeast

5-20 corner of both the Christie 709.93648 ac. and the herein described

5-21 tract;

5-22 THENCE North 88 deg. 36 mm, 08 sec. West, with the center of Savage

5-23 Road and with said Survey lines, a distance of 1216.55 ft. to the

5-24 PLACE OF BEGINNING and containing 721.495 ACRES of land.

5-25 TRACT 2:

5-26 SITUATED in the County of Grayson, State of Texas, being a part of

5-27 the John Blundell Survey, Abstract No. 95, a part of the William P.

5-28 Johnson Survey, Abstract No. 628 and a part of the Daniel Lloyd

5-29 Survey, Abstract No. 706, being part of the 90.71166 acre tract of

5-30 land (Tract Three) and a part of the "approximate" 68.3 acre tract

5-31 of land (Tract One), conveyed by Correction Warranty Deed from C. J.

5-32 Christie and wife, Mattie P. Christie, to Christie Farm, Ltd., on

5-33 February 12, 1993 (effective date: June 17, 1992), recorded in

5-34 Volume 2255, Page 516, Real Property Records, Grayson County,

5-35 Texas, and being more particularly described as one tract of land,

5-36 by metes and bounds as follows, to-wit:

5-37 BEGINNING at a 1/2 inch rebar found in the West right-of-way line of

5-38 State Hwy. 289 and the center of Savage Road, a public road to the

5-39 West, in the most Southern South line of said Johnson Survey, in the

5-40 South line of said Christie 90.71166 ac. and the North line of the

5-41 Asa Hartfield Survey, Abstract No. 490, at the most Southern

5-42 Southeast corner of the herein described tract and the Northeast

5-43 corner of the Sangani Properties, Ltd. 278.933 ac. (Tract 2) in Vol.

5-44 3684, Pg. 182, O.P.R.G.C.T.;

5-45 THENCE Westerly, with the center of Savage Road, with the South line

5-46 of said Christie 90.71166 ac. and the North line of said Sangani

5-47 278.933 ac., the following calls and distances:

5-48 1. North 88 deg. 01 min. 29 sec. West, a distance of 2702.40 ft. to

5-49 an angle point;

5-50 2. North 88 deg. 36 min. 08 sec. West, 969.77 ft. to a 1/2 inch rebar

5-51 set in the South or Southeast right-of-way line of the St. Louis,

5-52 San Francisco & Texas (Frisco) Railroad, at the Southwest corner of

5-53 said Christie 90.71166 ac. and the Northwest corner of said Sangani

5-54 278.933 ac.;

5-55 THENCE Northeasterly, with the South or Southeast right-of-way line

5-56 of said Frisco Railroad, the following calls and distances:

5-57 1. Northeasterly, with a curve to the right having a central angle

5-58 (delta) of 27 deg. 32 min. 56 sec. and a radius of 3769.83 ft. (chord

5-59 bears North 61 deg, 01 min. 47 sec. East, 1795.20 ft.), an arc

5-60 distance of 1812.61 ft. to a point at the end of said curve;

5-61 2. North 76 deg. 48 min. 15 sec. East, a distance of 3195.27 ft. to a

5-62 point at the East base of a corner post, in the West right-of-way

5-63 line of State Hwy. 289, at the Northeast corner of the herein

5-64 described tract;

5-65 THENCE Southeasterly, with the West right-of-way line of State Hwy.

5-66 289. the following calls and distances:

5-67 1. South 15 deg. 32 min. 08 sec. West, a distance of 625.74 ft. to a

5-68 point on a concrete & brass monument, said point being North 38 deg.

5-69 West, 0.5 ft. from the center of said monument;

6-1 2. South 25 deg. 08 min. 43 sec. West, a distance of 632.15 ft. to a
6-2 point on a concrete & brass monument, said point being North 17 deg.
6-3 West, 0.3 ft. from the center of said monument;
6-4 3. South 41 deg. 35 min. 40 sec. West, a distance of 314.23 ft. to a
6-5 point on a concrete & brass monument, said point being North 21 deg.
6-6 West, 0.2 ft. from the center of said monument;
6-7 4. South 46 deg. 32 min. 40 sec. West, a distance of 251.92 ft. to a
6-8 point on a concrete & brass monument, in the North line of said
6-9 Savage Road, said point being North 47 deg. West, 0.2 ft. from the
6-10 center of said monument;
6-11 THENCE North 88 deg. 59 min. 29 sec. West, continuing with said West
6-12 right-of-way line of Hwy. 289, along a "flare-out in said
6-13 right-of-way and with the North line of Savage Road, a distance of
6-14 210.77 ft. to a point on a concrete & brass monument, said point
6-15 being 0.8 ft. South of the center of said monument;
6-16 THENCE South 01 deg. 37 min. 50 sec. West, again with said West
6-17 right-of-way line of Hwy. 289 and partially across Savage Road, a
6-18 distance of 33.58 ft. to the PLACE OF BEGINNING and containing
6-19 95.259 ACRES of land.
6-20 TRACT 3:
6-21 SITUATED in the County of Grayson, State of Texas, being a part of
6-22 the Daniel Lloyd Survey, Abstract No. 706, being a part of the
6-23 "approximate" 68.3 acre tract of land (Tract One), conveyed by
6-24 Correction Warranty Deed from C. J. Christie and wife, Mattie P.
6-25 Christie, to Christie Farm, Ltd., on February 12, 1993 (effective
6-26 date: June 17, 1992), recorded in Volume 2255, Page 516, Real
6-27 Property Records, Grayson County, Texas, and being more
6-28 particularly described by metes and bounds as follows, to-wit:
6-29 BEGINNING at a 1/2 inch rebar found in East right-of-way line of
6-30 State Hwy. 289 and the center of Strawn Road, an "East-West" public
6-31 road, in the North line of the Asa Hartfield Survey, Abstract No.
6-32 490, at the Southwest corner of both said Daniel Lloyd Survey and
6-33 the Christie 68.3 ac., the Southeast corner of the William P.
6-34 Johnson Survey, Abstract No. 628;
6-35 THENCE North 00 deg, 13 min. 14 sec. West, with the East
6-36 right-of-way line of said Hwy. 289, with the West line of both said
6-37 Daniel Lloyd Survey and the Christie 68.3 ac. and the East line of
6-38 said Johnson Survey, a distance of 180.01 ft. to a point in the
6-39 center of a concrete & brass monument, at an angle point in said
6-40 right-of-way;
6-41 THENCE Northeasterly, continuing with said East right-of-way line
6-42 of Hwy. 289, but not with said Survey lines, the following calls and
6-43 distances:
6-44 1. North 39 deg. 45 min. 23 sec. East, a distance of 104.24 ft. to a
6-45 point in the center of a concrete & brass monument at an angle
6-46 point;
6-47 2. North 46 deg. 32 min. 40 sec. East, a distance of 656.69 ft. to a
6-48 point at the beginning of a curve;
6-49 3. Northeasterly, with a curve to the left having a central angle
6-50 (delta) of 42 deg. 14 min. 00 sec. and a radius of 1482.21 ft. (chord
6-51 bears North 25 deg. 25 min. 40 sec. East, 1067.99 ft.), an arc
6-52 distance of 1092.55 ft. to a point at the end of said curve;
6-53 4. North 04 deg. 18 min. 40 sec. East, a distance of 75.10 ft. to a
6-54 1/2 inch rebar set in the South right-of-way line of the St. Louis,
6-55 San Francisco & Texas (Frisco) Railroad, at most Northern Northwest
6-56 corner of the herein described tract;
6-57 THENCE North 76 deg. 48 min. 15 sec. East, with the South
6-58 right-of-way line of said Frisco Railroad, a distance of 324.79 ft.
6-59 to a point in the East line of said Christie 68.3 ac. and a West line
6-60 of the Edwin A. Trapp, Jr. Revocable Trust, 278.389 ac. (Tract One,
6-61 Exhibit "A") in Vol. 2271, Pg. 274, R.P.R.G.C.T., at the Northeast
6-62 corner of the herein described tract;
6-63 THENCE South 00 deg. 09 min. 43 sec. East, with said West line of the
6-64 Trapp 278.389 ac., passing a crosstie corner post at 8 ft., and
6-65 continuing now with the general course of a wire fence, passing a
6-66 1/2 inch rebar found in fence at 1777.7 ft., passing a corner post
6-67 in the North line of Strawn Road and leaving said fence at about
6-68 1792 ft., and continuing for a total distance of 1816.60 ft. to a
6-69 point in the center of Strawn Road in the South line of said Daniel

7-1 Lloyd Survey and the North line of said Hartfield Survey, at the
 7-2 Southeast corner of said Christie 68.3 ac. and the most Southern
 7-3 Southwest corner of said Trapp 278.389 ac.;

7-4 THENCE South 89 deg. 37 min. 18 sec. West, with the center of Strawn
 7-5 Road and with said Survey lines, a distance of 1328.26 ft. to the
 7-6 PLACE OF BEGINNING and containing 29.764 ACRES of land.

7-7 TRACT 4:
 7-8 SITUATED in the County of Grayson, State of Texas, being a part of
 7-9 the Daniel Lloyd Survey, Abstract No. 706, being a part of the
 7-10 "approximate" 68.3 acre tract of land (Tract One), conveyed by
 7-11 Correction Warranty Deed from C. J. Christie and wife, Mattie P.
 7-12 Christie, to Christie Farm, Ltd., on February 12, 1993 (effective
 7-13 date: June 17, 1992), recorded in Volume 2255, Page 516, Real
 7-14 Property Records, Grayson County, Texas, and being more
 7-15 particularly described by metes and bounds as follows, to-wit:
 7-16 BEGINNING at a point in the East right-of-way line of State Hwy.
 7-17 289, in the North line of both said Daniel Lloyd Survey and the
 7-18 Christie 68.3 ac., in the South line of the Mary Miller Survey,
 7-19 Abstract No. 775 and a South line of the Edwin A. Trapp, Jr.
 7-20 Revocable Trust, 278.389 ac. (Tract One, Exhibit "A") in Vol. 2271,
 7-21 Pg. 274, R.P.R.G.C.T., at the Northwest corner of the herein
 7-22 described tract, said point being 2.1 ft. West of a 1/2 inch rebar
 7-23 found at the base of a corner post;
 7-24 THENCE North 89 deg. 36 min. 08 sec. East, with said South line of
 7-25 the Trapp 278.389 ac. and with said Survey lines, passing said rebar
 7-26 at 2.1 ft., and continuing now with a wire fence, for a total
 7-27 distance of 155.34 ft. to a 1/2 inch rebar found at the base of a
 7-28 corner post, at the Northeast corner of said Christie 68.3 ac. and
 7-29 an Ell corner of said Trapp 278.389 ac.;

7-30 THENCE South 00 deg. 09 min. 43 sec. East, with the general course
 7-31 of a wire fence maintaining a West line of said Trapp 278.389 ac.
 7-32 and the East line of said Christie 68.3 ft., a distance of 727.30
 7-33 ft. to a point in the North right-of-way line of the St. Louis, San
 7-34 Francisco & Texas (Frisco) Railroad, at the Southeast corner of the
 7-35 herein described tract;

7-36 THENCE South 76 deg. 48 min. 15 sec. West with the North
 7-37 right-of-way line of said Frisco Railroad, a distance of 316.39 ft.
 7-38 to a concrete & brass monument found in said East right-of-way line
 7-39 of State Hwy. 289, at the Southwest corner of the herein described
 7-40 tract;

7-41 THENCE North 10 deg. 41 min. 06 sec. East, with the East
 7-42 right-of-way line of State Hwy. 289, a distance of 812.53 ft. to the
 7-43 PLACE OF BEGINNING and containing 3.995 ACRES of land.

7-44 SECTION 3. (a) The legal notice of the intention to
 7-45 introduce this Act, setting forth the general substance of this
 7-46 Act, has been published as provided by law, and the notice and a
 7-47 copy of this Act have been furnished to all persons, agencies,
 7-48 officials, or entities to which they are required to be furnished
 7-49 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
 7-50 Government Code.

7-51 (b) The governor, one of the required recipients, has
 7-52 submitted the notice and Act to the Texas Commission on
 7-53 Environmental Quality.

7-54 (c) The Texas Commission on Environmental Quality has filed
 7-55 its recommendations relating to this Act with the governor, the
 7-56 lieutenant governor, and the speaker of the house of
 7-57 representatives within the required time.

7-58 (d) All requirements of the constitution and laws of this
 7-59 state and the rules and procedures of the legislature with respect
 7-60 to the notice, introduction, and passage of this Act are fulfilled
 7-61 and accomplished.

7-62 SECTION 4. This Act takes effect September 1, 2007.

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