

1-1 By: Deuell S.B. No. 323  
1-2 (In the Senate - Filed January 25, 2007; February 14, 2007,  
1-3 read first time and referred to Committee on Intergovernmental  
1-4 Relations; March 22, 2007, reported adversely, with favorable  
1-5 Committee Substitute by the following vote: Yeas 3, Nays 0;  
1-6 March 22, 2007, sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 323 By: Nichols

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the creation of the Fairfields Municipal Utility  
1-11 District of Kaufman County; providing authority to impose a tax and  
1-12 issue bonds; granting the power of eminent domain.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subtitle F, Title 6, Special District Local Laws  
1-15 Code, is amended by adding Chapter 8162 to read as follows:

1-16 CHAPTER 8162. FAIRFIELDS MUNICIPAL UTILITY DISTRICT OF KAUFMAN  
1-17 COUNTY

1-18 SUBCHAPTER A. GENERAL PROVISIONS

1-19 Sec. 8162.001. DEFINITIONS. In this chapter:

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

1-21 (2) "Director" means a board member.

1-22 (3) "District" means the Fairfields Municipal Utility  
1-23 District of Kaufman County.

1-24 Sec. 8162.002. NATURE OF DISTRICT. The district is a  
1-25 municipal utility district in Kaufman County created under and  
1-26 essential to accomplish the purposes of Section 52, Article III,  
1-27 and Section 59, Article XVI, Texas Constitution.

1-28 Sec. 8162.003. FINDING OF PUBLIC USE AND BENEFIT. The  
1-29 district is created to serve a public use and benefit.

1-30 Sec. 8162.004. CONFIRMATION ELECTION REQUIRED. If the  
1-31 creation of the district is not confirmed at a confirmation  
1-32 election held under Section 8162.023 before September 1, 2009:

1-33 (1) the district is dissolved September 1, 2009,  
1-34 except that the district shall:

1-35 (A) pay any debts incurred;

1-36 (B) transfer to Kaufman County any assets that  
1-37 remain after the payment of debts; and

1-38 (C) maintain the organization of the district  
1-39 until all debts are paid and remaining assets are transferred; and

1-40 (2) this chapter expires September 1, 2012.

1-41 Sec. 8162.005. INITIAL DISTRICT TERRITORY. (a) The  
1-42 district is initially composed of the territory described by  
1-43 Section 2 of the Act creating this chapter.

1-44 (b) The boundaries and field notes contained in Section 2 of  
1-45 the Act creating this chapter form a closure. A mistake made in the  
1-46 field notes or in copying the field notes in the legislative process  
1-47 does not affect:

1-48 (1) the organization, existence, or validity of the  
1-49 district;

1-50 (2) the right of the district to impose taxes; or

1-51 (3) the legality or operation of the board.

1-52 [Sections 8162.006-8162.020 reserved for expansion]

1-53 SUBCHAPTER A-1. TEMPORARY PROVISIONS

1-54 Sec. 8162.021. TEMPORARY DIRECTORS. (a) The temporary  
1-55 board consists of:

1-56 (1) \_\_\_;

1-57 (2) \_\_\_;

1-58 (3) \_\_\_;

1-59 (4) \_\_\_; and

1-60 (5) \_\_\_.

1-61 (b) If a temporary director fails to qualify for office, the  
1-62 temporary directors who have qualified shall appoint a person to  
1-63 fill the vacancy. If at any time there are fewer than three

2-1 qualified temporary directors, the Texas Commission on  
2-2 Environmental Quality shall appoint the necessary number of persons  
2-3 to fill all vacancies on the board.

2-4 (c) Temporary directors serve until the earlier of:  
2-5 (1) the date directors are elected under Section  
2-6 8162.023; or  
2-7 (2) the date this chapter expires under Section  
2-8 8162.004.

2-9 Sec. 8162.022. ORGANIZATIONAL MEETING OF TEMPORARY  
2-10 DIRECTORS. As soon as practicable after all the temporary  
2-11 directors have qualified under Section 49.055, Water Code, the  
2-12 temporary directors shall convene the organizational meeting of the  
2-13 district at a location in the district agreeable to a majority of  
2-14 the directors. If a location cannot be agreed upon, the  
2-15 organizational meeting shall be at the Kaufman County Courthouse.

2-16 Sec. 8162.023. CONFIRMATION AND INITIAL DIRECTORS'  
2-17 ELECTION. The temporary directors shall hold an election to  
2-18 confirm the creation of the district and to elect five directors as  
2-19 provided by Section 49.102, Water Code.

2-20 Sec. 8162.024. INITIAL ELECTED DIRECTORS; TERMS. The  
2-21 directors elected under Section 8162.023 shall draw lots to  
2-22 determine which two shall serve until the first regularly scheduled  
2-23 election of directors and which three shall serve until the second  
2-24 regularly scheduled election of directors.

2-25 Sec. 8162.025. EXPIRATION OF SUBCHAPTER. This subchapter  
2-26 expires September 1, 2012.

2-27 [Sections 8162.026-8162.050 reserved for expansion]  
2-28 SUBCHAPTER B. BOARD OF DIRECTORS

2-29 Sec. 8162.051. DIRECTORS; TERMS. (a) The district is  
2-30 governed by a board of five directors.

2-31 (b) Directors serve staggered four-year terms.

2-32 [Sections 8162.052-8162.100 reserved for expansion]  
2-33 SUBCHAPTER C. POWERS AND DUTIES

2-34 Sec. 8162.101. MUNICIPAL UTILITY DISTRICT POWERS AND  
2-35 DUTIES. The district has the powers and duties provided by the  
2-36 general law of this state, including Chapters 49 and 54, Water Code,  
2-37 applicable to municipal utility districts created under Section 59,  
2-38 Article XVI, Texas Constitution.

2-39 Sec. 8162.102. ROAD PROJECTS. (a) The district may  
2-40 construct, acquire, improve, maintain, or operate macadamized,  
2-41 graveled, or paved roads or turnpikes, or improvements in aid of  
2-42 those roads or turnpikes.

2-43 (b) A road project must meet all applicable construction  
2-44 standards, zoning and subdivision requirements, and regulations of  
2-45 each municipality in whose corporate limits or extraterritorial  
2-46 jurisdiction the district is located. If the district is not  
2-47 located in the corporate limits or extraterritorial jurisdiction of  
2-48 a municipality, a road project must meet all applicable  
2-49 construction standards, zoning and subdivision requirements, and  
2-50 regulations of each county in which the district is located.

2-51 (c) The district may not undertake a road project unless  
2-52 each municipality in whose corporate limits or extraterritorial  
2-53 jurisdiction the district is located consents by resolution. If  
2-54 the district is not located in the corporate limits or  
2-55 extraterritorial jurisdiction of a municipality, the district may  
2-56 not undertake a road project unless each county in which the  
2-57 district is located consents by resolution.

2-58 Sec. 8162.103. ROAD CONTRACTS. The district may contract  
2-59 for a road project in the manner provided by Subchapter I, Chapter  
2-60 49, Water Code.

2-61 [Sections 8162.104-8162.150 reserved for expansion]  
2-62 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2-63 Sec. 8162.151. OPERATION AND MAINTENANCE TAX. (a) The  
2-64 district may impose a tax for any district operation and  
2-65 maintenance purpose in the manner provided by Section 49.107, Water  
2-66 Code.

2-67 (b) Section 49.107(f), Water Code, does not apply to  
2-68 reimbursements for projects constructed or acquired under Section  
2-69 8162.102.

2-70 Sec. 8162.152. TAX TO REPAY BONDS. The district may impose

3-1 a tax to pay the principal of and interest on bonds issued under  
3-2 Section 8162.201.

3-3 Sec. 8162.153. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND  
3-4 ASSESSMENTS. The district may not impose an impact fee or  
3-5 assessment on the property, including the equipment,  
3-6 rights-of-way, facilities, or improvements, of:

3-7 (1) an electric utility or a power generation company  
3-8 as defined by Section 31.002, Utilities Code;

3-9 (2) a gas utility as defined by Section 101.003 or  
3-10 121.001, Utilities Code;

3-11 (3) a telecommunications provider as defined by  
3-12 Section 51.002, Utilities Code;

3-13 (4) a cable operator as defined by 47 U.S.C. Section  
3-14 522; or

3-15 (5) a person who provides to the public advanced  
3-16 telecommunications services.

3-17 [Sections 8162.154-8162.200 reserved for expansion]

3-18 SUBCHAPTER E. BONDS

3-19 Sec. 8162.201. AUTHORITY TO ISSUE BONDS AND OTHER  
3-20 OBLIGATIONS. (a) The district may issue bonds or other  
3-21 obligations as provided by Chapters 49 and 54, Water Code, and to  
3-22 finance the construction, maintenance, or operation of projects  
3-23 under Section 8162.102.

3-24 (b) The district may issue bonds or other obligations  
3-25 payable wholly or partly from ad valorem taxes, impact fees,  
3-26 revenue, grants, or other district money.

3-27 (c) The district may not issue bonds or other obligations  
3-28 secured wholly or partly by ad valorem taxation to finance projects  
3-29 authorized by Section 8162.102 unless the issuance is approved by a  
3-30 vote of a two-thirds majority of district voters voting at an  
3-31 election called for that purpose.

3-32 (d) Bonds or other obligations issued or incurred to finance  
3-33 projects authorized by Section 8162.102 may not exceed one-fourth  
3-34 of the assessed value of the real property in the district.

3-35 (e) Sections 49.181 and 49.182, Water Code, do not apply to  
3-36 a project undertaken by the district under Section 8162.102 or to  
3-37 bonds issued by the district to finance the project.

3-38 [Sections 8162.202-8162.250 reserved for expansion]

3-39 SUBCHAPTER F. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

3-40 Sec. 8162.251. DIVISION OF DISTRICT; REQUIREMENTS. (a) At  
3-41 any time before the district issues indebtedness secured by taxes  
3-42 or net revenue, the district may be divided into two or more new  
3-43 districts.

3-44 (b) A new district created by division of the district must  
3-45 be at least 100 acres.

3-46 (c) Any new district created by the division of the district  
3-47 may not, at the time the new district is created, contain any land  
3-48 outside the area described by Section 2 of the Act creating this  
3-49 chapter.

3-50 (d) The board may consider a proposal to divide the district  
3-51 on:

3-52 (1) a petition of a landowner in the district; or

3-53 (2) a motion by the board.

3-54 (e) If the board decides to divide the district, the board  
3-55 shall:

3-56 (1) set the terms of the division, including names for  
3-57 the new districts and a plan for the payment or performance of any  
3-58 outstanding district obligations; and

3-59 (2) prepare a metes and bounds description for each  
3-60 proposed district.

3-61 Sec. 8162.252. ELECTION FOR DIVISION OF DISTRICT.

3-62 (a) After the board has complied with Section 8162.251(e), the  
3-63 board shall hold an election in the district to determine whether  
3-64 the district should be divided as proposed.

3-65 (b) The board shall give notice of the election not later  
3-66 than the 35th day before the date of the election. The notice must  
3-67 state:

3-68 (1) the date and location of the election; and

3-69 (2) the proposition to be voted on.

3-70 (c) If a majority of the votes cast are in favor of the

4-1 division:

4-2 (1) the district is divided; and

4-3 (2) not later than the 30th day after the date of the  
4-4 election, the district shall provide written notice of the division  
4-5 to:

4-6 (A) the Texas Commission on Environmental  
4-7 Quality;

4-8 (B) the attorney general;

4-9 (C) the commissioners court of each county in  
4-10 which a new district is located; and

4-11 (D) any municipality having extraterritorial  
4-12 jurisdiction over territory in each new district.

4-13 (d) If a majority of the votes cast are not in favor of the  
4-14 division, the district may not be divided.

4-15 Sec. 8162.253. ELECTION OF DIRECTORS OF NEW DISTRICTS.

4-16 (a) Not later than the 90th day after the date of an election in  
4-17 favor of the division of the district, the board shall:

4-18 (1) appoint itself as the board of one of the new  
4-19 districts; and

4-20 (2) appoint five directors for each of the other new  
4-21 districts.

4-22 (b) Directors appointed under Subsection (a)(1) serve the  
4-23 staggered terms to which they were elected in the original  
4-24 district. Directors appointed under Subsection (a)(2) serve until  
4-25 the election for directors under Subsection (c).

4-26 (c) On the uniform election date in May of the first  
4-27 even-numbered year after the year in which the directors are  
4-28 appointed, the appointed board shall hold an election to elect five  
4-29 directors in each district for which directors were appointed under  
4-30 Subsection (a)(2). The directors shall draw lots to determine  
4-31 which two shall serve until the next regularly scheduled election  
4-32 of directors and which three shall serve until the second regularly  
4-33 scheduled election of directors.

4-34 Sec. 8162.254. CONTINUING POWERS AND OBLIGATIONS OF NEW  
4-35 DISTRICTS. (a) Each new district may incur and pay debts and has  
4-36 all powers of the original district created by this chapter.

4-37 (b) If the district is divided as provided by this  
4-38 subchapter, the current obligations and any bond authorizations of  
4-39 the district are not impaired. Debts shall be paid by revenue or by  
4-40 taxes or assessments imposed on real property in the district as if  
4-41 the district had not been divided or by contributions from each new  
4-42 district as stated in the terms set by the board under Section  
4-43 8162.251(e).

4-44 (c) Any other district obligation is divided pro rata among  
4-45 the new districts on an acreage basis or on other terms that are  
4-46 satisfactory to the new districts.

4-47 Sec. 8162.255. CONTRACT AUTHORITY OF NEW DISTRICTS. The  
4-48 new districts may contract with each other for:

4-49 (1) water and wastewater services; or

4-50 (2) any other matter the boards of the new districts  
4-51 consider appropriate.

4-52 SECTION 2. The Fairfield Municipal Utility District of  
4-53 Kaufman County initially includes all the territory contained in  
4-54 the following described area:

4-55 TRACT 1

4-56 BEING a tract of and situated in the Benjamin Kimberling Survey,  
4-57 Abstract No. 265, Joseph Russell Survey, Abstract No. 429, William  
4-58 Clement Survey, Abstract No. 104, Hudson Tabor Survey, Abstract No.  
4-59 542, J. H. Hamilton Survey, Abstract No. 207, A. J. Paschall Survey,  
4-60 Abstract No. 396, E. Helmstetter Survey, Abstract No. 229, W. C.  
4-61 Moody Survey, Abstract No. 322, William McMurry Survey, Abstract  
4-62 No. 348, and the James W. Cude Survey, Abstract No. 90, Kaufman  
4-63 County, Texas, and being a portion of a 834.0416 acre tract of land  
4-64 as described in instrument to H. L. Hunt and recorded in Volume 318,  
4-65 Page 542, a portion of a tract of land as described in instrument to  
4-66 Hunt Oil Company and recorded in Volume 458, Page 2, all of a tract  
4-67 of land as described in instrument to H. L. Hunt as recorded in  
4-68 Volume 1034, Page 877, all of a tract of land as described in  
4-69 instrument to Hunt Oil Company and recorded in Volume 2466, Page  
4-70 210, a portion of a tract of land to H. L. Hunt as described in

5-1 instrument Volume 322, Page 182, all of a tract of land as described  
5-2 in instrument to H. L. Hunt and recorded in Volume 328, Page 299,  
5-3 all of a tract of land as described in instrument to Hunt Oil  
5-4 Company and recorded in Volume 482, Page 410, all of a tract of land  
5-5 as described in instrument to Hunt Oil Company and recorded in  
5-6 Volume 2484, Page 320, all of a tract of land as described in  
5-7 instrument to Hunt Oil Company and recorded in Volume 2489, Page  
5-8 349, all of a tract of land as described in instrument to Hunt Oil  
5-9 Company and recorded in Volume 2468, Page 127, all of the Deed  
5-10 Records of Kaufman County, Texas, and being more particularly  
5-11 described as follows:  
5-12 BEGINNING at concrete right-of-way monument found at the  
5-13 intersection of the southerly right-of-way line of the Union  
5-14 Pacific Railroad (formerly the Texas & Pacific Railroad) with the  
5-15 westerly right-of-way line of Farm-to-Market Highway No. 429 (F.M.  
5-16 429), a 90 foot wide right-of-way as established by instrument  
5-17 recorded in Volume 355, Page 203 of the Deed Records of Kaufman  
5-18 County, Texas;  
5-19 THENCE, along the westerly right-of-way line of said F.M. 429,  
5-20 South 03 degrees 04 minutes 11 seconds East a distance of 3,527.31  
5-21 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at  
5-22 the beginning of a curve to the left having a radius of 565.87 feet;  
5-23 THENCE, continuing along the southwesterly right-of-way line of  
5-24 F.M. 429 and along said curve to the left through a central angle of  
5-25 43 degrees 43 minutes 48 seconds, an arc length of 431.89 feet,  
5-26 being subtended by a chord of South 24 degrees 56 minutes 05 seconds  
5-27 East a distance of 421.48 feet to a 5/8 inch iron rod set with cap  
5-28 stamped "Huitt-Zollars";  
5-29 THENCE, South 46 degrees 47 minutes 59 seconds East continuing  
5-30 along the Southwesterly right-of-way line of F.M. 429 a distance of  
5-31 2,248.36 feet to a 3/8 inch iron rod found for the most Northerly  
5-32 corner of a 5 acre tract of land as described in General Warranty  
5-33 Deed to Harless Steven Rattan and wife, Reva O. Rattan as recorded  
5-34 in Volume 1881, Page 1, Deed Records of Kaufman County, Texas;  
5-35 THENCE, departing the Southwesterly right-of-way line of said FM  
5-36 429, South 43 degrees 22 minutes 31 seconds West along the  
5-37 Northwesterly line of said Rattan Tract, a distance of 838.79 feet  
5-38 to a 3/8 inch iron rod found for the most Westerly corner of said  
5-39 Rattan Tract;  
5-40 THENCE, South 46 degrees 46 minutes 43 seconds East a distance of  
5-41 259.56 feet to a point for a corner on the southeasterly line of  
5-42 said McCaghren Tract, from which a 3/8 inch iron rod found bears  
5-43 North 87 degrees 13 minutes 08 seconds East, a distance of 0.68 feet  
5-44 and a second 3/8 inch iron rod found bears South 49 degrees 11  
5-45 minutes 33 seconds West, a distance of 2.24 feet;  
5-46 THENCE, South 43 degrees 21 minutes 30 seconds West a distance of  
5-47 1,275.46 feet to a 5/8 inch iron rod set with cap stamped  
5-48 "Huitt-Zollars" at the North corner of said tract of land to H. L.  
5-49 Hunt, as recorded in Volume 1034, Page 877, said point being the  
5-50 North corner of the said William Clements Survey;  
5-51 THENCE, South 47 degrees 03 minutes 28 seconds East with the  
5-52 Northeast line of the said William Clements Survey and continuing  
5-53 with the Northerly Northeast line of the said Joseph Russell Survey  
5-54 a distance of 5,301.60 feet to a bent 5/8 iron rod found, said rod  
5-55 being in the Northwest line of the H. L. Hunt tract as described in  
5-56 Volume 318, Page 542;  
5-57 THENCE, North 43 degrees 07 minutes 35 seconds East along the  
5-58 Northwest line of the H. L. Hunt tract as described in Volume 318,  
5-59 Page 542 a distance of 3,067.25 feet to a 5/8 inch iron rod set with  
5-60 cap stamped "Huitt-Zollars" in the Southwest right-of-way line of  
5-61 F.M. 429 and being the beginning of a non-tangent curve to the left  
5-62 having a radius of 1,190.92 feet;  
5-63 THENCE, in a Southeasterly direction along the Southwest  
5-64 right-of-way line of F.M. 429 along said curve to the left through a  
5-65 central angle of 04 degree 12 minutes 53 seconds, an arc length of  
5-66 87.61 feet, being subtended by a chord of South 73 degrees 11  
5-67 minutes 23 seconds East a distance of 87.59 feet to a 5/8 inch iron  
5-68 rod set with cap stamped "Huitt-Zollars" in a North line of said H.  
5-69 L. Hunt tract as described in Volume 318, Page 542;  
5-70 THENCE, South 58 degrees 51 minutes 00 seconds East along the North

6-1 line of the last mentioned H. L. Hunt tract a distance of 58.41 feet  
6-2 to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the  
6-3 beginning of a curve to the left having a radius of 364.54 feet;  
6-4 THENCE, continuing along the North line of the last mentioned H. L.  
6-5 Hunt tract along said curve to the left through a central angle of  
6-6 56 degrees 25 minutes 53 seconds, an arc length of 359.04 feet,  
6-7 being subtended by a chord of South 87 degrees 03 minutes 57 seconds  
6-8 East a distance of 344.70 feet to a 5/8 inch iron rod set with cap  
6-9 stamped "Huitt-Zollars" in the Southwest right-of-way line of F. M.  
6-10 429;  
6-11 THENCE, continuing along the Southwest right-of-way line of F.M.  
6-12 429 the following courses and distances:  
6-13 South 86 degrees 09 minutes 28 seconds East a distance of 77.03 feet  
6-14 to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the  
6-15 beginning of a curve to the right having a radius of 671.20 feet;  
6-16 along said curve to the right through a central angle of 40 degrees  
6-17 09 minutes 57 seconds, an arc length of 470.53 feet, being subtended  
6-18 by a chord of South 66 degrees 04 minutes 29 seconds East a distance  
6-19 of 460.95 feet to a 5/8 inch iron rod set with cap stamped  
6-20 "Huitt-Zollars";  
6-21 South 45 degrees 59 minutes 30 seconds East a distance of 2,629.80  
6-22 feet to a point for corner, from which a concrete Texas Department  
6-23 of Transportation (TxDOT) monument found bears North 37 degrees 36  
6-24 minutes 31 seconds East, 0.48 feet, said point being the beginning  
6-25 of a non-tangent curve to the right having a radius of 2,819.79  
6-26 feet;  
6-27 along said curve to the right through a central angle of 06 degrees  
6-28 48 minutes 00 seconds, an arc length of 334.66 feet, being subtended  
6-29 by a chord of South 42 degrees 35 minutes 30 seconds East a distance  
6-30 of 334.46 feet to a point for corner, from which a concrete Texas  
6-31 Department of Transportation (TxDOT) monument found bears North 71  
6-32 degrees 55 minutes 44 seconds West, 0.48 feet;  
6-33 South 39 degrees 11 minutes 30 seconds East a distance of 115.12  
6-34 feet to a point for corner, from which a concrete Texas Department  
6-35 of Transportation (TxDOT) monument found bears North 14 degrees 10  
6-36 minutes 37 seconds West, 0.26 feet, said point being the beginning  
6-37 of a curve to the left having a radius of 2,909.79 feet;  
6-38 along said curve to the left through a central angle of 06 degrees  
6-39 12 minutes 00 seconds, an arc length of 314.87 feet, being subtended  
6-40 by a chord of South 42 degrees 17 minutes 30 seconds East a distance  
6-41 of 314.72 feet to a 5/8 inch iron rod set with cap stamped  
6-42 "Huitt-Zollars";  
6-43 South 45 degrees 23 minutes 30 seconds East a distance of 705.00  
6-44 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at  
6-45 the beginning of a curve to the left having a radius of 2,909.83  
6-46 feet;  
6-47 along said curve to the left through a central angle of 05 degrees  
6-48 27 minutes 28 seconds, an arc length of 277.18 feet, being subtended  
6-49 by a chord of South 48 degrees 06 minutes 43 seconds East a distance  
6-50 of 277.07 feet to a 5/8 inch iron rod set with cap stamped  
6-51 "Huitt-Zollars";  
6-52 South 50 degrees 32 minutes 30 seconds East a distance of 154.67  
6-53 feet to a point for corner, from which a concrete Texas Department  
6-54 of Transportation (TxDOT) monument found bears North 66 degrees 02  
6-55 minutes 36 seconds West, 0.30 feet at the beginning of a curve to  
6-56 the right having a radius of 1,387.64 feet;  
6-57 along said curve to the right through a central angle of 07 minutes  
6-58 40 minutes 00 seconds, an arc length of 185.68 feet, being subtended  
6-59 by a chord of South 46 degrees 42 minutes 30 seconds East a distance  
6-60 of 185.54 feet to a 5/8 inch iron rod set with cap stamped  
6-61 "Huitt-Zollars"  
6-62 South 42 degrees 52 minutes 30 seconds East a distance of 316.47  
6-63 feet to a point for corner, said point being in Northwest line of a  
6-64 tract of land described in instrument to Ernest V. Rogers and wife,  
6-65 Cynthia Sue Rogers and recorded in Volume 952, Page 788 of the Deed  
6-66 Records of Kaufman County, Texas, from which a 1/2 inch iron rod  
6-67 found bears South 44 degrees 48 minutes 38 seconds, 0.48 feet;  
6-68 THENCE, South 44 degrees 48 minutes 38 seconds West along the  
6-69 Northwest line of the said Rogers and the southeast line of the said  
6-70 H. L. Hunt tract as described in Volume 458, Page 2, a distance of

7-1 2,422.47 feet to a fence corner post;  
 7-2 THENCE, North 45 degrees 19 minutes 53 seconds West a distance of  
 7-3 1,756.49 feet to a fence corner post;  
 7-4 THENCE, South 42 degrees 59 minutes 38 seconds West a distance of  
 7-5 1,465.41 feet to a fence corner post;  
 7-6 THENCE, South 46 degrees 07 minutes 41 seconds East a distance of  
 7-7 1,642.52 feet to a fence corner post;  
 7-8 THENCE, South 43 degrees 02 minutes 42 seconds West a distance of  
 7-9 888.12 feet to a 10" Hackberry Tree found on the north line of  
 7-10 Interstate Highway 20;  
 7-11 THENCE, along the north right-of-way line of Interstate Highway 20  
 7-12 the following courses and distance:  
 7-13 North 74 degrees 59 minutes 38 seconds West a distance of 2,680.90  
 7-14 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-15 North 75 degrees 26 minutes 04 seconds West a distance of 1,300.04  
 7-16 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-17 North 74 degrees 59 minutes 38 seconds West a distance of 1,600.00  
 7-18 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-19 North 66 degrees 27 minutes 38 seconds West a distance of 303.36  
 7-20 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-21 North 27 degrees 15 minutes 38 seconds West a distance of 148.64  
 7-22 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-23 North 35 degrees 13 minutes 22 seconds East a distance of 249.92  
 7-24 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-25 North 44 degrees 22 minutes 22 seconds East a distance of 107.90  
 7-26 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-27 North 45 degrees 51 minutes 38 seconds West a distance of 368.81  
 7-28 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars at  
 7-29 the most Westerly Northwest corner of a tract of land as described  
 7-30 in instrument to H. L. Hunt and recorded in Volume 318, Page 542;  
 7-31 THENCE, North 43 degrees 06 minutes 41 seconds East along the  
 7-32 northwest line of said H. L. Hunt tract as recorded in Volume 318,  
 7-33 Page 542 a distance of 24.21 feet to a 5/8 inch iron rod set with cap  
 7-34 stamped "Huitt-Zollars at the south corner of said H. L. Hunt tract  
 7-35 as recorded in Volume 1034, Page 877;  
 7-36 THENCE, North 46 degrees 18 minutes 38 seconds West along the  
 7-37 Southwest line of said H. L. Hunt tract as recorded in Volume 1034,  
 7-38 Page 877 a distance of 5,289.65 feet to a 1/2 iron rod found at the  
 7-39 west corner of the last mentioned H. L. Hunt tract;  
 7-40 THENCE, North 43 degrees 04 minutes 01 seconds East along the  
 7-41 Northwest line of the last mentioned H. L. Hunt tract a distance of  
 7-42 0.56 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars  
 7-43 in the north right-of-way line of Airport Road as established by  
 7-44 instrument to the City of Terrell for road right-of-way dated July  
 7-45 27, 2004;  
 7-46 THENCE, along the North right-of-way line of Airport Road the  
 7-47 following courses and distances:  
 7-48 North 46 degrees 42 minutes 19 seconds West a distance of 136.81  
 7-49 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-50 North 46 degrees 21 minutes 25 seconds West a distance of 480.30  
 7-51 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-52 North 46 degrees 08 minutes 50 seconds West a distance of 582.25  
 7-53 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-54 North 46 degrees 42 minutes 43 seconds West a distance of 195.07  
 7-55 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-56 North 48 degrees 12 minutes 12 seconds West a distance of 100.52  
 7-57 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-58 North 49 degrees 05 minutes 54 seconds West a distance of 151.43  
 7-59 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars;  
 7-60 North 45 degrees 04 minutes 36 seconds West a distance of 1,121.91  
 7-61 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars in  
 7-62 the Northwest line of the said Hunt Oil Company tract as recorded in  
 7-63 Volume 2466, Page 210;  
 7-64 THENCE, South 43 degrees 35 minutes 44 seconds West along the  
 7-65 Northwest line of the last mentioned Hunt Oil Company tract a  
 7-66 distance of 91.96 feet to a cut cross found in concrete at the West  
 7-67 corner of the said Hunt Oil Company tract as recorded in Volume  
 7-68 2466, Page 210, said corner also being the south corner of the said  
 7-69 H. L. Hunt tract as recorded in Volume 328, Page 299;  
 7-70 THENCE, North 42 degrees 27 minutes 27 seconds West along the

8-1 Southwest line of the said H. L. Hunt tract as recorded in Volume  
8-2 328, Page 299 a distance of 769.09 feet to a 5/8 inch iron rod set  
8-3 with cap stamped "Huitt-Zollars";  
8-4 THENCE, North 46 degrees 19 minutes 18 seconds West continuing  
8-5 along the Southwest line of the last mention H. L. Hunt tract a  
8-6 distance of 2,272.73 feet to a cut cross set in concrete at the west  
8-7 corner of the last mentioned H. L. Hunt tract;  
8-8 THENCE, North 64 degrees 21 minutes 57 seconds East along a  
8-9 Northwest line of the last mention H. L. Hunt tract a distance of  
8-10 1,775.49 feet to a fence corner, same being a large tree;  
8-11 THENCE, North 30 degrees 23 minutes 40 seconds East along a West  
8-12 line of the last mention H. L. Hunt tract a distance of 166.50 feet  
8-13 to a railroad spike set in tree root;  
8-14 THENCE, North 14 degrees 01 minute 46 seconds West continuing along  
8-15 a Southwest line of the last mention H. L. Hunt tract a distance of  
8-16 226.95 feet to a 5/8 inch iron rod set with cap stamped  
8-17 "Huitt-Zollars in fence line";  
8-18 THENCE, North 21 degrees 49 minutes 11 seconds West continuing  
8-19 along a Southwest line of the last mention H. L. Hunt tract and  
8-20 along a fence line a distance of 294.75 feet to a fence corner post;  
8-21 THENCE, North 27 degrees 38 minutes 46 seconds West continuing  
8-22 along a Southwest line of the last mention H. L. Hunt tract and  
8-23 along a fence line a distance of 785.05 feet to a fence corner post;  
8-24 THENCE, North 25 degrees 07 minutes 59 seconds West continuing  
8-25 along a Southwest line of the last mention H. L. Hunt tract and  
8-26 along a fence a distance of 520.74 feet to a 1/2 iron rod found with  
8-27 cap stamped "Neagles RPLS 5239";  
8-28 THENCE, North 73 degrees 05 minutes 55 seconds West a distance of  
8-29 742.11 feet to a 5/8 inch iron rod found;  
8-30 THENCE, South 64 degrees 39 minutes 12 seconds West continuing a  
8-31 Southeast line of the last mention H. L. Hunt tract a distance of  
8-32 382.45 feet to a fence corner post;  
8-33 THENCE, North 46 degrees 40 minutes 18 seconds West continuing  
8-34 along a Southwest line of the last mention H. L. Hunt tract and  
8-35 along a fence line and an extension thereof a distance of 287.37  
8-36 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars in  
8-37 the centerline of a road at the most northerly west corner of the  
8-38 last mentioned H. L. Hunt tract, from which a 1/2 inch iron rod  
8-39 found bears North 63 degrees 28 minutes 24 seconds West, 2.38 feet;  
8-40 THENCE, North 43 degrees 13 minutes 19 seconds East along a  
8-41 Northwest line of the last mentioned H.L. Hunt and along the  
8-42 centerline of a road a distance of 1,259.54 feet to a 5/8 inch iron  
8-43 rod set with cap stamped "Huitt-Zollars in the centerline of  
8-44 College Mound Road;  
8-45 THENCE, South 47 degrees 34 minutes 51 seconds East along a  
8-46 Northeast line of the last mentioned H.L. Hunt and along the  
8-47 centerline of College Mound Road a distance of 1,080.86 feet to a  
8-48 5/8 inch iron rod set with cap stamped "Huitt-Zollars";  
8-49 THENCE, South 73 degrees 23 minutes 16 seconds East continuing  
8-50 along a Northerly line of the last mentioned H.L. Hunt and along the  
8-51 centerline of College Mound Road a distance of 691.14 feet to a  
8-52 metal bar found in the center of a wooden bridge, same being the  
8-53 centerline of Kings Creek;  
8-54 THENCE, North 13 degrees 19 minutes 44 seconds East along the  
8-55 centerline of Kings Creek a distance of 30.33 feet to the Southeast  
8-56 corner of the Greenbelt Addition, recorded in Cabinet 1, Sleeve 324  
8-57 of the Plat Records of Kaufman County, Texas;  
8-58 THENCE, with the Northeasterly line of the said Greenbelt Addition  
8-59 and the centerline of Kings Creek the following courses and  
8-60 distances:  
8-61 North 09 degrees 03 minutes 42 seconds East a distance of 47.11 feet  
8-62 to a point for corner;  
8-63 North 36 degrees 13 minutes 18 seconds West a distance of 36.15 feet  
8-64 to a point for corner;  
8-65 North 74 degrees 58 minutes 16 seconds West a distance of 307.46  
8-66 feet to a point for corner;  
8-67 North 02 degrees 53 minutes 41 seconds West a distance of 38.38 feet  
8-68 to a point for corner;  
8-69 North 44 degrees 58 minutes 25 seconds East a distance of 107.34  
8-70 feet to a point for corner;



9-1 North 02 degrees 08 minutes 44 seconds East a distance of 45.54 feet  
 9-2 to a point for corner;  
 9-3 North 42 degrees 29 minutes 01 second West a distance of 100.80 feet  
 9-4 to a point for corner;  
 9-5 North 34 degrees 15 minutes 02 seconds East a distance of 116.47  
 9-6 feet to a point for corner;  
 9-7 North 10 degrees 59 minutes 15 seconds East a distance of 55.00 feet  
 9-8 to a point for corner;  
 9-9 North 31 degrees 10 minutes 25 seconds West a distance of 171.33  
 9-10 feet to a point for corner;  
 9-11 North 25 degrees 01 minutes 25 seconds East a distance of 70.09 feet  
 9-12 to a point for corner;  
 9-13 North 74 degrees 52 minutes 25 seconds East a distance of 120.41  
 9-14 feet to a point for corner;  
 9-15 North 01 degree 02 minutes 44 seconds East a distance of 52.80 feet  
 9-16 to a point for corner;  
 9-17 North 18 degrees 07 minutes 02 seconds West a distance of 111.02  
 9-18 feet to a point for corner;  
 9-19 North 40 degrees 43 minutes 56 seconds East a distance of 40.31 feet  
 9-20 to the confluence of Kings Creek and a branch for corner;  
 9-21 THENCE, with the Northeasterly line of the said Greenbelt Addition  
 9-22 and the centerline of Branch the following courses and distances:  
 9-23 North 14 degrees 09 minutes 42 seconds West a distance of 122.13  
 9-24 feet to a point for corner;  
 9-25 North 73 degrees 19 minutes 07 seconds West a distance of 22.83 feet  
 9-26 to a point for corner;  
 9-27 North 45 degrees 24 minutes 53 seconds West a distance of 127.01  
 9-28 feet to a point for corner;  
 9-29 North 07 degrees 38 minutes 33 seconds West a distance of 15.00 feet  
 9-30 to a point for corner;  
 9-31 North 49 degrees 28 minutes 56 seconds West a distance of 46.17 feet  
 9-32 to a point for corner;  
 9-33 North 18 degrees 48 minutes 09 seconds West a distance of 59.93 feet  
 9-34 to a point for corner;  
 9-35 North 34 degrees 18 minutes 35 seconds West a distance of 203.21  
 9-36 feet to a point for corner;  
 9-37 North 74 degrees 55 minutes 58 seconds West a distance of 73.06 feet  
 9-38 to a point for corner;  
 9-39 North 37 degrees 01 minute 03 seconds West a distance of 284.75 feet  
 9-40 to the north corner of said Greenbelt Addition;  
 9-41 THENCE, South 42 degrees 27 minutes 36 seconds West along the  
 9-42 northwest side of the said Greenbelt Addition a distance of 48.18  
 9-43 feet to a fence corner post, said post being in the southwest line  
 9-44 of the Hunt Oil Company tract as recorded in Volume 482, Page 410;  
 9-45 THENCE, North 46 degrees 55 minutes 28 seconds West along a  
 9-46 southwest line of the last mentioned Hunt Oil Company tract and  
 9-47 along a fence line a distance of 2,111.39 feet to a fence corner  
 9-48 post;  
 9-49 THENCE, North 51 degrees 15 minutes 08 seconds East along a  
 9-50 northwesterly line of the last mentioned Hunt Oil Company tract and  
 9-51 along a fence line passing at 310.00 feet a 5/8 inch iron rod set, in  
 9-52 all a distance of 320.00 feet to an inner ell corner of the Hunt Oil  
 9-53 Company tract as recorded in Volume 482, Page 410;  
 9-54 THENCE, North 63 degrees 38 minutes 20 seconds West along a  
 9-55 southwest line of the last mentioned Hunt Oil Company tract a  
 9-56 distance of 324.26 feet to a 5/8 inch iron rod set with cap stamped  
 9-57 "Huitt-Zollars";  
 9-58 THENCE, North 61 degrees 09 minutes 01 second West continuing along  
 9-59 a southwest line of the last mentioned Hunt Oil Company tract a  
 9-60 distance of 445.60 feet to a fence corner post in the southerly  
 9-61 right-of-way line of the Union Pacific Railroad spur, said post  
 9-62 being the beginning of a non-tangent curve to the right having a  
 9-63 radius of 795.00 feet;  
 9-64 THENCE, along the southerly right-of-way line of the Texas &  
 9-65 Pacific Railroad spur and along a curve to the right through a  
 9-66 central angle of 20 degrees 21 minutes 36 seconds, an arc length of  
 9-67 282.50 feet, being subtended by a chord of North 77 degrees 21  
 9-68 minutes 05 seconds East a distance of 281.02 feet to a 5/8 inch iron  
 9-69 rod set with cap stamped "Huitt-Zollars" in the south right-of-way  
 9-70 line of the Union Pacific Railroad, a 100.00 foot wide

10-1 right-of-way;

10-2 THENCE, South 82 degrees 57 minutes 54 seconds East along the south

10-3 right-of-way line of the Union Pacific Railroad a distance of

10-4 3,744.63 feet to a 5/8 inch iron rod set with cap stamped

10-5 "Huitt-Zollars" at the northwest corner of a tract of land as

10-6 described in instrument to Texas Power and Light Company as

10-7 recorded in Volume 526, Page 665 of the Deed Records of Kaufman

10-8 County, Texas;

10-9 THENCE, South 11 degrees 36 minutes 24 seconds West departing the

10-10 south right-of-way line of the Union Pacific Railroad and along the

10-11 west ling of the said Texas Power and Light Company tract a distance

10-12 of 300.79 feet to a 5/8 inch iron rod set with cap stamped

10-13 "Huitt-Zollars" at the southwest corner of the said Texas Power and

10-14 Light Company Tract;

10-15 THENCE, along the southerly line of said Texas Power and Light

10-16 Company Tract, South 83 degrees 00 minutes 21 seconds East along the

10-17 south line of the said Texas Power and Light Company tract passing

10-18 at 110.00 feet a concrete Texas Power & Light Company monument with

10-19 a brass cap found at the southeast corner of the last mentioned

10-20 Texas Power and Light Company tract, said monument also being the

10-21 southwest corner of a tract of land as described in instrument to

10-22 Texas Power & Light Company as recorded in Volume 195, Page 158 of

10-23 the Deed Records of Kaufman County, Texas, in all a distance of

10-24 410.66 feet to a galvanized steel post in concrete stamped "T P & L

10-25 Co. prop. corner" at the southeast corner of said Texas Power and

10-26 Light Company Tract;

10-27 THENCE, along the easterly line of said Texas Power and Light

10-28 Company Tract (Vol. 195, Page 158) and continuing along the

10-29 aforementioned Texas Power and Light Company Tract (Vol. 206, Page

10-30 380) North 11 degrees 27 minutes 59 seconds East a distance of

10-31 300.44 feet (Deed North 13 degrees 27 minutes 16 seconds East,

10-32 300.00 feet) to a one inch iron rod found in the south right-of-way

10-33 line of the Union Pacific Railroad;

10-34 THENCE, South 82 degrees 57 minutes 54 seconds East along the south

10-35 right-of-way line of the Union Pacific Railroad a distance of

10-36 2,270.17 feet to the POINT OF BEGINNING and CONTAINING 2,352.6

10-37 acres of land, more or less.

10-38 TRACT 2

10-39 BEING a tract of land situated in the Benjamin Kimberling Survey,

10-40 Abstract No. 265, Kaufman County, Texas, and being a portion of a

10-41 834.0416 acre tract of land as described in instrument to H. L. Hunt

10-42 as recorded in Volume 318, Page 542, subsequently deeded to Hunt Oil

10-43 Company in Volume 427, Page 119 of the Deed Records of Kaufman

10-44 County, Texas, and being a portion of a 22.634 acre tract of land as

10-45 described in instrument to Hunt Oil Company as recorded in Volume

10-46 2622, Page 444 of the Deed Records of Kaufman County, Texas, and

10-47 being all of a 65.24 acre tract of land as described in instrument

10-48 to Hunt Oil Company as recorded in Volume 2723, Page 294 of the Deed

10-49 Records of Kaufman County, Texas, and being more particularly

10-50 described as follows:

10-51 BEGINNING 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at

10-52 the intersection of the south right-of-way line of Interstate

10-53 Highway 20, a variable width right-of-way, with the east line of the

10-54 Kaufman-Van Zandt Baptist Area Church, Inc. tract as described in

10-55 instrument recorded in Volume 1470, Page 1 of the Deed Records of

10-56 Kaufman County, Texas;

10-57 THENCE, along the south right-of-way of Interstate Highway 20 the

10-58 following:

10-59 South 74 degrees 59 minutes 38 seconds East a distance of 1,388.56

10-60 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars";

10-61 South 74 degrees 06 minutes 45 seconds East a distance of 1,300.15

10-62 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars",

10-63 from which a Texas Department of Transportation concrete highway

10-64 monument found bears South 33 degrees 20 minutes 55 seconds East,

10-65 1.16 feet;

10-66 South 74 degrees 59 minutes 38 seconds East a distance of 2,473.19

10-67 feet to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" in

10-68 a southeast line of the said H. L. Hunt tract, from which a Texas

10-69 Department of Transportation concrete highway monument found bears

10-70 South 78 degrees 07 minutes 55 seconds East, 1.47 feet;

11-1 South 74 degrees 59 minutes 38 seconds East a distance of 326.81  
 11-2 feet to a five-eighths inch iron rod set with cap stamped  
 11-3 "Huitt-Zollars", from which a TxDOT concrete monument found bears  
 11-4 South 84 degrees 10 minutes 06 seconds East, 1.13 feet;  
 11-5 South 74 degrees 30 minutes 59 seconds East a distance of 600.02  
 11-6 feet to a point for corner, from which a TxDOT concrete monument  
 11-7 found bears North 47 degrees 49 minutes 51 seconds East, 0.33 feet;  
 11-8 South 74 degrees 59 minutes 38 seconds East a distance of 600.00  
 11-9 feet to a point for corner, from which a TxDOT concrete monument  
 11-10 found bears South 75 degrees 52 minutes 04 seconds East, 0.48 feet;  
 11-11 South 73 degrees 33 minutes 42 seconds East a distance of 400.12  
 11-12 feet to a point for corner, from which a TxDOT concrete monument  
 11-13 found bears North 13 degrees 14 minutes 53 seconds East, 0.48 feet;  
 11-14 South 74 degrees 59 minutes 38 seconds East a distance of 78.53 feet  
 11-15 to a five-eighths inch iron rod found with cap stamped  
 11-16 "Huitt-Zollars" in the southeasterly line of said Hunt Oil Company  
 11-17 tract (Vol. 2723, Pg. 294);  
 11-18 THENCE, South 46 degrees 58 minutes 57 seconds West along the  
 11-19 southeast line of the last mentioned Hunt Oil Company tract a  
 11-20 distance of 2,162.15 feet to a fence corner post at the south corner  
 11-21 of the said last mentioned Hunt Oil Company tract;  
 11-22 THENCE, North 46 degrees 30 minutes 03 seconds West along the  
 11-23 southwest line of the last mentioned Hunt Oil Company tract a  
 11-24 distance of 1,628.60 feet to a fence corner post at the west corner  
 11-25 of the last mentioned Hunt Oil Company tract, said corner also being  
 11-26 a south corner of the said Hunt Oil Company Tract (Vol. 427, Pg.  
 11-27 119) and the west corner of said Hunt Oil Company tract (Vol. 2723,  
 11-28 Pg. 294);  
 11-29 THENCE, North 46 degrees 52 minutes 48 seconds West along a  
 11-30 southwest line of the said Hunt Oil Company tract (Vol. 427, Pg.  
 11-31 119) and along a fence line a distance of 744.85 feet to the  
 11-32 southeast line of the said Hunt Oil Company tract (Vol. 2622, Pg.  
 11-33 444);  
 11-34 THENCE, South 44 degrees 33 minutes 51 seconds West along a  
 11-35 southeast of the last mentioned Hunt Oil Company tract a distance of  
 11-36 1,374.94 feet to a 5/8 inch iron rod set with cap stamped  
 11-37 "Huitt-Zollars";  
 11-38 THENCE, North 46 degrees 22 minutes 46 seconds West a distance of  
 11-39 200.00 feet to a five-eighths inch iron rod found with cap stamped  
 11-40 "Huitt-Zollars";  
 11-41 THENCE, South 44 degrees 33 minutes 51 seconds West a distance of  
 11-42 217.83 feet to a five-eighths inch iron rod found with cap stamped  
 11-43 "Huitt-Zollars" on the south line of the last mentioned Hunt Oil  
 11-44 Company tract;  
 11-45 THENCE, North 46 degrees 22 minutes 46 seconds West a distance of  
 11-46 419.46 feet to the west corner of the last mentioned Hunt Oil  
 11-47 Company tract, and being on the southeast line of the said Hunt Oil  
 11-48 Company (Vol. 427, Pg. 119), from which a five-eighths inch iron rod  
 11-49 found with cap stamped "Huitt-Zollars", bears North 44 degrees 37  
 11-50 minutes 00 seconds East a distance of 20.77 feet;  
 11-51 THENCE, South 44 degrees 37 minutes 00 seconds West a distance of  
 11-52 5.65 feet to the southern most corner of the last mentioned Hunt Oil  
 11-53 Company tract, and being in the centerline of County Road 136;  
 11-54 THENCE, North 45 degrees 58 minutes 05 seconds West along a  
 11-55 southwest line of the last mentioned Hunt Oil Company tract and  
 11-56 generally along the centerline of said County Road 136, a distance  
 11-57 of 3,081.35 feet to a PK nail found at the most southerly corner of  
 11-58 said Kaufman-Van Zandt Baptist Area Church, Inc. tract;  
 11-59 THENCE, North 43 degrees 49 minutes 13 seconds East along the east  
 11-60 line of said Kaufman-Van Zandt Baptist Area Church, Inc. tract a  
 11-61 distance of 195.34 feet to a 5/8 inch iron rod set with cap stamped  
 11-62 "Huitt-Zollars";  
 11-63 THENCE, North 14 degrees 34 minutes 18 seconds East continuing  
 11-64 along the east line of said Kaufman-Van Zandt Baptist Area Church,  
 11-65 Inc. tract a distance of 168.66 feet to a the POINT OF BEGINNING and  
 11-66 CONTAINING 201.3 acres of land, more or less.  
 11-67 TRACT 3  
 11-68 BEING a tract of land situated in the Benjamin Kimberling Survey,  
 11-69 Abstract No. 265 and the Joseph Russell Survey, Abstract No. 429,  
 11-70 Kaufman County, Texas, and being a portion of a tract of 110.5 acre

12-1 tract of land as described in instrument to H. L. Hunt as recorded  
 12-2 in Volume 322, Page 129 of the Deed Records of Kaufman County,  
 12-3 Texas, and being more particularly described as follows:

12-4 BEGINNING 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at  
 12-5 the west corner of said Hunt tract, said point being at the  
 12-6 intersection of the projected centerline of F.M. 429 (formerly  
 12-7 known as College Mound Road) with the centerline of Kaufman County  
 12-8 Road No. 309;

12-9 THENCE, North 43 degrees 58 minutes 52 seconds East along the  
 12-10 northwest line of said Hunt tract a distance of 2,252.13 feet to a  
 12-11 fence corner post;

12-12 THENCE, South 46 degrees 32 minutes 42 seconds East along the  
 12-13 northeast line of said Hunt tract and along a fence line a distance  
 12-14 of 2,129.12 feet to a 5/8 inch iron rod set with cap stamped  
 12-15 "Huitt-Zollars" at the east corner of said Hunt tract;

12-16 THENCE, South 44 degrees 17 minutes 57 seconds West along the  
 12-17 southeast line of said Hunt tract and along a fence line a distance  
 12-18 of 2,227.72 feet to a 5/8 inch iron rod set with cap stamped  
 12-19 "Huitt-Zollars" in the northerly right-of-way line of F.M. 429, a  
 12-20 90.0 foot wide right-of-way, as established deed recorded in Volume  
 12-21 355, Page 221 of the Deed Records of Kaufman County, Texas;

12-22 THENCE, North 45 degrees 59 minutes 30 seconds West along the  
 12-23 northerly right-of-way line of F.M. 429 a distance of 1,623.46 feet  
 12-24 to a 5/8 inch iron rod set with cap stamped "Huitt-Zollars" at the  
 12-25 beginning of a curve to the left having a radius of 761.20 feet;

12-26 THENCE, continuing along the northerly right-of-way line of F.M.  
 12-27 429 and along said curve to the left through a central angle of 19  
 12-28 degrees 47 minutes 59 seconds, arc length of 263.05 feet, being  
 12-29 subtended by a chord of North 55 degrees 53 minutes 30 seconds West  
 12-30 a distance of 261.74 feet to a 5/8 inch iron rod set with cap stamped  
 12-31 "Huitt-Zollars" in the southwest line of the said Hunt tract;

12-32 THENCE, North 45 degrees 59 minutes 30 seconds West along the  
 12-33 southwest line of the said Hunt tract a distance of 235.34 feet a  
 12-34 the POINT OF BEGINNING and CONTAINING 108.39 acres of land, more or  
 12-35 less.

12-36 SECTION 3. (a) The legal notice of the intention to  
 12-37 introduce this Act, setting forth the general substance of this  
 12-38 Act, has been published as provided by law, and the notice and a  
 12-39 copy of this Act have been furnished to all persons, agencies,  
 12-40 officials, or entities to which they are required to be furnished  
 12-41 under Section 59, Article XVI, Texas Constitution, and Chapter 313,  
 12-42 Government Code.

12-43 (b) The governor, one of the required recipients, has  
 12-44 submitted the notice and Act to the Texas Commission on  
 12-45 Environmental Quality.

12-46 (c) The Texas Commission on Environmental Quality has filed  
 12-47 its recommendations relating to this Act with the governor, the  
 12-48 lieutenant governor, and the speaker of the house of  
 12-49 representatives within the required time.

12-50 (d) All requirements of the constitution and laws of this  
 12-51 state and the rules and procedures of the legislature with respect  
 12-52 to the notice, introduction, and passage of this Act are fulfilled  
 12-53 and accomplished.

12-54 SECTION 4. This Act takes effect immediately if it receives  
 12-55 a vote of two-thirds of all the members elected to each house, as  
 12-56 provided by Section 39, Article III, Texas Constitution. If this  
 12-57 Act does not receive the vote necessary for immediate effect, this  
 12-58 Act takes effect September 1, 2007.

12-59 \* \* \* \* \*