

By: Estes S.B. No. 2002
(In the Senate - Filed April 4, 2007; April 10, 2007, read first time and referred to Committee on Intergovernmental Relations; April 26, 2007, reported adversely, with favorable Committee Substitute by the following vote: Yeas 4, Nays 0; April 26, 2007, sent to printer.)

COMMITTEE SUBSTITUTE FOR S.B. No. 2002 By: Wentworth

A BILL TO BE ENTITLED
AN ACT

relating to the creation of the Rolling V Ranch Water Control and Improvement District No. 1 of Wise County; providing authority to impose a tax and issue bonds; granting the power of eminent domain.

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

SECTION 1. Subtitle I, Title 6, Special District Local Laws Code, is amended by adding Chapter 9021 to read as follows:

CHAPTER 9021. ROLLING V RANCH WATER CONTROL AND IMPROVEMENT

DISTRICT NO. 1 OF WISE COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 9021.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Rolling V Ranch Water Control and Improvement District No. 1 of Wise County.

Sec. 9021.002. NATURE OF DISTRICT. The district is a water control and improvement district in Wise County created under and essential to accomplish the purposes of Section 59, Article XVI, and Section 52, Article III, Texas Constitution.

Sec. 9021.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 9021.024 before November 4, 2009:

(1) the district is dissolved November 4, 2009, except that the district shall:

(A) pay any debts incurred;

(B) transfer to Wise County any assets that remain after the payment of debts; and

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

(2) this chapter expires September 1, 2014.

Sec. 9021.004. INITIAL DISTRICT TERRITORY. (a) The district is initially composed of the territory described by Section 2 of the Act creating this chapter.

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

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

(2) the right of the district to impose taxes;

(3) the validity of the district's bonds, notes, or indebtedness; or

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

[Sections 9021.005-9021.020 reserved for expansion]

SUBCHAPTER A-1. TEMPORARY PROVISIONS

Sec. 9021.021. TEMPORARY DIRECTORS. (a) The temporary board consists of:

(1) Brian Hull;

(2) Ronnie Hess;

(3) Steve Pike;

(4) Robert Stennett; and

(5) Craig Wade.

(b) If a temporary director fails to qualify for office, the temporary directors who have qualified shall appoint a person to

fill the vacancy. If at any time there are fewer than three qualified temporary directors, the Texas Commission on Environmental Quality shall appoint the necessary number of persons to fill all vacancies on the board.

(c) Temporary directors serve until the earlier of:
 (1) the date directors are elected under Section 9021.024; or
 (2) the date this chapter expires under Section 9021.003.

Sec. 9021.022. ORGANIZATIONAL MEETING OF TEMPORARY DIRECTORS. As soon as practicable after all the temporary directors have qualified under Section 49.055, Water Code, the temporary directors shall meet at a location in the district agreeable to a majority of the directors. If a location cannot be agreed upon, the directors shall meet at the Wise County Courthouse. At the meeting, the temporary directors shall elect officers from among the temporary directors and conduct any other district business.

Sec. 9021.023. CONSENT OF MUNICIPALITY REQUIRED. The temporary directors may not hold an election under Section 9021.024 until each municipality in whose corporate limits or extraterritorial jurisdiction the district is located has:

(1) adopted a resolution consenting to the creation of the district; and
 (2) entered into a development agreement with all owners of real property in the district.

Sec. 9021.024. CONFIRMATION AND INITIAL DIRECTORS' ELECTION. The temporary directors shall hold an election to confirm the creation of the district and to elect five directors as provided by Section 49.102, Water Code.

Sec. 9021.025. INITIAL ELECTED DIRECTORS; TERMS. The directors elected under Section 9021.024 shall draw lots to determine which two shall serve until the first regularly scheduled election of directors and which three shall serve until the second regularly scheduled election of directors.

Sec. 9021.026. EXPIRATION OF SUBCHAPTER. This subchapter expires November 4, 2012.

[Sections 9021.027-9021.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 9021.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five directors.

(b) Directors serve staggered four-year terms.

[Sections 9021.052-9021.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 9021.101. WATER CONTROL AND IMPROVEMENT DISTRICT POWERS AND DUTIES. The district has the powers and duties provided by the general law of this state, including Chapters 49 and 51, Water Code, applicable to water control and improvement districts created under Section 59, Article XVI, Texas Constitution.

Sec. 9021.102. ROAD PROJECTS. To the extent authorized by Section 52, Article III, Texas Constitution, the district may construct, acquire, improve, maintain, or operate macadamized, graveled, or paved roads, or improvements in aid of those roads.

Sec. 9021.103. AUTHORITY TO CONTRACT WITH OWNERS OF REAL PROPERTY IN DISTRICT. The board may contract with an owner of real property in the district to construct, acquire, finance, own, maintain, or operate a work, project, service, or commodity necessary for a project authorized by Section 9021.101 or 9021.102.

Sec. 9021.104. DIVISION OF DISTRICT. (a) The district may be divided into two new districts only if the district:

(1) has no outstanding bonded debt; and
 (2) is not imposing ad valorem taxes.
 (b) The division procedure is prescribed by Sections 53.030-53.041, Water Code.

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

(d) Any new district created by the division of the district may not, at the time the new district is created, contain any land outside the area described by Section 2 of the Act creating this

chapter.

Sec. 9021.105. DISSOLUTION OF DISTRICT. (a) Before December 31, 2017, the district may not be dissolved unless the dissolution is approved by:

(1) the board; and
(2) the governing body of each municipality in whose corporate limits or extraterritorial jurisdiction the district is located.

(b) This section expires December 31, 2017.

[Sections 9021.106-9021.150 reserved for expansion]

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 9021.151. TAX TO REPAY BONDS. The district may impose a tax to pay the principal of or interest on bonds or other obligations issued under Section 9021.201.

[Sections 9021.152-9021.200 reserved for expansion]

SUBCHAPTER E. BONDS

Sec. 9021.201. AUTHORITY TO ISSUE BONDS AND OTHER OBLIGATIONS. (a) The district may issue bonds or other obligations as provided by Chapters 49 and 51, Water Code, to finance the construction, maintenance, or operation of a project under Section 9021.101 or 9021.102.

(b) The district may not issue bonds or other obligations to finance projects authorized by Section 9021.102 unless the issuance is approved by a vote of a two-thirds majority of the district voters voting at an election called for that purpose.

(c) Bonds or other obligations issued or incurred to finance projects authorized by Section 9021.102 may not exceed one-fourth of the assessed value of the real property in the district.

SECTION 2. The Rolling V Ranch Water Control and Improvement District No. 1 of Wise County initially includes all the territory contained in the following area:

BEING a tract of land situated in the A.G. Harris Survey, Abstract Number 379, the A. Moss Survey, Abstract Number 558, the Cain T. Brush Survey, Abstract Number 93, the Cain T. Brush Survey, Abstract Number 29, the J. Proctor Survey, Abstract Number 1143, the J.J. Hudson Survey, Abstract Number 1080, the R.H. Steele Survey, Abstract Number 1147, the J. Junes Survey, Abstract Number 473, the J.B. Fansworth Survey, Abstract Number 1417, the J.B. Fansworth Survey, Abstract Number 991, the J. Moffatt Survey, Abstract 554, the Smith County School Land Survey, Abstract Number 743, the B.H. Oats Survey, Abstract Number 667, the M.E.P. & P. Railroad Company Survey, Abstract 1332 and the A. Black Survey, Abstract Number 72, Wise County, Texas, and being all of those certain tracts of land described by deeds to Chisholm 2000, LP recorded as Second Tract in Volume 958, Page 428, Chisholm 2000, LP recorded in Volume 962, Page 235 and Johnny Vinson recorded in Volume 406, Page 10, Deed Records, Wise County, Texas, and a portion of those certain tracts of land described by deeds to Johnny Vinson recorded in Volume 321, Page 450, Chisholm 2000, LP recorded as First Tract and Tract Three in Volume 958, Page 428, Johnny and Eloise Vinson recorded as Tract I and Tract II in Volume 699, Page 877, and Chisholm 2000, LP recorded in Volume 958, Page 437, Deed Records, Wise County, Texas, and being more particularly described by metes and bounds as follows:

BEGINNING at the southeast corner of said Second Tract, said point also being in the west right-of-way line of State Highway 287 and being in Ramhorn Hill Road;

THENCE S 89°50'10"W, along said Ramhorn Hill Road, at 2026.64 feet the southwest corner of said Second Tract, said point being an ell corner in the east line of said First Tract, at 3883.66 feet an ell corner in said east line, said point also being the northwest corner of that certain tract of land described by deed to Sam & Juanita Frankenfield recorded in Volume 552, Page 831, Deed Records, Wise County, Texas, in all 3951.13 feet to a point in the approximate Extra-Territorial Jurisdiction (ETJ) line of the City of Rhome, said point being the beginning of a non-tangent curve to the left; THENCE along said ETJ line and with said non-tangent curve to the right, an arc distance of 3400.16 feet, through a central angle of 72°25'19", having a radius of 2690.00 feet, the long chord of which

4-1 bears S 31°34'08"W, 3178.29 feet;
 4-2 THENCE S 67°46'48"W, 2447.07 feet, continuing along said ETJ line to
 4-3 the beginning of a curve to the left;
 4-4 THENCE continuing along said ETJ line and with said curve to the
 4-5 left, an arc distance of 213.07 feet, through a central angle of
 4-6 122°04'56", having a radius of 100.00 feet, the long chord of which
 4-7 bears S 06°44'20"W, 174.99 feet;
 4-8 THENCE S 54°18'08"E, 1723.11 feet, continuing along said ETJ line to
 4-9 a point in the south line of said First Tract, said point also being
 4-10 in the north line of that certain tract of land described by deed to
 4-11 Walsh Ranch recorded in Volume 695, Page 747, Deed Records, Wise
 4-12 County, Texas;
 4-13 THENCE N 89°23'34"W, 384.46 feet along the common line of said First
 4-14 Tract and said Walsh Ranch;
 4-15 THENCE S 00°44'25"E, 125.37 feet, continuing along the common line
 4-16 of said First Tract and said Walsh Ranch;
 4-17 THENCE N 89°07'22"W, 3361.41 feet, continuing along the common line
 4-18 of said First Tract and said Walsh Ranch;
 4-19 THENCE N 00°00'16"W, 254.57 feet, continuing along the common line
 4-20 of said First Tract and said Walsh Ranch;
 4-21 THENCE S 89°25'46"W, 890.90 feet, continuing along the common line
 4-22 of said First Tract and said Walsh Ranch to the southwest corner of
 4-23 said First Tract, said point also being the southeast corner of that
 4-24 certain tract of land described by deed to the Secretary of Housing
 4-25 and Urban Development (HUD) recorded in Volume 1728, Page 250, Deed
 4-26 Records, Wise County, Texas;
 4-27 THENCE N 00°25'28"E, 204.69 feet along the common line of said First
 4-28 Tract and said HUD tract to the northeast corner of said HUD tract,
 4-29 said point also being the easternmost southeast corner of the
 4-30 aforementioned Chisholm 2000 tract;
 4-31 THENCE N 66°17'53"W, along the common line of said Chisholm 2000
 4-32 tract and said HUD tract at 112.39 feet the northwest corner of said
 4-33 HUD tract, said point also being the northeast corner of that
 4-34 certain tract of land described by deed to Rick & Margaret Taylor
 4-35 recorded in Volume 1602, Page 802, Deed Records, Wise County,
 4-36 Texas, in all 193.06 feet to the northwest corner of said Taylor
 4-37 tract;
 4-38 THENCE S 34°18'26"W, 280.03 feet along the common line of said
 4-39 Chisholm 2000 tract and said Taylor tract to the southernmost
 4-40 southeast corner of said Chisholm 2000 tract, said point also being
 4-41 the southwest corner of said Taylor tract, and being in the north
 4-42 right-of-way line of State Highway 718;
 4-43 THENCE N 53°25'58"W, 283.08 feet along the south line of said
 4-44 Chisholm 2000 tract and the north right-of-way line of said State
 4-45 Highway 718 to the southwest corner of said Chisholm 2000 tract,
 4-46 said point also being the southeast corner of that certain tract of
 4-47 land described by deed to James and Doris Martin recorded as Tract
 4-48 Two in Volume 634, Page 4, Deed Records, Wise County, Texas;
 4-49 THENCE N 30°44'05"E, 131.00 feet along the common line of said
 4-50 Chisholm 2000 tract and said Tract Two;
 4-51 THENCE N 00°54'21"E, 52.00 feet, continuing along the common line of
 4-52 said Chisholm 2000 tract and said Tract Two to the northernmost
 4-53 corner of said Tract Two;
 4-54 THENCE N 22°22'46"E, with the west line of said Chisholm 2000 tract,
 4-55 at 30.34 feet the southeast corner of that certain tract of land
 4-56 described by deed to James and Doris Martin recorded as Tract Three
 4-57 in Volume 634, Page 4, Deed Records, Wise County, Texas, in all
 4-58 229.87 feet to the northwest corner of said Chisholm 2000 tract,
 4-59 said point also being the northeast corner of said Martin tract;
 4-60 THENCE S 88°46'25"E, 409.60 feet along the north line of said
 4-61 Chisholm 2000 tract, to a point in the west line of the
 4-62 aforementioned First Tract, said point also being the northeast
 4-63 corner of said Chisholm 2000 tract;
 4-64 THENCE N 00°25'23"E, 1141.47 feet along the west line of said First
 4-65 Tract to the northeast corner of that certain tract of land
 4-66 described by deed to Charlie & Brenda Pryor recorded in Volume 464,
 4-67 Page 624, Deed Records, Wise County, Texas, said point also being
 4-68 the southeast corner of Velma Lipsey Addition, an addition to the
 4-69 City of Newark recorded in Cabinet A, Page 155, Plat Records, Wise

5-1 County, Texas;
 5-2 THENCE N 01°04'45"E, 861.67 feet, along the common line of said
 5-3 First Tract and said Velma Lipsey Addition to the northeast corner
 5-4 of said Velma Lipsey Addition;
 5-5 THENCE S 55°59'07"W, 1144.41 feet, continuing along the common line
 5-6 of said First Tract and said Velma Lipsey Addition;
 5-7 THENCE N 90°00'00"W, 150.76 feet, continuing along a south line of
 5-8 said First Tract;
 5-9 THENCE S 00°00'00"W, 211.04 feet, continuing along a south line of
 5-10 said First Tract;
 5-11 THENCE N 89°44'54"W, 1269.83 feet, continuing along a south line of
 5-12 said First Tract;
 5-13 THENCE N 51°06'36"W, 234.69 feet, continuing along a south line of
 5-14 said First Tract to a point in the east right-of-way line of FM
 5-15 Highway 3433;
 5-16 THENCE N 00°56'49"E, 1106.61 feet along the west line of said First
 5-17 Tract and the east right-of-way line of said FM Highway 3433;
 5-18 THENCE N 55°21'41"E, 30.00 feet, continuing along the west line of
 5-19 said First Tract and the east right-of-way line of said FM Highway
 5-20 3433;
 5-21 THENCE N 06°23'23"E, 208.46 feet, continuing along the west line of
 5-22 said First Tract and the east right-of-way line of said FM Highway
 5-23 3433;
 5-24 THENCE N 23°46'22"E, 125.50 feet, continuing along the west line of
 5-25 said First Tract and the east right-of-way line of said FM Highway
 5-26 3433 to a point in the south line of that certain tract of land
 5-27 described by deed to Robert Alan Harvey recorded in Volume 978, Page
 5-28 728, Deed Records, Wise County, Texas;
 5-29 THENCE S 58°13'55"E, 72.20 feet along the common line of said First
 5-30 Tract and said Harvey tract;
 5-31 THENCE S 82°33'45"E, 211.36 feet, continuing along the common line
 5-32 of said First Tract and said Harvey tract;
 5-33 THENCE N 54°56'15"E, 166.60 feet, continuing along the common line
 5-34 of said First Tract and said Harvey tract;
 5-35 THENCE N 08°11'19"E, 677.80 feet, continuing along the common line
 5-36 of said First Tract and said Harvey tract;
 5-37 THENCE N 45°59'17"E, 202.59 feet, continuing along the common line
 5-38 of said First Tract and said Harvey tract;
 5-39 THENCE N 24°00'25"E, 154.39 feet, continuing along the common line
 5-40 of said First Tract and said Harvey tract;
 5-41 THENCE N 00°59'26"W, 275.20 feet, continuing along the common line
 5-42 of said First Tract and said Harvey tract;
 5-43 THENCE N 00°34'26"W, 496.00 feet, continuing along the common line
 5-44 of said First Tract and said Harvey tract;
 5-45 THENCE N 74°24'14"E, 339.77 feet, continuing along the common line
 5-46 of said First Tract and said Harvey tract;
 5-47 THENCE N 32°42'56"E, 555.59 feet, continuing along the common line
 5-48 of said First Tract and said Harvey tract;
 5-49 THENCE N 37°50'53"E, 303.27 feet, continuing along the common line
 5-50 of said First Tract and said Harvey tract;
 5-51 THENCE N 89°46'22"E, along the common line of said First Tract and
 5-52 said Harvey tract, at 6180.22 feet the southeast corner of said
 5-53 Harvey tract, said point also being the easternmost southwest
 5-54 corner of that certain tract of land described by deed to the Nell
 5-55 Huddleston Family Trust recorded in Volume 463, Page 525, Deed
 5-56 Records, Wise County, Texas, in all 7206.47 feet to an ell corner in
 5-57 the north line of said First tract, said point also being the
 5-58 southeast corner of said Huddleston tract;
 5-59 THENCE N 00°23'46"E, 1888.92 feet along the common line of said
 5-60 First Tract and said Huddleston tract to the northernmost northwest
 5-61 corner of said First Tract, said point also being the northeast
 5-62 corner of said Huddleston tract and the southeast corner of said
 5-63 Vinson tract recorded in Volume 321, Page 450;
 5-64 THENCE N 89°28'32"W, along the common line of said Vinson tract and
 5-65 said Huddleston tract at 3586.06 feet the southeast corner of said
 5-66 Tract Three, in all 8920.73 feet to the southwest corner of said
 5-67 Chisholm 2000 tract, said point also being the northwest corner of
 5-68 said Huddleston tract, and being in the east right-of-way line of
 5-69 said FM Highway 3433, and being the beginning of a non-tangent curve

6-1 to the right;
 6-2 THENCE along said east right-of-way line of FM Highway 3433 and with
 6-3 said non-tangent curve to the right, an arc distance of 2285.59
 6-4 feet, through a central angle of 23°03'26", having a radius of
 6-5 5679.58 feet, the long chord of which bears N 18°37'33"E, 2270.20
 6-6 feet;
 6-7 THENCE N 30°01'47"E, 463.94 feet, continuing along said east
 6-8 right-of-way line of FM Highway 3433 to the westernmost corner of
 6-9 Chisholm Creek Subdivision, Phase I recorded in Cabinet B, Slide
 6-10 515, Plat Records, Wise County, Texas and being at the intersection
 6-11 of the east right-of-way Line of FM Highway 3433 and the south
 6-12 right-of-way line of Chisholm Creek Parkway;
 6-13 THENCE S 59°59'24"E, 312.20 feet along the south right-of-way line
 6-14 of said Chisholm Creek Parkway to the beginning of a curve to the
 6-15 left;
 6-16 THENCE continuing along the south right-of-way line of said
 6-17 Chisholm Creek Parkway and with said curve to the left, an arc
 6-18 distance of 63.51 feet, through a central angle of 18°11'39", having
 6-19 a radius of 200.00 feet, the long chord of which bears S 69°05'14"E,
 6-20 63.24 feet to the beginning of a reverse curve to the right;
 6-21 THENCE continuing along the south right-of-way line of said
 6-22 Chisholm Creek Parkway and with said reverse curve to the right, an
 6-23 arc distance of 42.91 feet, through a central angle of 12°17'34",
 6-24 having a radius of 200.00 feet, the long chord of which bears S
 6-25 72°02'16"E, 42.83 feet to the northwest corner of Lot 1, Block A of
 6-26 said Chisholm Creek Subdivision, Phase I;
 6-27 THENCE S 11°55'43"W, 240.64 feet along the west line of said Block A;
 6-28 THENCE S 12°03'51"E, 364.17 feet continuing along the west line of
 6-29 said Block A;
 6-30 THENCE S 51°42'32"E, 287.33 feet continuing along the west line of
 6-31 said Block A;
 6-32 THENCE S 46°03'37"E, 301.10 feet continuing along the west line of
 6-33 said Block A;
 6-34 THENCE S 25°23'20"E, 70.82 feet continuing along the west line of
 6-35 said Block A;
 6-36 THENCE S 19°47'33"E, 268.63 feet continuing along the west line of
 6-37 said Block A to the southwest corner of Lot 22, Block A;
 6-38 THENCE along the south and east lines of said Chisholm Creek
 6-39 Subdivision, Phase I the following calls:
 6-40 N 81°21'12"E, 169.68 feet;
 6-41 S 24°42'01"E, 37.87 feet;
 6-42 N 65°17'59"E, 60.00 feet;
 6-43 S 89°30'35"E, 182.88 feet;
 6-44 N 13°37'59"W, 232.70 feet;
 6-45 N 30°05'26"E, 446.01 feet;
 6-46 N 59°59'24"W, 50.00 feet;
 6-47 N 30°31'43"E, 60.00 feet to the northeast corner of said Chisholm
 6-48 Creek Subdivision, Phase I, said point also being the southeast
 6-49 corner of Chisholm Creek Subdivision, Phase II, an addition to the
 6-50 City of Rhome recorded in Cabinet B, Slide 516, Plat Records, Wise
 6-51 County, Texas;
 6-52 THENCE N 30°17'27"E, 1053.45 feet along the east line of said
 6-53 Chisholm Creek Subdivision, Phase II to its northeast corner;
 6-54 THENCE N 58°44'55"W, 712.46 feet along the north line of said
 6-55 Chisholm Creek Subdivision, Phase II to its northwest corner, said
 6-56 point being in the east line of Chisholm Trail Campus, an addition
 6-57 to the City of Rhome recorded in Cabinet B, Slide 542, Plat Records,
 6-58 Wise County, Texas;
 6-59 THENCE N 30°04'35"E, 302.33 feet along said east line of Chisholm
 6-60 Trail Campus;
 6-61 THENCE N 01°00'26"W, 620.79 feet, continuing along said east line to
 6-62 the northeast corner of said Chisholm Trail Campus, said point
 6-63 being in the south line of the aforementioned Tract II;
 6-64 THENCE S 89°54'36"W, along the common line of said Tract II and said
 6-65 Chisholm Trail Campus, at 801.13 feet the southwest corner of said
 6-66 Tract II, said point also being the northwest corner of said
 6-67 Chisholm Trail Campus and being in the east right-of-way line of FM
 6-68 Highway 3433, at 901.93 feet the southeast corner of the
 6-69 aforementioned Tract I, said point also being the northeast corner

7-1 of that certain tract of land described by deed to the Estates at
 7-2 Chisholm Ridge 1996-I, LP recorded in Volume 648, Page 109, Deed
 7-3 Records, Wise County, Texas, and being in the west right-of-way
 7-4 line of said FM Highway 3433, in all 3017.78 feet to an ell corner in
 7-5 the south line of said Tract I, said point also being the northwest
 7-6 corner of said Estates tract, and being in the east line of an
 7-7 unrecorded subdivision;
 7-8 THENCE N 00°00'20"W, 35.29 feet along the common line of said Tract I
 7-9 and said unrecorded subdivision;
 7-10 THENCE S 89°59'40"W, 392.13 feet, continuing along the common line
 7-11 of said Tract I and said unrecorded subdivision to the City of Rhome
 7-12 ETJ line, said point also being the beginning of a non-tangent curve
 7-13 to the left;
 7-14 THENCE departing said common line of Tract I and the unrecorded
 7-15 subdivision, along said ETJ line and with said non-tangent curve to
 7-16 the left, an arc distance of 1268.57 feet, through a central angle
 7-17 of 27°01'12", having a radius of 2690.00 feet, the long chord of
 7-18 which bears N 30°42'55"E, 1256.84 feet to the beginning of a
 7-19 non-tangent curve to the right;
 7-20 THENCE continuing along said ETJ line and with said non-tangent
 7-21 curve to the right, an arc distance of 2812.18 feet, through a
 7-22 central angle of 59°53'53", having a radius of 2690.00 feet, the
 7-23 long chord of which bears N 49°35'59"W, 2685.86 feet to a point in
 7-24 the south line of that certain tract of land described by deed to
 7-25 Daniel and Bernadette McEntire recorded as Tract One in Volume
 7-26 1618, Page 894, Deed Records, Wise County, Texas;
 7-27 THENCE N 88°52'06"E, 552.71 feet along the common line of said Tract
 7-28 I and said Tract One;
 7-29 THENCE N 05°22'25"E, 886.51 feet, continuing along the common line
 7-30 of said Tract I and said Tract One to the northeast corner of said
 7-31 McEntire tract, said point also being in the south line of that
 7-32 certain tract of land described by deed to Maxine Thorell Griffin
 7-33 recorded in Volume 469, Page 723, Deed Records, Wise County, Texas;
 7-34 THENCE N 89°59'40"E, at 91.93 feet the southeast corner of said
 7-35 Griffin tract, said point also being the southwest corner of that
 7-36 certain tract of land described by deed to Geneva Thorell Burch
 7-37 recorded in Volume 469, Page 719, Deed Records, Wise County, Texas,
 7-38 at 284.52 the southeast corner of said Burch tract, said point also
 7-39 being the southwest corner of that certain tract of land described
 7-40 by deed to Carl Thorell recorded in Volume 469, Page 715, Deed
 7-41 Records, Wise County, Texas, at 475.83 the southeast corner of said
 7-42 Thorell tract, said point also being the southwest corner of that
 7-43 certain tract of land described by deed to Jerry and Alice Lee
 7-44 recorded in Volume 777, Page 529, Deed Records, Wise County, Texas,
 7-45 in all 1215.86 feet to a point in County Road 4651;
 7-46 THENCE N 22°28'33"E, 90.81 feet along said County Road;
 7-47 THENCE N 01°03'38"W, 392.11 feet along said County Road;
 7-48 THENCE N 89°35'40"E, 651.22 feet, departing said County Road to a
 7-49 point in the west line of Ellis Homestead, Phase I, an addition to
 7-50 the City of Rhome recorded in Cabinet B, Slide 483 & 484, Plat
 7-51 Records, Wise County, Texas;
 7-52 THENCE S 00°23'23"E, 469.62 feet along the common line of said Tract
 7-53 I and said Ellis Homestead;
 7-54 THENCE N 89°36'02"E, 2324.68 feet, continuing along the common line
 7-55 of said Tract I and said Ellis Homestead;
 7-56 THENCE N 00°15'59"W, 32.47 feet, continuing along the common line of
 7-57 said Tract I and said Ellis Homestead;
 7-58 THENCE N 29°31'35"E, continuing along the common line of said Tract
 7-59 I and said Ellis Homestead at 1067.75 the northeast corner of said
 7-60 Ellis Homestead, in all 1940.14 feet to a point in the south
 7-61 right-of-way line of State Highway 287;
 7-62 THENCE S 62°07'13"E, 388.05 feet along said south right-of-way line
 7-63 of State Highway 287 to the northwest corner of that certain tract
 7-64 of land described by deed to Continental State Bank recorded as
 7-65 Parcel L in Volume 737, Page 894, Deed Records, Wise County, Texas;
 7-66 THENCE S 14°12'57"W, 408.46 feet, departing said south right-of-way
 7-67 line of State Highway 287, and along the common line of said Tract I
 7-68 and said Bank tract;
 7-69 THENCE S 75°52'31"E, 336.85 feet, continuing along the common line

8-1 of said Tract I and said Bank tract to a point in the west
 8-2 right-of-way line of FM Highway 3433;
 8-3 THENCE S 30°02'40"E, 113.22 feet to the southwest corner of that
 8-4 certain tract of land described by deed to Eagle-C Stores, Inc.
 8-5 recorded in Volume 965, Page 470, Deed Records, Wise County, Texas,
 8-6 said point also being in the east right-of-way line of FM Highway
 8-7 3433;
 8-8 THENCE S 67°02'33"E, 220.38 feet along the south line of said
 8-9 Eagle-C tract to its southeast corner;
 8-10 THENCE N 14°01'53"E, 399.40 feet along the east line of said Eagle-C
 8-11 tract to a point in the south right-of-way line of said State
 8-12 Highway 287;
 8-13 THENCE S 67°00'28"E, 223.61 feet along said south right-of-way line
 8-14 of State Highway 287;
 8-15 THENCE S 50°13'52"E, 104.06 feet along said south right-of-way line
 8-16 of State Highway 287;
 8-17 THENCE S 66°52'41"E, 410.47 feet along said south right-of-way line
 8-18 of State Highway 287;
 8-19 THENCE S 70°14'39"E, 192.10 feet along said south right-of-way line
 8-20 of State Highway 287;
 8-21 THENCE S 70°31'24"E, 181.79 feet along said south right-of-way line
 8-22 of State Highway 287 to the northeast corner of the aforementioned
 8-23 Tract II;
 8-24 THENCE S 00°18'45"E, along the east line of said Tract II, at 687.20
 8-25 feet the southeast corner of the aforementioned Chisholm 2000, LP
 8-26 tract recorded in Volume 958, Page 437, in all 2201.45 feet to the
 8-27 northwest corner of that certain tract of land described by deed to
 8-28 Arizona Lemonade Springs, LLLP recorded in Volume 1729, Page 391,
 8-29 Deed Records, Wise County, Texas;
 8-30 THENCE S 34°57'01"W, 306.15 feet along the common line of said Tract
 8-31 II and said Arizona tract;
 8-32 THENCE S 00°13'35"E, continuing along the common line of said Tract
 8-33 II and said Arizona tract at 2140.79 the southeast corner of said
 8-34 Tract II in all 2334.30 feet to the southwest corner of said Arizona
 8-35 tract, said point also being an ell corner in the north line of the
 8-36 aforementioned Vinson tract recorded in Volume 321, Page 450;
 8-37 THENCE S 89°11'19"E, 3621.78 feet along the common line of said
 8-38 Arizona tract and said Vinson tract to the northeast corner of said
 8-39 Vinson tract, said point also being the southeast corner of said
 8-40 Arizona tract and the southernmost corner of that certain tract of
 8-41 land described by deed to David Lance Smith recorded in Volume 221,
 8-42 page 572, Deed Records, Wise County, Texas and the northwest corner
 8-43 of that certain tract of land described by deed to Jack Hays
 8-44 recorded in Volume 421, Page 65, Deed Records, Wise County, Texas;
 8-45 THENCE S 00°26'03"W, 519.86 feet along the common line of said
 8-46 Vinson tract and said Hays tract to the southernmost corner of said
 8-47 Hays tract;
 8-48 THENCE N 40°38'38"E, 2136.47 feet along the south line of said Hays
 8-49 tract to the west right-of-way line of State Highway 287;
 8-50 THENCE S 32°27'57"E, 3501.53 feet along said west right-of-way line
 8-51 of State Highway 287 to the northernmost corner of the
 8-52 aforementioned Vinson tract recorded in Volume 406, Page 10;
 8-53 THENCE S 33°03'00"E, 681.20 feet, continuing along said west
 8-54 right-of-way line of State Highway 287 and the east line of said
 8-55 Vinson tract to the beginning of a curve to the right;
 8-56 THENCE continuing along said west right-of-way line of State
 8-57 Highway 287 and said east line of the Vinson tract, and with said
 8-58 curve to the right, an arc distance of 893.89 feet, through a
 8-59 central angle of 09°13'14", having a radius of 5554.58 feet, the
 8-60 long chord of which bears S 28°26'23"E, 892.93 feet;
 8-61 THENCE S 18°25'56"E, 650.28 feet, continuing along said west
 8-62 right-of-way line of State Highway 287 and said east line of the
 8-63 Vinson tract to the northeast corner of the aforementioned First
 8-64 Tract;
 8-65 THENCE S 18°02'13"E, 462.79 feet, continuing along said west
 8-66 right-of-way line of State Highway 287 and said First Tract to the
 8-67 northeast corner of the aforementioned Second Tract;
 8-68 THENCE S 18°13'27"E, 1943.55 feet, continuing along said west
 8-69 right-of-way line of State Highway 287 and the east line of said

9-1 Second Tract;
9-2 THENCE S 01°41'43"W, 195.49 feet, continuing along said west
9-3 right-of-way line of State Highway 287 and the east line of said
9-4 Second Tract;
9-5 THENCE S 26°58'37"W, 614.91 feet, continuing along said west
9-6 right-of-way line of State Highway 287 and the east line of said
9-7 Second Tract;
9-8 THENCE S 17°59'56"E, 79.24 feet, continuing along said west
9-9 right-of-way line of State Highway 287 and the east line of said
9-10 Second Tract to the POINT OF BEGINNING and containing 2942.775
9-11 acres of land, more or less.
9-12 Including all of that land beneath the existing surface
9-13 (topography) of the above described tract of land which extends
9-14 vertically downward a distance of 50 feet from all points on said
9-15 existing surface.

9-16 SECTION 3. (a) The legal notice of the intention to
9-17 introduce this Act, setting forth the general substance of this
9-18 Act, has been published as provided by law, and the notice and a
9-19 copy of this Act have been furnished to all persons, agencies,
9-20 officials, or entities to which they are required to be furnished
9-21 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
9-22 Government Code.

9-23 (b) The governor, one of the required recipients, has
9-24 submitted the notice and Act to the Texas Commission on
9-25 Environmental Quality.

9-26 (c) The Texas Commission on Environmental Quality has filed
9-27 its recommendations relating to this Act with the governor, the
9-28 lieutenant governor, and the speaker of the house of
9-29 representatives within the required time.

9-30 (d) All requirements of the constitution and laws of this
9-31 state and the rules and procedures of the legislature with respect
9-32 to the notice, introduction, and passage of this Act are fulfilled
9-33 and accomplished.

9-34 SECTION 4. This Act takes effect September 1, 2007.

9-35 * * * * *