

SENATE AMENDMENTS

2nd Printing

By: Phillips

H.B. No. 4069

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Platinum Ranch Municipal Utility District No. 1 of Grayson County; providing authority to impose taxes and issue bonds; granting the power of eminent domain.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8256 to read as follows:

CHAPTER 8256. PLATINUM RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
GRAYSON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8256.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a member of the board.

(3) "District" means the Platinum Ranch Municipal Utility District No. 1 of Grayson County.

Sec. 8256.002. NATURE OF DISTRICT. The district is a municipal utility district in Grayson County created under and essential to accomplish the purposes of Section 59, Article XVI, Texas Constitution.

Sec. 8256.003. CONFIRMATION ELECTION REQUIRED. If the creation of the district is not confirmed at a confirmation election held under Section 8256.055 before September 1, 2009:

(1) the district is dissolved September 1, 2009,

1 except that:

2 (A) any debts incurred shall be paid;

3 (B) any assets that remain after the payment of
4 debts shall be transferred to Grayson County; and

5 (C) the organization of the district shall be
6 maintained until all debts are paid and remaining assets are
7 transferred; and

8 (2) this chapter expires September 1, 2014.

9 Sec. 8256.004. INITIAL DISTRICT TERRITORY. (a) The
10 district is initially composed of the territory described by
11 Section 2 of the Act creating this chapter.

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

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

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

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

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

23 Sec. 8256.005. ANNEXATION INTO CITY OF GUNTER. (a)
24 Notwithstanding any other law, if all of the territory of the
25 district is annexed by the City of Gunter into the corporate limits
26 of that municipality before the date of the election held to confirm
27 the creation of the district, the district is not dissolved and

1 shall continue in full force and effect.

2 (b) Any future annexation or inclusion of additional
3 territory into a district governed by this chapter may not occur
4 unless the City of Gunter is allowed to voluntarily annex the same
5 territory into the municipality's corporate limits.

6 Sec. 8256.006. DISSOLUTION. Section 43.074, Local
7 Government Code, applies to the dissolution of the district.

8 [Sections 8256.007-8256.050 reserved for expansion]

9 SUBCHAPTER B. BOARD OF DIRECTORS

10 Sec. 8256.051. DIRECTORS; TERMS. (a) The district is
11 governed by a board of five directors.

12 (b) Except as provided by Section 8256.053, directors serve
13 staggered four-year terms.

14 Sec. 8256.052. ELECTION OF DIRECTORS. On the uniform
15 election date in May of each even-numbered year, the appropriate
16 number of directors shall be elected.

17 Sec. 8256.053. INITIAL DIRECTORS. (a) The initial board
18 consists of:

19 (1) Mark McClure;

20 (2) Greg Meador;

21 (3) Lance Hancock;

22 (4) David Howell; and

23 (5) Mark Smith.

24 (b) The terms of the first three directors named in
25 Subsection (a) expire on the uniform election date in May 2008, and
26 the terms of the last two directors named in Subsection (a) expire
27 on the uniform election date in May 2010.

1 (c) This section expires September 1, 2011.

2 Sec. 8256.054. INCORPORATION OF DISTRICT TERRITORY INTO
3 MUNICIPALITY REQUIRED. The directors may not hold an election
4 under Section 8256.055 until all of the territory of the district is
5 included in the corporate limits of the City of Gunter.

6 Sec. 8256.055. CONFIRMATION AND INITIAL DIRECTORS'
7 ELECTION. The initial directors shall hold an election to confirm
8 the creation of the district.

9 [Sections 8256.056-8256.100 reserved for expansion]

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 8256.101. MUNICIPAL UTILITY DISTRICT POWERS AND
12 DUTIES. (a) The district has the powers and duties provided by the
13 general law of this state, including Chapters 49 and 54, Water Code,
14 applicable to municipal utility districts created under Section 59,
15 Article XVI, Texas Constitution.

16 (b) Notwithstanding Subsection (a), the district may not
17 act as a retail provider of water or wastewater service.

18 (c) The district shall make the district's water and
19 wastewater facilities available to an entity holding the applicable
20 certificate of convenience and necessity.

21 Sec. 8256.102. ROAD PROJECTS. (a) To the extent authorized
22 by Section 52, Article III, Texas Constitution, the district may
23 construct, acquire, improve, maintain, or operate macadamized,
24 graveled, or paved roads or turnpikes, or improvements in aid of
25 those roads, inside the district.

26 (b) A road project must meet all applicable construction
27 standards, subdivision requirements, and regulatory ordinances of

1 the municipality in whose corporate limits or extraterritorial
2 jurisdiction the district is located.

3 (c) If a portion of the territory of the district is
4 excluded from the corporate limits of the City of Gunter, the
5 district shall:

6 (1) improve, maintain, repair, and operate the roads
7 located in that portion of territory in accordance with the
8 ordinances and rules of the political subdivision possessing
9 jurisdiction over the roads in that portion of territory; and

10 (2) pay the entire cost of performing the district's
11 duties under Subdivision (1).

12 Sec. 8256.103. DIVISION OF DISTRICT. (a) The district may
13 be divided into two new districts only if:

14 (1) the district has no outstanding bonded debt;

15 (2) the district is not imposing ad valorem taxes; and

16 (3) each new district is within the corporate limits
17 of the City of Gunter.

18 (b) The division procedure is prescribed by Sections 53.030
19 through 53.041, Water Code.

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

22 (d) At the time of creation, any new district created by the
23 division of the district may not contain any land outside the area
24 described by Section 2 of the Act creating this chapter.

25 [Sections 8256.104-8256.150 reserved for expansion]

26 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

27 Sec. 8256.151. TAX TO REPAY BONDS. The district may impose

1 a tax to pay the principal of or interest on bonds or other
2 obligations issued under Section 8256.201.

3 [Sections 8256.152-8256.200 reserved for expansion]

4 SUBCHAPTER E. BONDS

5 Sec. 8256.201. AUTHORITY TO ISSUE BONDS AND OTHER
6 OBLIGATIONS. (a) The district may issue bonds or other obligations
7 as provided by Chapters 49 and 54, Water Code, to finance the
8 construction, maintenance, or operation of a project under Section
9 8256.101 or 8256.102.

10 (b) The district may not issue bonds to finance projects
11 authorized by Section 8256.102 unless the issuance is approved by a
12 vote of a two-thirds majority of the district voters voting at an
13 election called for that purpose.

14 (c) Bonds or other obligations issued or incurred to finance
15 projects authorized by Section 8256.102 may not exceed one-fourth
16 of the assessed value of the real property in the district.

17 SECTION 2. The Platinum Ranch Municipal Utility District
18 No. 1 of Grayson County includes all the territory contained in the
19 following area:

20 All that certain tract or parcel of land situated in the William
21 Richards Survey, Abstract Number 998, the Robert Mason Survey,
22 Abstract Number 784, the J.R. Worrall Survey, Abstract Number 1357,
23 and the William Wells Survey, Abstract Number 1354, County of
24 Grayson, State of Texas and being all that called 339.24 acre tract
25 of land as described in Deed to Platinum Ranch Venture, LTD, filed
26 16 February 2001 and recorded in Volume 3033 Page 185 of the Deed
27 Records of the County of Grayson, State of Texas, and being all that

1 called 300.264 acre tract of land as described in Deed to Platinum
2 Ranch Venture, LTD, filed 16 February 2001 and recorded in Volume
3 3033 Page 189 of said Deed Records, and being all that called 100.00
4 acre tract of land as described in Deed to Platinum Ranch Venture,
5 LTD, filed 01 March 2001 and recorded in Volume 3038 Page 100 of
6 said Deed Records, and being all that called 851.808 acre tract of
7 land as described in Deed to Platinum Ranch Venture, LTD, filed 16
8 May 2001 and recorded in Volume 3072 Page 217 of said Deed Records,
9 and being all that called 78.427 acre tract of land as described in
10 Deed to Platinum Ranch Venture, LTD, filed 23 May 2002 and recorded
11 in Volume 3253 Page 743 of said Deed Records, and being more fully
12 described as follows:

13 BEGINNING for the Southeast corner of the tract being described
14 herein at a found 1\2 inch iron rod at the intersection of Old
15 Scaggs School Road and Merilee Roads for the Southeast corner of
16 said 851.808 acre tract, said rod being on the South line of said
17 Mason Survey;

18 Thence: South 89 degrees 57 minutes 55 seconds West, with the South
19 line of said 851.808 acre tract and said Mason Survey, along the
20 centerline of said Marilee Road, a distance of 3186.43 feet to a
21 found 1\2 inch iron rod for the Southwest corner of said 851.808
22 acre tract and the Southeast corner of said 329.424 acre tract;

23 Thence: North 89 degrees 22 minutes 52 seconds West, with the South
24 line of said 329.424 acre tract, continuing along the centerline of
25 said road, and passing at 4174.77 feet the Southwest corner of said
26 329.424 acre tract and the Southeast corner of said 100.00 acre
27 tract, and continuing along said course, a total distance of

1 5198.85 feet to a found 1\2 inch steel square tube for corner at the
2 intersection of said Marilee Road and County Road Number 10;
3 Thence: North 88 degrees 59 minutes 54 seconds West, continuing
4 with the South line of said 100.00 acre tract, along the centerline
5 of said Marilee Road, a distance of 244.55 feet to a found 1\2 inch
6 steel square tube at the intersection of said Marilee Road and Blaine
7 Road for the Southwest corner of said 100.00 acre tract;
8 Thence: North 00 degrees 07 minutes 57 seconds West, with the West
9 line of said 100.00 acre tract, along the centerline of said Blaine
10 Road, and passing at 3425.72 feet the Northwest corner of said
11 100.00 acre tract and the Southwest corner of said 300.264 acre
12 tract, and continuing along said course and road, and passing at
13 5630.58 feet the Northwest corner of said 300.264 acre tract and the
14 Southwest corner of said 78.427 acre tract, and continuing along
15 said course and road, a total distance of 7236.34 feet to a found
16 1\2 inch steel square tube at the intersection of said Blaine Road
17 and Jaresh Road for the Northwest corner of said 78.427 acre tract;
18 Thence: North 88 degrees 26 minutes 13 seconds East, with the North
19 line of said 78.427 acre tract, along the centerline of said Jaresh
20 Road, a distance of 2076.20 feet to a found 1\2 inch iron rod for the
21 Northeast corner of said 78.427 acre tract;
22 Thence: South 01 degrees 09 minutes 52 seconds East, with the East
23 line of said 78.427 acre tract, and passing at 14.0 feet a cross-tie
24 fence corner post on the South side of said Jaresh Road, and
25 continuing along said course, along and near a fence, a total
26 distance of 1662.51 feet to a found 1\2 inch steel square tube for
27 the Southeast corner of said 78.427 acre tract, said tubing being on

1 the North line of said 300.264 acre tract, said tubing also being
2 the Southwest corner of a called 252.043 tract of land as described
3 in Deed to Ronald Evans Box, et ux Nita Gay Box, filed 15 December
4 1992 and recorded in Volume 2246 Page 173 of said Deed Records;

5 Thence: North 89 degrees 32 minutes 42 seconds East, with the North
6 line of said 300.264 acre tract and the South line of said Box
7 tract, with a fence, a distance of 1771.60 feet to a bois d' arc post
8 for corner;

9 Thence: North 89 degrees 04 minutes 11 seconds East, continuing
10 with the North line of said 300.264 acre tract and the South line of
11 said Box tract, with a fence, a distance of 1940.19 feet to a
12 cross-tie fence corner post for an ell corner of this tract, said
13 corner also being the Southeast corner of said Box tract;

14 Thence: North 00 degrees 40 minutes 31 seconds West, with the West
15 line of said 851.808 acre tract and the East line of said Box tract,
16 along and near a fence, a distance of 1208.96 feet to a wood fence
17 corner post for an ell corner of this tract and a Northeast corner
18 of said Box tract;

19 Thence: South 87 degrees 48 minutes 54 seconds West, continuing
20 with the West line of said 851.808 acre tract and the East line of
21 said Box tract, along and near a fence, a distance of 1749.62 feet
22 to a pipe fence corner post for corner;

23 Thence: North 01 degrees 29 minutes 27 seconds West, continuing
24 with the West line of said 851.808 acre tract and the East line of
25 said Box tract, along and near a fence, a distance of 1664.74 feet
26 to a pipe fence corner post for corner;

27 Thence: North 87 degrees 51 minutes 31 seconds East, continuing

1 with the West line of said 851.808 acre tract and the East line of
2 said Box tract, along and near a fence, 849.86 feet to a pipe fence
3 corner post for corner;

4 Thence: North 01 degrees 26 minutes 50 seconds West, continuing
5 with the West line of said 851.808 acre tract and the East line of
6 said Box tract, along and near a fence, a distance of 1216.06 feet
7 to a pipe fence corner post for the Northwest corner of said 851.808
8 acre tract, said post also being the Southwest corner of a called
9 374.17 acre tract of land as described in Deed to Martinek Grain &
10 Bins, Inc., filed 01 June 1993 and recorded in Volume 2272 Page 912
11 of said Deed Records;

12 Thence: North 87 degrees 58 minutes 36 seconds East, with the North
13 line of said 851.808 acre tract and the South line of said 374.17
14 acre tract, with the general course of a fence, a distance of 973.27
15 feet to a wood post for corner;

16 Thence: North 87 degrees 53 minutes 22 seconds East, continuing
17 with the North line of said 851.808 acre tract and the South line of
18 said 374.17 acre tract, with said fence, a distance of 1091.88 feet
19 to a wood fence corner post for corner;

20 Thence: North 89 degrees 57 minutes 15 seconds East, continuing
21 with the North line of said 851.808 acre tract and the South line of
22 said 374.17 acre tract, with said fence, a distance of 1491.72 feet
23 to a cross-tie fence corner post for the Northeast corner of said
24 851.808 acre tract, said post also being the most Westerly
25 Northwest corner of a called 178.842 acre tract of land as described
26 in Deed to Martinek Grain & Bins, Inc., dated 03 August 1994 and
27 recorded in Volume 2352 Page 18 of said Deed Records;

1 Thence: South 02 degrees 33 minutes 15 seconds East, with the East
2 line of said 851.808 acre tract, along and near a fence, a distance
3 of 960.89 feet to a found 1\2 inch iron rod for a Southwest corner of
4 said 178.842 acre tract, said rod also being the Northwest corner of
5 a called 112.268 acre tract of land as described in Deed to Marion
6 Cole, et ux Linda Cole, dated 27 May 1999 and recorded in Volume
7 2796 Page 848 of said Deed Records;

8 Thence: South 02 degrees 57 minutes 08 seconds East, continuing
9 with the East line of said 851.808 acre tract and the West line of
10 said Cole tract, along and near a fence, a distance of 1552.77 feet
11 to a found 1\2 inch iron rod for the Southwest corner of said Cole
12 tract;

13 Thence: South 89 degrees 54 minutes 04 seconds East, continuing
14 with the East line of said 851.808 acre tract and the South line of
15 said Cole tract, along and near a fence, and passing a cross-tie
16 fence corner post on the West side of Old Skaggs School Road, and
17 continuing along said course, a distance of 3118.80 feet to a set
18 1\2 inch steel square tube with a plastic cap marked COX 4577 in the
19 centerline of said Old Skaggs School Road for the Southeast corner
20 of said Cole tract;

21 Thence: South 00 degrees 04 minutes 13 seconds East, continuing
22 with the East line of said 851.808 acre tract, along the center of
23 said Old Skaggs School Road, a distance of 1561.21 feet to a found
24 1\2 inch iron rod for corner, said road making a turn to the West at
25 this corner;

26 Thence: North 89 degrees 46 minutes 04 seconds West, continuing
27 with the East line of said 851.808 acre tract, along the center of

1 said Old Skaggs School Road, a distance of 3072.50 feet to a found
2 nail for corner, said nail being at a turn of said Old Skaggs School
3 Road;

4 Thence: South 00 degrees 51 minutes 03 seconds East, continuing
5 with the East line of said 851.808 acre tract, along the center of
6 said Old Scaggs School Road, a distance of 5800.26 feet to the POINT
7 OF BEGINNING and containing 1659.998 acres of land.

8 SECTION 3. (a) The legal notice of the intention to
9 introduce this Act, setting forth the general substance of this
10 Act, has been published as provided by law, and the notice and a
11 copy of this Act have been furnished to all persons, agencies,
12 officials, or entities to which they are required to be furnished
13 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
14 Government Code.

15 (b) The governor, one of the required recipients, has
16 submitted the notice and Act to the Texas Commission on
17 Environmental Quality.

18 (c) The Texas Commission on Environmental Quality has filed
19 its recommendations relating to this Act with the governor, the
20 lieutenant governor, and the speaker of the house of
21 representatives within the required time.

22 (d) All requirements of the constitution and laws of this
23 state and the rules and procedures of the legislature with respect
24 to the notice, introduction, and passage of this Act are fulfilled
25 and accomplished.

26 SECTION 4. This Act takes effect September 1, 2007.

ADOPTED

MAY 22 2007

Lately Spaw
Secretary of the Senate

BY:

Craig Ester

FLOOR AMENDMENT NO. 1

4069

1 Amend H.B. No. ~~4116~~ by striking all below the enacting clause
2 and substituting the following:

3 ARTICLE 1. DOUBLE PLATINUM RANCH WATER

4 CONTROL AND IMPROVEMENT DISTRICT NO. 1 OF GRAYSON COUNTY

5 SECTION 1.01. Subtitle I, Title 6, Special District Local
6 Laws Code, is amended by adding Chapter 9206 to read as follows:

7 CHAPTER 9206. DOUBLE PLATINUM RANCH WATER CONTROL AND IMPROVEMENT

8 DISTRICT NO. 1 OF GRAYSON COUNTY

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 9206.001. DEFINITIONS. In this chapter:

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

13 (2) "Director" means a member of the board.

14 (3) "District" means the Double Platinum Ranch Water
15 Control and Improvement District No. 1 of Grayson County.

16 Sec. 9206.002. NATURE OF DISTRICT. The district is a water
17 control and improvement district in Grayson County created under
18 and essential to accomplish the purposes of Section 59, Article
19 XVI, Texas Constitution.

20 Sec. 9206.003. CONFIRMATION ELECTION REQUIRED. If the
21 creation of the district is not confirmed at a confirmation
22 election held under Section 9206.064 before September 1, 2011:

23 (1) the district is dissolved September 1, 2011,
24 except that:

25 (A) any debts incurred shall be paid;

26 (B) any assets that remain after the payment of
27 debts shall be transferred to Grayson County; and

28 (C) the organization of the district shall be
29 maintained until all debts are paid and remaining assets are

1 transferred; and

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

3 Sec. 9206.004. INITIAL DISTRICT TERRITORY. (a) The
4 district is initially composed of the territory described by
5 Section 1.02 of the article creating this chapter.

6 (b) The boundaries and field notes contained in Section 1.02
7 of the article creating this chapter form a closure. A mistake made
8 in the field notes or in copying the field notes in the legislative
9 process does not affect:

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

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

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

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

17 Sec. 9206.005. ANNEXATION BY CITY OF GUNTER. (a)
18 Notwithstanding any other law, if all of the territory of the
19 district is annexed by the City of Gunter into the corporate limits
20 of that municipality before the date of the election held to confirm
21 the creation of the district, the district may not be dissolved and
22 shall continue until the district is dissolved under Section
23 43.074, Local Government Code.

24 (b) Any future annexation or inclusion of additional
25 territory into a district governed by this chapter may not occur
26 unless the City of Gunter is allowed to voluntarily annex the same
27 territory into its corporate limits.

28 [Sections 9206.006-9206.050 reserved for expansion]

29 SUBCHAPTER B. BOARD OF DIRECTORS

30 Sec. 9206.051. DIRECTORS; TERMS. (a) The district is
31 governed by a board of five directors.

1 (b) Except as provided by Section 9206.061 of this code and
2 Section 49.102, Water Code, directors serve staggered four-year
3 terms, with the terms of two or three directors expiring June 1 of
4 each even-numbered year.

5 Sec. 9206.052. ELECTION OF DIRECTORS. On the uniform
6 election date in May of each even-numbered year, the appropriate
7 number of directors shall be elected.

8 [Sections 9206.053-9206.060 reserved for expansion]

9 SUBCHAPTER B-1. TEMPORARY PROVISIONS

10 Sec. 9206.061. INITIAL DIRECTORS. (a) On or after
11 September 1, 2007, a person who owns land in the district may submit
12 a petition to the Texas Commission on Environmental Quality
13 requesting that the commission appoint as initial directors the
14 five persons named in the petition.

15 (b) The commission shall appoint as initial directors the
16 five persons named in the first petition received by the commission
17 under Subsection (a).

18 (c) If an initial director fails to qualify for office, the
19 commission shall appoint a person to fill the vacancy.

20 (d) Initial directors serve until the earlier of:

21 (1) the date the first directors are elected at the
22 confirmation election under Section 9206.064; or

23 (2) the date this subchapter expires under Section
24 9206.066.

25 Sec. 9206.062. ORGANIZATIONAL MEETING OF INITIAL
26 DIRECTORS. As soon as practicable after all the initial directors
27 have qualified under Section 49.055, Water Code, the initial
28 directors shall meet at a location in the district agreeable to a
29 majority of the directors. At the meeting, the initial directors
30 shall elect officers from among the initial directors and conduct
31 any other district business.

1 Sec. 9206.063. CONSENT OF MUNICIPALITY REQUIRED. The
2 initial directors may not hold an election under Section 9206.064
3 until all of the territory of the district is included in the
4 corporate limits of the City of Gunter.

5 Sec. 9206.064. CONFIRMATION AND INITIAL DIRECTORS'
6 ELECTION. The initial directors shall hold an election to confirm
7 the creation of the district and to elect five directors as provided
8 by Section 49.102, Water Code.

9 Sec. 9206.065. INITIAL ELECTED DIRECTORS; TERMS. The
10 directors elected under Section 9206.064 shall draw lots to
11 determine which two shall serve until the first regularly scheduled
12 election of directors and which three shall serve until the second
13 regularly scheduled election of directors.

14 Sec. 9206.066. EXPIRATION OF SUBCHAPTER. This subchapter
15 expires September 1, 2014.

16 [Sections 9206.067-9206.100 reserved for expansion]

17 SUBCHAPTER C. POWERS AND DUTIES

18 Sec. 9206.101. WATER CONTROL AND IMPROVEMENT DISTRICT
19 POWERS AND DUTIES. (a) The district has the powers and duties
20 provided by the general law of this state, including Chapters 49 and
21 51, Water Code, applicable to water control and improvement
22 districts created under Section 59, Article XVI, Texas
23 Constitution.

24 (b) Notwithstanding Subsection (a), the district may not
25 act as a retail provider of water or wastewater services.

26 (c) The district shall make its water and wastewater
27 facilities available to an entity holding the applicable
28 certificate of convenience and necessity.

29 Sec. 9206.102. ROAD PROJECTS. (a) To the extent authorized
30 by Section 52, Article III, Texas Constitution, the district may
31 construct, acquire, improve, maintain, or operate macadamized,

1 graveled, or paved roads or turnpikes, or improvements in aid of
2 those roads or turnpikes, inside the district.

3 (b) A road project must meet or exceed all applicable
4 construction standards, zoning and subdivision requirements, and
5 regulatory ordinances of the municipality in whose corporate limits
6 or extraterritorial jurisdiction the district is located.

7 (c) If a portion of the territory of the district is
8 excluded from the corporate limits of the City of Gunter, the
9 district shall:

10 (1) improve, maintain, repair, and operate the roads
11 located in that portion of territory in accordance with the
12 ordinances and rules of the political subdivision possessing
13 jurisdiction over the roads in that portion of territory; and

14 (2) pay the entire cost of performing the district's
15 duties under Subdivision (1).

16 Sec. 9206.103. DIVISION OF DISTRICT. (a) The district may
17 be divided into two new districts only if:

18 (1) the district has no outstanding bonded debt;

19 (2) the district is not imposing ad valorem taxes; and

20 (3) each new district is within the corporate limits

21 of the City of Gunter.

22 (b) The division procedure is prescribed by Sections 53.030
23 through 53.041, Water Code. Sections 51.748 through 51.753, Water
24 Code, do not apply to the district.

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

27 (d) At the time of creation, any new district created by the
28 division of the district may not contain any land outside the area
29 described by Section 1.02 of the article creating this chapter.

30 [Sections 9206.104-9206.150 reserved for expansion]

1 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

2 Sec. 9206.151. TAX TO REPAY BONDS. The district may impose
3 a tax to pay the principal of or interest on bonds or other
4 obligations issued under Section 9206.201.

5 [Sections 9206.152-9206.200 reserved for expansion]

6 SUBCHAPTER E. BONDS

7 Sec. 9206.201. AUTHORITY TO ISSUE BONDS AND OTHER
8 OBLIGATIONS. (a) The district may issue bonds or other obligations
9 as provided by Chapters 49 and 51, Water Code, to finance the
10 construction, maintenance, or operation of a project under Section
11 9206.101 or 9206.102.

12 (b) The district may not issue bonds to finance projects
13 authorized by Section 9206.102 unless the issuance is approved by a
14 vote of a two-thirds majority of the district voters voting at an
15 election called for that purpose.

16 (c) Bonds or other obligations issued or incurred to finance
17 projects authorized by Section 9206.102 may not exceed one-fourth
18 of the assessed value of the real property in the district.

19 SECTION 1.02. The Double Platinum Ranch Water Control and
20 Improvement District No. 1 of Grayson County includes all the
21 territory contained in the following area:

22 TRACT ONE:

23 All that certain tract or parcel of land situated in the John
24 Palms Survey, Abstract Number 926, County of Grayson, State of
25 Texas, said tract being part of a called 197.3 acre tract as
26 described in Deed to Dryden Dorchester Ltd., filed 27 December
27 2000, and Recorded in Volume 3014, Page 743 of the Deed Records of
28 the County of Grayson, State of Texas, and being more fully
29 described as follows:

30 BEGINNING for the northeast corner of the tract being herein
31 at a Wood Fence corner Post, said post being the northeast corner of

1 said Dryden tract, and the southeast corner of a tract as described
2 in Deed to Gordon W. Doodier et ux, Delores Goodier, filed 14
3 January 1971, and Recorded in Volume 1179, Page 63 of said Deed
4 Records, said post also being on a west line of a called 1022 acre
5 tract as described in Tract 7 in Deed to Jeribeth Sharp, filed 30
6 June 1998, and Recorded in Volume 2668 Page 09 of said Deed Records;

7 THENCE South 00 degrees 20 minutes 01 seconds East, with the
8 east line of said Dryden tract, and west line of said Sharp tract, a
9 distance of 3318.06 feet to a set $\frac{1}{2}$ inch Steel Square Tubing for the
10 southeast corner of said Dryden tract, and an ell corner of said
11 Sharp tract;

12 THENCE South 88 degrees 45 minutes 58 8 seconds West, with the
13 south line at said Dryden tract, a distance of 2576.18 feet to a set
14 $1\frac{1}{2}$ inch Steel Square Tubing for the southwest corner of said Dryden
15 tract, and an ell corner of said Sharp tract,

16 Thence: North 00 degrees 23 minutes 33 seconds West, with the west
17 line of said Dryden tract, a distance of 3325.00 feet to a found $\frac{1}{2}$
18 inch Steel Rebar at the base of a wood fence corner post, being an
19 ell corner of said Dryden tract and Sharp tract and the Palms
20 Survey, and being the northeast corner of the John D. Nelson Survey,
21 Abstract Number 902;

22 THENCE South 89 degrees 45 minutes 03 seconds West, with a
23 wire fence line, and a south line of said Dryden tract, and a line of
24 said Sharp tract, a distance of 790.04 feet to a Wood Fence post for
25 the southwest corner of said Dryden tract, an ell corner of said
26 Palms Survey, and the southeast corner of the Antonia Hernandez
27 Survey, Abstract Number 489;

28 THENCE North, a distance of 26.12 feet to a set $\frac{1}{2}$ inch Steel
29 Square Tubing Ike the northwest corner of said Dryden tract, and the
30 southwest corner of a tract described in Deed to Marjoriet Limited,
31 filed 24 March 1999, and Recorded in Volume 2769 Page 624 of said

1 Deed Records;

2 THENCE North 89 degrees 45 minutes 03 seconds East, with the
3 north line of said Dryden tract, and the south line of said Marjoriet
4 tract, a distance of 789.43 feet to a Wood Fence corner Post for a
5 corner;

6 THENCE North 89 degrees 30 minuses 06 seconds East, with the
7 north line of said Dryden tract, and passing the southeast corner of
8 said Marjoriet tract, and the southwest corner of said Goodier
9 tract, and continuing on said course for a total distance of 2579.75
10 feet to the POINT OF BEGINNING and containing 197.783 acres of land.

11 TRACT TWO:

12 Being a 1,022.20 acre tract of land situated in the John Palms
13 Survey, Abstract No. 926, and the John D. Nelson Survey, Abstract
14 No. 902, and being that certain tract of land conveyed to as Tract
15 I, to Marita Wiseman Sharp, Marita Wiseman Sharp Grantor Trust, and
16 Billy Jack Sharp Grantor Trust, by deed recorded in Volume 2427,
17 Page 448, and also conveyed as Tract 7, to Billy Jack Sharp Grantor
18 Trust, by deed recorded in Volume 2668, Page 00009, all of the Deed
19 Records of Grayson County, Texas, and being more particularly
20 described by metes and bounds as follows:

21 BEGINNING at a 1/2 inch iron rod set for corner, said point
22 being the southeast corner of said Billy Jack Sharp Grantor Trust
23 tract, and being at the centerline intersection more or less, of
24 McDonald Road, and Kimberlin Road;

25 THENCE North 86°52'06" West, along the common line of said
26 Billy Jack Sharp Grantor Trust tract, and the centerline more or
27 less of said Kimberlin Road, and along the south line of said Palms
28 Survey, passing the southwest corner of said Palms Survey, same
29 being the southeast corner of said Nelson Survey, and continuing
30 along the south line of said Nelson Survey, a distance of 6400.79
31 feet to a 1/2 inch iron rod set for corner, said point being in the

1 centerline of Kimberlin Road more or less, said point being the
2 southwest corner of said Billy Jack Sharp Grantor Trust tract, and
3 being the southeast corner of a called 1073.77 acre tract of land
4 conveyed to Davidson Land and Cattle Company, by deed recorded in
5 Volume 2235, Page 583, of the Deed Records of Grayson County, Texas;

6 THENCE North 02°35'02" East, along the common line of said
7 Billy Jack Sharp Grantor Trust tract, and said called 1073.77 acre
8 tract, a distance of 3806.58 feet to a 1/2 inch iron rod found for
9 corner;

10 THENCE North 85°53'34" West, continuing along the common line
11 of said Billy Jack Sharp Grantor Trust tract, and said called
12 1073.77 acre tract, a distance of 150.50 feet to a 1/2 inch iron rod
13 found for corner;

14 THENCE North 02°33'45" East, continuing along the common line
15 of said Billy Sank Grantor Trust tract, and said called 1073.77 acre
16 tract, a distance of 1112.85 feet to a 1/2 inch iron rod found for
17 corner;

18 THENCE South 87°09'16" East, continuing along the common line
19 of said Billy Jack Sharp Grantor Trust tract, and said called
20 1073.77 acre tract, a distance of 149.97 feet to a 1/2 inch iron rod
21 found for corner;

22 THENCE North 02°38'21" East, continuing along the common line
23 of said Billy Jack Sharp Grantor Trust tract, and said called
24 1073.77 acre tract, a distance of 2500.00 feet to a 1/2 inch iron
25 rod found for corner, said point being in the north line of said
26 Nelson Survey, and the south line of Antonio Hernandez Survey,
27 Abstract No. 489, and being in the south line of a called 300 acre
28 tract of land conveyed to Lucian Touchtone, et ux, by deed recorded
29 in Volume 1013, Page 677, of the Deed Records of Grayson County,
30 Texas, and being the northeast corner of said called 1073.77 acre
31 tract, and being the northwest corner of said Billy Jack Sharp

1 Grantor Trust tract;

2 THENCE South 87°07'47" East, along the common line of said
3 Palms Survey, and the said Antonio Survey, and the common line of
4 said Billy Jack Sharp Grantor Trust tract, and said called 300 acre
5 tract, and passing the southeast corner of said called 300 acre
6 tract, same being the southeast corner of said Antonio Survey, same
7 being the southwest corner of said Palms Survey, and being the
8 southwest corner of a called 108.84 acre tract of land conveyed to
9 Lucian Touchtone, by deed recorded in Volume 1219, Page 360, of the
10 Deed Records of Grayson County, Texas, and continuing a total
11 distance of 2698.53 feet to a 1/2 inch iron rod found for corner,
12 said point being the northeast corner of said Nelson Survey, and an
13 ell corner of a called 197.3 acre tract of land conveyed to S.A.
14 Schott by deed recorded in Volume 359, Page 369, of the Deed Records
15 of Grayson County, Texas;

16 THENCE South 02°52'48" West, along the common line of said
17 Billy Jack Sharp Grantor Trust tract, and said called 197.3 acre
18 tract, a distance of 3325.00 feet to a 1/2 inch iron rod set for
19 corner, said point being the southwest corner of said called 197.3
20 acre tract;

21 THENCE South 87°56'40" East, along the common line of said
22 Billy Jack Sharp Grantor Trust tract, and said called 197.3 acre
23 tract, a distance of 2577.31 feet to a 1/2 inch iron rod set for
24 corner, said point being the southeast corner of said called 197.3
25 acre tract;

26 THENCE North 02°54'54" East, along the common line of said
27 Billy Jack Sharp Grantor Trust tract, and said called 197.3 acre
28 tract, a distance of 3318.06 feet to a 1/2 inch iron rod set for
29 corner, said point being the northwest corner of said called 197.3
30 acre tract, same being the southeast corner of a called 245.67 acre
31 tract of land conveyed to Gordon W. Goodier, et ux, by deed recorded

1 in Volume 1179, Page 63, of the Deed Records of Grayson County,
2 Texas;

3 THENCE North 03°09'39" East, along the common line of said
4 Billy Jack Sharp Grantor Trust tract, and said called 245.67 acre
5 tract, a distance of 4542.15 feet to a 1/2 inch iron rod found for
6 corner, said point being the northwest corner of said Billy Jack
7 Sharp Grantor Trust tract, same being the northeast corner of said
8 called 245.67 acre tract, and being in the south right-of-way line
9 of F.M. Highway 902;

10 THENCE South 86°51'00" East, along the north line of said
11 Billy Jack Sharp Grantor Trust tract, with the south right-of-way
12 line of F.M. Highway 902, a distance of 1119.25 feet to a railroad
13 spike found for corner, said point being in the centerline
14 intersection more or less of the south right-of-way line of F.M.
15 Highway 902, and McDonald Road, and being in the east line of said
16 Palms Survey;

17 THENCE South 02°47'31" West, with the east line of said Palms
18 Survey, and the east line of said Billy Jack Sharp Grantor Trust
19 tract, and along the centerline of McDonald Road more or less, a
20 distance of 12,018.20 feet to the POINT OF BEGINNING and containing
21 44,527,033 square feet or 1,022.20 acres of computed land.

22 SECTION 1.03. (a) The legal notice of the intention to
23 introduce this article, setting forth the general substance of this
24 article, has been published as provided by law, and the notice and a
25 copy of this article have been furnished to all persons, agencies,
26 officials, or entities to which they are required to be furnished
27 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
28 Government Code.

29 (b) The governor, one of the required recipients, has
30 submitted the notice and article to the Texas Commission on
31 Environmental Quality.

1 (c) The Texas Commission on Environmental Quality has filed
2 its recommendations relating to this article with the governor, the
3 lieutenant governor, and the speaker of the house of
4 representatives within the required time.

5 (d) All requirements of the constitution and laws of this
6 state and the rules and procedures of the legislature with respect
7 to the notice, introduction, and passage of this article are
8 fulfilled and accomplished.

9 SECTION 1.04. This article takes effect September 1, 2007.

10 ARTICLE 2. KIMBERLIN RANCH MUNICIPAL
11 UTILITY DISTRICT NO. 1 OF GRAYSON COUNTY

12 SECTION 2.01. Subtitle F, Title 6, Special District Local
13 Laws Code, is amended by adding Chapter 8264 to read as follows:

14 CHAPTER 8264. KIMBERLIN RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
15 GRAYSON COUNTY

16 SUBCHAPTER A. GENERAL PROVISIONS

17 Sec. 8264.001. DEFINITIONS. In this chapter:

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

19 (2) "Director" means a board member.

20 (3) "District" means the Kimberlin Ranch Municipal
21 Utility District No. 1 of Grayson County.

22 Sec. 8264.002. NATURE OF DISTRICT. The district is a
23 municipal utility district in Grayson County created under and
24 essential to accomplish the purposes of Section 52, Article III,
25 and Section 59, Article XVI, Texas Constitution.

26 Sec. 8264.003. CONFIRMATION ELECTION REQUIRED. If the
27 creation of the district is not confirmed at a confirmation
28 election held under Section 8264.023 before September 1, 2011:

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

31 (A) pay any debts incurred;

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

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

5 (2) this chapter expires September 1, 2014.

6 Sec. 8264.004. INITIAL DISTRICT TERRITORY. (a) The
7 district is initially composed of the territory described by
8 Section 2.02 of the article creating this chapter.

9 (b) The boundaries and field notes contained in Section 2.02
10 of the article creating this chapter form a closure. A mistake made
11 in the field notes or in copying the field notes in the legislative
12 process does not affect:

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

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

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

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

20 [Sections 8264.005-8264.020 reserved for expansion]

21 SUBCHAPTER A-1. TEMPORARY PROVISIONS

22 Sec. 8264.021. TEMPORARY DIRECTORS. (a) On or after
23 September 1, 2007, a person who owns land in the district may submit
24 a petition to the Texas Commission on Environmental Quality
25 requesting that the commission appoint as temporary directors the
26 five persons named in the petition.

27 (b) The commission shall appoint as temporary directors the
28 five persons named in the first petition received by the commission
29 under Subsection (a).

30 (c) If a temporary director fails to qualify for office, the
31 commission shall appoint a person to fill the vacancy.

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

2 (1) the date directors are elected under Section
3 8264.023; or

4 (2) the date this chapter expires under Section
5 8264.003.

6 Sec. 8264.022. ORGANIZATIONAL MEETING OF TEMPORARY
7 DIRECTORS. As soon as practicable after all the temporary
8 directors have qualified under Section 49.055, Water Code, the
9 temporary directors shall meet at a location in the district
10 agreeable to a majority of the directors. At the meeting, the
11 temporary directors shall elect officers from among the temporary
12 directors and conduct any other district business.

13 Sec. 8264.023. CONFIRMATION AND INITIAL DIRECTORS'
14 ELECTION; ANNEXATION BY CITY. (a) The temporary directors shall
15 hold an election to confirm the creation of the district and to
16 elect five directors as provided by Section 49.102, Water Code.

17 (b) The temporary directors may not hold the election until
18 the City of Gunter has annexed into its corporate limits all
19 territory described by Section 2.02 of the article creating this
20 chapter.

21 Sec. 8264.024. INITIAL ELECTED DIRECTORS; TERMS. The
22 directors elected under Section 8264.023 shall draw lots to
23 determine which two shall serve until the first regularly scheduled
24 election of directors and which three shall serve until the second
25 regularly scheduled election of directors.

26 Sec. 8264.025. EXPIRATION OF SUBCHAPTER. This subchapter
27 expires September 1, 2014.

28 [Sections 8264.026-8264.050 reserved for expansion]

29 SUBCHAPTER B. BOARD OF DIRECTORS

30 Sec. 8264.051. GOVERNING BODY; TERMS. (a) The district is
31 governed by a board of five directors.

1 (b) Directors serve staggered four-year terms.

2 [Sections 8264.052-8264.100 reserved for expansion]

3 SUBCHAPTER C. POWERS AND DUTIES

4 Sec. 8264.101. MUNICIPAL UTILITY DISTRICT POWERS AND
5 DUTIES. The district has the powers and duties provided by the
6 general law of this state, including Chapters 49 and 54, Water Code,
7 applicable to municipal utility districts created under Section 59,
8 Article XVI, Texas Constitution.

9 Sec. 8264.102. WATER AND WASTEWATER FACILITIES AND
10 SERVICES. (a) The district shall make available any district water
11 or wastewater facility to each person that holds a certificate of
12 convenience and necessity for land in the district.

13 (b) The district may not provide retail water or wastewater
14 services.

15 Sec. 8264.103. ROAD PROJECTS. (a) To the extent authorized
16 by Section 52, Article III, Texas Constitution, the district may
17 construct, acquire, improve, maintain, or operate macadamized,
18 graveled, or paved roads or turnpikes, or improvements in aid of
19 those roads or turnpikes, inside the district.

20 (b) A road project must meet all applicable construction
21 standards, subdivision requirements, and regulations of each
22 municipality in whose corporate limits or extraterritorial
23 jurisdiction the district is located.

24 Sec. 8264.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY
25 EXCLUDED FROM CITY. If the City of Gunter excludes district
26 territory from the city's corporate limits, the district shall
27 maintain, improve, operate, and repair any road located in that
28 territory in accordance with the ordinances and rules of each
29 political subdivision in whose jurisdiction the road is located.

30 Sec. 8264.105. DIVISION OF DISTRICT. (a) The district may
31 be divided into two new districts only if the district:

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

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

7 (d) Any new district created by the division of the district
8 may not, at the time the new district is created, contain any land:

9 (1) outside the area described by Section 2.02 of the
10 article creating this chapter; or

11 (2) outside the corporate limits of the city of
12 Gunter.

13 Sec. 8264.106. LIMITATION ON ANNEXATION. (a) The district
14 may not add land to the district under Subchapter J, Chapter 49,
15 Water Code, if the land is located outside the corporate limits of
16 the city of Gunter.

17 (b) Section 43.075, Local Government Code, does not apply to
18 the district.

19 [Sections 8264.107-8264.150 reserved for expansion]

20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

21 Sec. 8264.151. TAX TO REPAY BONDS. The district may impose
22 a tax to pay the principal of or interest on bonds or other
23 obligations issued under Section 8264.201.

24 [Sections 8264.152-8264.200 reserved for expansion]

25 SUBCHAPTER E. BONDS

26 Sec. 8264.201. AUTHORITY TO ISSUE BONDS AND OTHER
27 OBLIGATIONS. (a) The district may issue bonds or other obligations
28 as provided by Chapters 49 and 54, Water Code, to finance the
29 construction, maintenance, or operation of a project under Section
30 8264.101 or 8264.103.

31 (b) The district may not issue bonds or other obligations to

1 finance projects authorized by Section 8264.103 unless the issuance
2 is approved by a vote of a two-thirds majority of the district
3 voters voting at an election held for that purpose.

4 (c) Bonds or other obligations issued or incurred to finance
5 projects authorized by Section 8264.103 may not exceed one-fourth
6 of the assessed value of the real property in the district.

7 SECTION 2.02. The Kimberlin Ranch Municipal Utility
8 District No. 1 of Grayson County includes all the territory
9 contained in the following area:

10 BEING situated in the County of Grayson, State of Texas, being parts
11 of the JOHN NELSON SURVEY, ABSTRACT NO. 902, the JOHN W. BERGIN
12 SURVEY, ABSTRACT NO. 75, and the ANTONIO HERNANDEZ SURVEY, ABSTRACT
13 NO. 489, also being the 1073.77 acre tract of land conveyed to
14 Davidson Land and Cattle Company, L.P. by deed recorded in Volume
15 2235, Page 597, Real Property Records, GRAYSON County, Texas and
16 being described by metes and bounds as follows:

17 BEGINNING at a 2 inch steel rod set at the Southeast corner of the
18 758.750 acre tract of land conveyed to Larry Lehman, et ux, by deed
19 of record in Volume 2555, Page 624-655, of said Real Property
20 Records, the Southwest corner of said 1073.77 acre tract of land,
21 said rod also being in the North line of the 208.67 acre tract of
22 land conveyed to James and Juanell Bridges Family Living Trust by
23 deed of record in Volume 2506, Page 146, of said Real Property
24 Records;

25 THENCE North 00 degrees 00 minutes 00 seconds West with the West
26 line of said 1073.77 acre tract and the center of a public road a
27 distance of 4674.02 feet to a 2 inch steel rod set at the Southwest
28 corner of a 177.93 acre tract of land conveyed to Louis M. Rexrode,
29 et ux, by deed of record in Volume 2205, Page 639, of said Real
30 Property Records, also being the Southeast corner of the 133.05
31 acre tract of land conveyed to Henry S. Jackson, et ux, by deed of

1 record in Volume 2059, Page 273, of said Real Property Records;
2 THENCE North 89 degrees 22 minutes 34 seconds East with the South
3 line of said 177.93 acre tract a distance of 2805.74 feet to a 2 inch
4 steel rod set at a found wooden stake at the Southeast corner of
5 said 177.93 acre tract;
6 THENCE North 00 degrees 32 minutes 19 seconds West with a fence and
7 the East line of said 177.93 acre tract of land a distance of
8 2774.19 feet to a 2 inch steel rod set at a found wooden stake at the
9 Northeast corner of said 177.93 acre tract;
10 THENCE South 89 degrees 47 minutes 48 seconds West with the North
11 line of said 177.93 acre tract of land a distance of 2765.01 feet to
12 a 2 inch steel rod set at the Northwest corner of said 177.93 acre
13 tract, being in the East line of said 133.05 acre tract;
14 THENCE North 00 degrees 00 minutes 00 seconds West with the center
15 of a public road and said East line a distance of 1296.86 feet to a 2
16 inch steel rod set at the Northwest corner of said 1073.77 acre
17 tract, the Southeast corner of the 362.631 acre tract of land
18 conveyed to Taylor Strawn and Ernest B. Strawn, Jr., by deed of
19 record in Volume 2209, Page 772, of said Real Property Records, also
20 being the Southwest corner of the 121.14 acre tract of land
21 described as Part Two and conveyed to Jeribeth Sharp by deed of
22 record in Volume 2668, Page 009, of said Real Property Records;
23 THENCE North 89 degrees 37 minutes 51 seconds East with the South
24 line of said 121.14 acre tract, a distance of 4016.31 feet to a 2
25 inch steel rod set at a fence corner, being the Southeast corner of
26 said 121.14 acre tract;
27 THENCE South 00 degrees 10 minutes 16 seconds East with a fence a
28 distance of 1298.84 feet to a 2 inch steel rod set at a fence post;
29 THENCE North 89 degrees 30 minutes 06 seconds East with a fence a
30 distance of 2512.99 feet to a 2 inch steel rod set at the most
31 Easterly Northeast corner of said 1073.77 acre tract, the Northwest

1 corner of the 1022.21 acre tract of land described as Part One as
2 conveyed to Jeribeth Sharp by deed of record in Volume 2668, Page
3 009, of said Real Property Records;
4 THENCE with the West line of said 1022.21 acre tract of land and an
5 existing fence line, the following calls and distances:
6 South 00 degrees 40 minutes 13 seconds East, a distance of 2497.50
7 feet to a 2 inch steel rod set at a fence corner;
8 South 89 degrees 32 minutes 01 seconds West a distance of 150.18
9 feet to a 2 inch steel rod set a fence corner;
10 South 00 degrees 44 minutes 41 seconds East_ a distance of 1112.81
11 feet to a 2 inch steel rod set a fence corner;
12 South 89 degrees 13 minutes 04 seconds East a distance of 150.56
13 feet to a 2 inch steel rod set a fence corner;
14 South 00 degrees 45 minutes 51 seconds East a distance of 3832.16
15 feet to a 2 inch steel rod set in a public road, being the Southeast
16 corner of said 1073.77 acre tract, also being in the North line of
17 the 67 acre tract of land conveyed to James S. Rodgers, et ux, by
18 deed of record in Volume 1045, Page 759, of the Deed Records,
19 Grayson County, Texas;
20 THENCE South 89 degrees 24 minutes 04 seconds West with the South
21 line of said 1073.77 acre tract a distance of 6642.95 feet to the
22 POINT OF BEGINNING and CONTAINING 1065.860 acres of land, more or
23 less.

24 SECTION 2.03. (a) The legal notice of the intention to
25 introduce this article, setting forth the general substance of this
26 article, has been published as provided by law, and the notice and a
27 copy of this article have been furnished to all persons, agencies,
28 officials, or entities to which they are required to be furnished
29 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
30 Government Code.

31 (b) The governor, one of the required recipients, has

1 submitted the notice and article to the Texas Commission on
2 Environmental Quality.

3 (c) The Texas Commission on Environmental Quality has filed
4 its recommendations relating to this article with the governor, the
5 lieutenant governor, and the speaker of the house of
6 representatives within the required time.

7 (d) All requirements of the constitution and laws of this
8 state and the rules and procedures of the legislature with respect
9 to the notice, introduction, and passage of this article are
10 fulfilled and accomplished.

11 SECTION 2.04. This article takes effect September 1, 2007.

12 ARTICLE 3. KIMBERLIN RANCH MUNICIPAL
13 UTILITY DISTRICT NO. 2 OF GRAYSON COUNTY

14 SECTION 3.01. Subtitle F, Title 6, Special District Local
15 Laws Code, is amended by adding Chapter 8265 to read as follows:

16 CHAPTER 8265. KIMBERLIN RANCH MUNICIPAL UTILITY DISTRICT NO. 2 OF
17 GRAYSON COUNTY

18 SUBCHAPTER A. GENERAL PROVISIONS

19 Sec. 8265.001. DEFINITIONS. In this chapter:

- 20 (1) "Board" means the district's board of directors.
- 21 (2) "Director" means a board member.
- 22 (3) "District" means the Kimberlin Ranch Municipal
23 Utility District No. 2 of Grayson County.

24 Sec. 8265.002. NATURE OF DISTRICT. The district is a
25 municipal utility district in Grayson County created under and
26 essential to accomplish the purposes of Section 52, Article III,
27 and Section 59, Article XVI, Texas Constitution.

28 Sec. 8265.003. CONFIRMATION ELECTION REQUIRED. If the
29 creation of the district is not confirmed at a confirmation
30 election held under Section 8265.023 before September 1, 2011:

- 31 (1) the district is dissolved September 1, 2011,

1 except that the district shall:

2 (A) pay any debts incurred;

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

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

7 (2) this chapter expires September 1, 2014.

8 Sec. 8265.004. INITIAL DISTRICT TERRITORY. (a) The
9 district is initially composed of the territory described by
10 Section 3.02 of the article creating this chapter.

11 (b) The boundaries and field notes contained in Section 3.02
12 of the article creating this chapter form a closure. A mistake made
13 in the field notes or in copying the field notes in the legislative
14 process does not affect:

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

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

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

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

22 [Sections 8265.005-8265.020 reserved for expansion]

23 SUBCHAPTER A-1. TEMPORARY PROVISIONS

24 Sec. 8265.021. TEMPORARY DIRECTORS. (a) On or after
25 September 1, 2007, a person who owns land in the district may submit
26 a petition to the Texas Commission on Environmental Quality
27 requesting that the commission appoint as temporary directors the
28 five persons named in the petition.

29 (b) The commission shall appoint as temporary directors the
30 five persons named in the first petition received by the commission
31 under Subsection (a).

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

3 (d) Temporary directors serve until the earlier of:

4 (1) the date directors are elected under Section
5 8265.023; or

6 (2) the date this chapter expires under Section
7 8265.003.

8 Sec. 8265.022. ORGANIZATIONAL MEETING OF TEMPORARY
9 DIRECTORS. As soon as practicable after all the temporary
10 directors have qualified under Section 49.055, Water Code, the
11 temporary directors shall meet at a location in the district
12 agreeable to a majority of the directors. At the meeting, the
13 temporary directors shall elect officers from among the temporary
14 directors and conduct any other district business.

15 Sec. 8265.023. CONFIRMATION AND INITIAL DIRECTORS'
16 ELECTION; ANNEXATION BY CITY. (a) The temporary directors shall
17 hold an election to confirm the creation of the district and to
18 elect five directors as provided by Section 49.102, Water Code.

19 (b) The temporary directors may not hold the election until
20 the City of Gunter has annexed into its corporate limits all
21 territory described by Section 3.02 of the article creating this
22 chapter.

23 Sec. 8265.024. INITIAL ELECTED DIRECTORS; TERMS. The
24 directors elected under Section 8265.023 shall draw lots to
25 determine which two shall serve until the first regularly scheduled
26 election of directors and which three shall serve until the second
27 regularly scheduled election of directors.

28 Sec. 8265.025. EXPIRATION OF SUBCHAPTER. This subchapter
29 expires September 1, 2014.

30 [Sections 8265.026-8265.050 reserved for expansion]

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 8265.051. GOVERNING BODY; TERMS. (a) The district is
3 governed by a board of five directors.

4 (b) Directors serve staggered four-year terms.

5 [Sections 8265.052-8265.100 reserved for expansion]

6 SUBCHAPTER C. POWERS AND DUTIES

7 Sec. 8265.101. MUNICIPAL UTILITY DISTRICT POWERS AND
8 DUTIES. The district has the powers and duties provided by the
9 general law of this state, including Chapters 49 and 54, Water Code,
10 applicable to municipal utility districts created under Section 59,
11 Article XVI, Texas Constitution.

12 Sec. 8265.102. WATER AND WASTEWATER FACILITIES AND
13 SERVICES. (a) The district shall make available any district
14 water or wastewater facility to each person that holds a
15 certificate of convenience and necessity for land in the district.

16 (b) The district may not provide retail water or wastewater
17 services.

18 Sec. 8265.103. ROAD PROJECTS. (a) To the extent authorized
19 by Section 52, Article III, Texas Constitution, the district may
20 construct, acquire, improve, maintain, or operate macadamized,
21 graveled, or paved roads or turnpikes, or improvements in aid of
22 those roads or turnpikes, inside the district.

23 (b) A road project must meet all applicable construction
24 standards, subdivision requirements, and regulations of each
25 municipality in whose corporate limits or extraterritorial
26 jurisdiction the district is located.

27 Sec. 8265.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY
28 EXCLUDED FROM CITY. If the City of Gunter excludes district
29 territory from the city's corporate limits, the district shall
30 maintain, improve, operate, and repair any road located in that
31 territory in accordance with the ordinances and rules of each

1 political subdivision in whose jurisdiction the road is located.

2 Sec. 8265.105. DIVISION OF DISTRICT. (a) The district may
3 be divided into two new districts only if the district:

4 (1) has no outstanding bonded debt; and

5 (2) is not imposing ad valorem taxes.

6 (b) The division procedure is prescribed by Sections 53.030
7 through 53.041, Water Code.

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

10 (d) Any new district created by the division of the district
11 may not, at the time the new district is created, contain any land:

12 (1) outside the area described by Section 3.02 of the
13 article creating this chapter; or

14 (2) outside the corporate limits of the city of
15 Gunter.

16 Sec. 8265.106. LIMITATION ON ANNEXATION. (a) The district
17 may not add land to the district under Subchapter J, Chapter 49,
18 Water Code, if the land is located outside the corporate limits of
19 the city of Gunter.

20 (b) Section 43.075, Local Government Code, does not apply to
21 the district.

22 [Sections 8265.107-8265.150 reserved for expansion]

23 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

24 Sec. 8265.151. TAX TO REPAY BONDS. The district may impose
25 a tax to pay the principal of or interest on bonds or other
26 obligations issued under Section 8264.201.

27 [Sections 8265.152-8265.200 reserved for expansion]

28 SUBCHAPTER E. BONDS

29 Sec. 8265.201. AUTHORITY TO ISSUE BONDS AND OTHER
30 OBLIGATIONS. (a) The district may issue bonds or other obligations
31 as provided by Chapters 49 and 54, Water Code, to finance the

1 construction, maintenance, or operation of a project under Section
2 8265.101 or 8265.103.

3 (b) The district may not issue bonds or other obligations to
4 finance projects authorized by Section 8265.103 unless the issuance
5 is approved by a vote of a two-thirds majority of the district
6 voters voting at an election held for that purpose.

7 (c) Bonds or other obligations issued or incurred to finance
8 projects authorized by Section 8265.103 may not exceed one-fourth
9 of the assessed value of the real property in the district.

10 SECTION 3.02. The Kimberlin Ranch Municipal Utility
11 District No. 2 of Grayson County includes all the territory
12 contained in the following area:

13 SITUATED in the County of GRAYSON, State of Texas, being a part of
14 the ROBERT MASON SURVEY, ABSTRACT NO. 784 and the SAMUEL Q. PETTUS
15 SURVEY, ABSTRACT NO. 939, being a part of a 297.715 acre tract of
16 land (described as 300.715 acres less 3.00 acres) conveyed by Regis
17 J. Sutton to Jean Anna Sutton in Agreement of Regis J. Sutton and
18 Jean Anna Sutton Partitioning Community Property dated June 3,
19 1983, recorded in Volume 1650, Page 260, Deed Records, GRAYSON
20 County, Texas, and being more particularly described by metes and
21 bounds as follows to-wit:

22 BEGINNING at a found 1/2 inch rebar on the most Southerly South line
23 of said 297.715 acre tract, the North line of a 201.711 acre tract
24 of land conveyed by Charles C. Graham, et ux to Mario Feliciano,
25 Trustee by Deed dated July 9, 1980, recorded in Volume 1523, Page
26 109, Deed Records, GRAYSON County, Texas, said rebar being North 87
27 degrees 08 minutes 06 seconds West, a distance of 626.13 feet from a
28 found spike nail maintaining the most Southerly Southeast corner of
29 said 297.715 acre tract, the most Northerly Northeast corner of
30 said 201.711 acre tract, in a public road known as Wall Street Road
31 and on an East line of said Mason Survey, the West line of the

1 William Kinnamon Survey, Abstract No. 676;
2 THENCE North 87 degrees 08 minutes 06 seconds West, with the general
3 line of a fence, the most Southerly South line of said 297.715 acre
4 tract, the North line of said 201.711 acre tract, a distance of
5 1141.44 feet to a fence post;
6 THENCE North 87 degrees 24 minutes 28 seconds West, continuing with
7 the general line of said fence, the Southerly South line of said
8 297.715 acre tract, the North line of said 201.77 acre tract, a
9 distance of 2156.98 feet to a set spike nail at the base of a fence
10 corner post for the Northwest corner of said 201.711 acre tract, the
11 most Southerly Southwest corner of said 297.715 acre tract, on the
12 East line of a 223.5639 acre tract of land conveyed by Kent Berlin
13 to The Berlin Family Limited Partnership by Deed dated January 10,
14 2000, recorded in Volume 2881, Page 924, Official Public Records,
15 GRAYSON County, Texas;
16 THENCE North 03 degrees 33 minutes 37 seconds East, with the general
17 line of a fence, the East line of said 223.5639 acre tract, a
18 distance of 1112.63 feet to a fence corner post maintaining the
19 Northeast corner of said 223.5639 acre tract, an ell corner of said
20 297.715 acre tract on a North line of said Mason Survey, the South
21 line of said Pettus Survey;
22 THENCE North 87 degrees 19 minutes 23 seconds West, with the general
23 line of a fence, the North line of said 223.5639 acre tract, a North
24 line of said Mason Survey, the South line of said Pettus Survey,
25 passing the Northwest corner of said 223.5639 acre tract, the
26 Northeast corner of a 20 foot wide strip of land described in Second
27 Tract in Deed from George M. Carter, et ux to Joe D. Johnson by Deed
28 dated March 29, 1961, recorded in Volume 930, Page 211, Deed
29 Records, GRAYSON County, Texas and continuing for a total distance
30 of 2911.41 feet to a set spike nail at the base of a fence corner
31 post for the Northwest corner of said Mason Survey, the most

1 Westerly Southwest corner of said 297.715 acre tract, the Southwest
2 corner of said Pettus Survey, on the East line of the Sarah Shoto
3 Survey, Abstract No. 1079, the East line of a 100 acre tract of land
4 described in First Tract in said Volume 930, Page 211;
5 THENCE North 03 degrees 27 minutes 34 seconds East, with the West
6 line of said Pettus Survey, the East line of both said Shoto Survey
7 and 100 acre tract, passing the Northeast corner of said 100 acre
8 tract, the Southeast corner of a 499.67 acre tract of land conveyed
9 by Mary H. Martinek to Mary H. Martinek, Trustee of the Mary H.
10 Martinek Revocable Living Trust by Deed dated April 11, 1997,
11 recorded in Volume 2562, Page 196, Official Public Records, GRAYSON
12 County, Texas and continuing with an East line of said 499.67 acre
13 tract for a total distance of 1263.89 feet to a found 1/2 inch rebar
14 at the base of a fence corner post, said rebar maintaining the
15 Northwest corner of said 297.715 acre tract, the Southwest corner
16 of a 223 acre tract of land now or formerly owned by Thelma Hunter
17 (no Deed reference available);
18 THENCE South 87 degrees 25 minutes 47 seconds East, with the general
19 line of a fence, the South line of said 223 acre tract, at a distance
20 of 6798.67 feet to a found 3/8 inch rebar maintaining the Southeast
21 corner of said 223 acre tract, the most Northerly Northeast corner
22 of said 297.715 acre tract, in said Wall Street Road and on the East
23 line of said Pettus Survey, the West line of said William Kinnamon
24 Survey, the West line of a tract of land described in North Tract in
25 Quitclaim Deed dated September 30, 1997 from Susan C. deCordova to
26 Susan C. deCordova, Trustee of the deCordova Trust recorded in
27 Volume 2577, Page 155, Official Public Records, GRAYSON County,
28 Texas;
29 THENCE South 03 degrees 15 minutes 00 seconds West, with an East
30 line of both said 297.715 acre tract and Mason Survey, the West line
31 of both said Kinnamon Survey and North Tract, passing the Southeast

1 corner of said Pettus Survey, the most Northerly Northeast corner
2 of said Mason Survey and continuing for a total distance of 1680.66
3 feet to a found spike nail maintaining a Southeast corner of said
4 297.715 acre tract, the Northeast corner of a 3.00 acre tract of
5 land conveyed by Anna Houck Trust to AHG Trust by Deed dated January
6 30, 2002, recorded in Volume 3194, Page 458, Official Public
7 Records, GRAYSON County, Texas;

8 THENCE North 87 degrees 04 minutes 00 seconds West with the North
9 line of said 3.00 acre tract, a distance of 626.13 feet to a found
10 1/2 inch rebar maintaining its Northwest corner;

11 THENCE South 03 degrees 15 minutes 00 seconds West, with the West
12 line of said 3.00 acre tract, at a distance of 208.71 feet passing a
13 found 1/2 inch rebar maintaining its Southwest corner and
14 continuing for a total distance of 711.76 feet to the PLACE OF
15 BEGINNING and CONTAINING 288.92 acres of land, more or less.

16 TRACT 2

17 All that certain tract or parcel of land situated in the Robert
18 Mason Survey, Abstract Number 784 County of Grayson, State of
19 Texas, said tract being part of a called 69 1\2 acres tract as
20 described in Deed to Marshall E. Anderson et ux, Marquerite
21 Anderson, filed 11 January 1962, and Recorded in Volume 947 Page 387
22 of the Deed Records of the County of Grayson, State of Texas, and
23 being more fully described as follows:

24 Beginning for the northeast corner of the tract being described
25 herein at a set 1\2 inch Steel Square Tubing, said tubing being the
26 northeast corner of said Anderson tract, and the southeast corner
27 of a called 100 acres tract as described in the First Tract, and on
28 the west line of a called 1.56 acre tract as described in the Second
29 tract in Deed to Joe D. Johnson, filed 30 March 1961, and Recorded
30 in Volume 930 Page 211 of said Deed Records;

31 Thence: South 03 degrees 29 minutes 22 seconds West, with the east

1 line of said Anderson tract, and with the west line of said Johnson
2 Second Tract, a distance of 609.07 feet to a found 1\2 inch Steel
3 Square Tubing for the northeast corner of a 1.25 acre tract as
4 surveyed out for Dennis Keating dated 27 December 1999;
5 Thence: North 86 degrees 56 minutes 26 seconds West, with the north
6 line of said Keating tract, a distance of 124.72 feet to a found 1\2
7 inch Steel Square Tubing for the northwest corner of said Keating
8 tract;
9 Thence: South 03 degrees 32 minutes 41 seconds West, with the west
10 line of said Keating tract, a distance of 435.58 feet to a found 1\2
11 inch Steel Square Tubing for the southwest corner of said Heating
12 tract, and on the north Right-of-Way line of Farm-to-Market Road
13 Number 121 as described in Deed to The State of Texas, filed 11
14 November 1953 and Recorded in Volume 744 Page 72 of said Deed
15 Records
16 Thence: North 87 degrees 07 minutes 47 seconds West, with the south
17 line of said Anderson tract, and the north ROW line of said FM 121,
18 a distance of 1856.89 feet to a found State of Texas Concrete
19 Right-of-Way Monument for a corner;
20 Thence: North 73 degrees 24 minutes 31 seconds West, with the south
21 line of said Anderson tract, and the north ROW line of FM 121, a
22 distance of 332.15 feet to a found 1\2 inch Steel Square Tubing for
23 the southeast corner of a 5 acre tract as described in Deed to
24 Ronald R. Baker et ux, Joanie C. Baker, filed 06 November 1995, and
25 Recorded in Volume 2428 Page 31 of said Deed Records;
26 Thence: North 29 degrees 08 minutes 03 seconds West, with the east
27 line of said Baker tract, a distance of 1078.23 feet to a found 1\2
28 inch Steel Square Tubing for the northeast corner of said Baker
29 tract, and on the south line of a tract as described in Deed to Steve
30 Bryant et ux, Judy Bryant, filed 02 January 2003, and Recorded in
31 Volume 3393 Page 846 of said Deed Records;

1 Thence: South 88 degrees 17 minutes 06 seconds East, with the north
2 line of said Anderson tract, and with the south line of said Bryant
3 tract, a distance of 1574.07 feet to a found 1\2 inch Steel Rebar at
4 the base of a wood fence corner post for the southeast corner of
5 said Bryant tract, and the southwest corner of said Johnson First
6 tract;

7 Thence: South 87 degrees 58 minutes 16 seconds East, with the north
8 line of said Anderson tract, and the south line of said Johnson
9 First Tract, a distance of 1313.83 feet to the POINT OF BEGINNING
10 and containing 58.946 acres of land.

11 TRACT 3

12 All that certain tract or parcel of land situated in the Robert
13 Mason Survey, Abstract Number 784 and the Sarah Shoto Survey,
14 Abstract Number 1079, County of Grayson, State of Texas, said tract
15 being all of a called 100 acres tract as described in the First
16 Tract, and all of a called 1.56 acre tract as described in the
17 Second tract in Deed to Joe D. Johnson, filed 30 March 1961, and
18 Recorded in Volume 930 Page 211 of the Deed Records of the County of
19 Grayson, State of Texas, and being more fully described as follows:
20 Beginning for the southeast corner of the tract being described
21 herein at a found 1\2 inch Steel Square Tubing, said tubing being
22 the southeast corner of said Johnson tract, and the southwest
23 corner of a called 223.457 acre tract as described in Deed to Gunter
24 223, LTD, filed 06 June 2005, and Recorded in Volume 3870 Page 800
25 of said Deed Records, said tubing also being on the north
26 Right-of-Way line of Farm-to-Market Road Number 121 as described in
27 Deed to The State of Texas, filed 11 November 1953 and Recorded in
28 Volume 744 Page 72 of said Deed Records;

29 Thence: North 86 degrees 52 minutes 52 seconds West, with the south
30 line of said Johnson Seconds Tract, and with the north ROW line of
31 said FM 121, a distance of 20.00 feet to a found 1\2 inch Steel

1 Square Tubing for the southwest corner of said Johnson Seconds
2 Tract, and the southeast corner of a 1.25 acre tract as surveyed out
3 for Dennis Keating dated 27 December 1999;
4 Thence: North 03 degrees 29 minutes 02 seconds East, with the west
5 line of said Johnson Second tract, a distance of 1044.78 feet to a
6 set 1\2 inch Steel Square Tubing with a plastic cap marked COX 4577
7 for the southeast corner of said Johnson First tract and the
8 northeast corner of a tract as described in Deed to Marshall E.
9 Anderson et ux, Marquerite Anderson, filed 11 January 1962, and
10 Recorded in Volume 947 Page 387 of said Deed Records;
11 Thence: North 87 degrees 58 minutes 16 seconds West, with the south
12 line of said Johnson First Tract, and with the north line of said
13 Anderson tract, a distance of 1313.82 feet to a found 1\2 inch Steel
14 Rebar for the southwest corner of said Johnson First Tract, and the
15 southeast corner of a tract as described in Deed to Steve Bryant et
16 ux, Judy Bryant, filed 02 January 2003, and Recorded in Volume 3393
17 Page 846 of said Deed Records;
18 Thence: North 03 degrees 21 minutes 26 seconds East, with the west
19 line of said Johnson First Tract, a distance of 3311.44 feet to a
20 Wood Fence corner Post for the northwest corner of said Johnson
21 First Tract;
22 Thence: South 86 degrees 54 minutes 56 seconds East, with the north
23 line of said Johnson First Tract, a distance of 1313.67 feet to a
24 set 1\2 inch Steel Square Tubing for the northeast corner of said
25 Johnson First Tract, and on the west line of a called 288.92 acre
26 tract as described in Deed to Inwood Plaza Joint Venture, filed 07
27 January 2004, and Recorded in Volume 3594 Page 147 of said Deed
28 Records;
29 Thence: South 03 degrees 27 minutes 34 seconds West, with the east
30 line of said Johnson First Tract, a distance of 960.75 feet to a
31 found 1\2 inch Steel Rebar at the base of a Wood Fence corner Post

1 for the northwest corner of said Johnson Second Tract, and the
2 southwest corner of said Inwood Plaza Joint Venture tract;
3 Thence: South 87 degrees 14 minutes 29 seconds East, with the north
4 line of said Johnson Second Tract, and with the south line of said
5 Inwood Plaza tract, a distance of 20.98 feet to a found 1\2 inch
6 Steel Rebar at the base of a wood fence corner post for the
7 northeast corner of said Johnson Second Tract, and the northwest
8 corner of said Gunter 223 tract;
9 Thence: South 03 degrees 20 minutes 36 seconds West, with the east
10 line of said Johnson Second Tract, and the west line of said Gunter
11 223 tract, a distance of 2326.24 feet to a Wood Fence corner Post
12 for an angle point;
13 Thence: South 03 degrees 29 minutes 00 seconds West, with the east
14 line of said Johnson Second Tract, and the west line of said Gunter
15 223 tract, a distance of 1045.16 feet to the POINT OF BEGINNING and
16 containing 101.005 acre of land.

17 SECTION 3.03. (a) The legal notice of the intention to
18 introduce this article, setting forth the general substance of this
19 article, has been published as provided by law, and the notice and a
20 copy of this article have been furnished to all persons, agencies,
21 officials, or entities to which they are required to be furnished
22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
23 Government Code.

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

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

31 (d) All requirements of the constitution and laws of this

1 state and the rules and procedures of the legislature with respect
2 to the notice, introduction, and passage of this article are
3 fulfilled and accomplished.

4 SECTION 3.04. This article takes effect September 1, 2007.

5 ARTICLE 4. KIMBERLIN RANCH MUNICIPAL
6 UTILITY DISTRICT NO. 3 OF GRAYSON COUNTY

7 SECTION 4.01. Subtitle F, Title 6, Special District Local
8 Laws Code, is amended by adding Chapter 8266 to read as follows:

9 CHAPTER 8266. KIMBERLIN RANCH MUNICIPAL UTILITY DISTRICT NO. 3 OF
10 GRAYSON COUNTY

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 8266.001. DEFINITIONS. In this chapter:

- 13 (1) "Board" means the district's board of directors.
14 (2) "Director" means a board member.
15 (3) "District" means the Kimberlin Ranch Municipal
16 Utility District No. 3 of Grayson County.

17 Sec. 8266.002. NATURE OF DISTRICT. The district is a
18 municipal utility district in Grayson County created under and
19 essential to accomplish the purposes of Section 52, Article III,
20 and Section 59, Article XVI, Texas Constitution.

21 Sec. 8266.003. CONFIRMATION ELECTION REQUIRED. If the
22 creation of the district is not confirmed at a confirmation
23 election held under Section 8266.023 before September 1, 2011:

24 (1) the district is dissolved September 1, 2011,
25 except that the district shall:

- 26 (A) pay any debts incurred;
27 (B) transfer to Grayson County any assets that
28 remain after the payment of debts; and

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

31 (2) this chapter expires September 1, 2014.

1 Sec. 8266.004. INITIAL DISTRICT TERRITORY. (a) The
2 district is initially composed of the territory described by
3 Section 4.02 of the article creating this chapter.

4 (b) The boundaries and field notes contained in Section 4.02
5 of the article creating this chapter form a closure. A mistake made
6 in the field notes or in copying the field notes in the legislative
7 process does not affect:

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

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

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

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

15 [Sections 8266.005-8266.020 reserved for expansion]

16 SUBCHAPTER A-1. TEMPORARY PROVISIONS

17 Sec. 8266.021. TEMPORARY DIRECTORS. (a) On or after
18 September 1, 2007, a person who owns land in the district may submit
19 a petition to the Texas Commission on Environmental Quality
20 requesting that the commission appoint as temporary directors the
21 five persons named in the petition.

22 (b) The commission shall appoint as temporary directors the
23 five persons named in the first petition received by the commission
24 under Subsection (a).

25 (c) If a temporary director fails to qualify for office, the
26 commission shall appoint a person to fill the vacancy.

27 (d) Temporary directors serve until the earlier of:

28 (1) the date directors are elected under Section
29 8266.023; or

30 (2) the date this chapter expires under Section
31 8266.003.

1 Sec. 8266.022. ORGANIZATIONAL MEETING OF TEMPORARY
2 DIRECTORS. As soon as practicable after all the temporary
3 directors have qualified under Section 49.055, Water Code, the
4 temporary directors shall meet at a location in the district
5 agreeable to a majority of the directors. At the meeting, the
6 temporary directors shall elect officers from among the temporary
7 directors and conduct any other district business.

8 Sec. 8266.023. CONFIRMATION AND INITIAL DIRECTORS'
9 ELECTION; ANNEXATION BY CITY. (a) The temporary directors shall
10 hold an election to confirm the creation of the district and to
11 elect five directors as provided by Section 49.102, Water Code.

12 (b) The temporary directors may not hold the election until
13 the City of Gunter has annexed into its corporate limits all
14 territory described by Section 4.02 of the article creating this
15 chapter.

16 Sec. 8266.024. INITIAL ELECTED DIRECTORS; TERMS. The
17 directors elected under Section 8266.023 shall draw lots to
18 determine which two shall serve until the first regularly scheduled
19 election of directors and which three shall serve until the second
20 regularly scheduled election of directors.

21 Sec. 8266.025. EXPIRATION OF SUBCHAPTER. This subchapter
22 expires September 1, 2014.

23 [Sections 8266.026-8266.050 reserved for expansion]

24 SUBCHAPTER B. BOARD OF DIRECTORS

25 Sec. 8266.051. GOVERNING BODY; TERMS. (a) The district is
26 governed by a board of five directors.

27 (b) Directors serve staggered four-year terms.

28 [Sections 8266.052-8266.100 reserved for expansion]

29 SUBCHAPTER C. POWERS AND DUTIES

30 Sec. 8266.101. MUNICIPAL UTILITY DISTRICT POWERS AND
31 DUTIES. The district has the powers and duties provided by the

1 general law of this state, including Chapters 49 and 54, Water Code,
2 applicable to municipal utility districts created under Section 59,
3 Article XVI, Texas Constitution.

4 Sec. 8266.102. WATER AND WASTEWATER FACILITIES AND
5 SERVICES. (a) The district shall make available any district water
6 or wastewater facility to each person that holds a certificate of
7 convenience and necessity for land in the district.

8 (b) The district may not provide retail water or wastewater
9 services.

10 Sec. 8266.103. ROAD PROJECTS. (a) To the extent authorized
11 by Section 52, Article III, Texas Constitution, the district may
12 construct, acquire, improve, maintain, or operate macadamized,
13 graveled, or paved roads or turnpikes, or improvements in aid of
14 those roads or turnpikes, inside the district.

15 (b) A road project must meet all applicable construction
16 standards, subdivision requirements, and regulations of each
17 municipality in whose corporate limits or extraterritorial
18 jurisdiction the district is located.

19 Sec. 8266.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY
20 EXCLUDED FROM CITY. If the City of Gunter excludes district
21 territory from the city's corporate limits, the district shall
22 maintain, improve, operate, and repair any road located in that
23 territory in accordance with the ordinances and rules of each
24 political subdivision in whose jurisdiction the road is located.

25 Sec. 8266.105. DIVISION OF DISTRICT. (a) The district may
26 be divided into two new districts only if the district:

27 (1) has no outstanding bonded debt; and

28 (2) is not imposing ad valorem taxes.

29 (b) The division procedure is prescribed by Sections 53.030
30 through 53.041, Water Code.

31 (c) Any new district created by the division of the district

1 has all the powers and duties of the district.

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

4 (1) outside the area described by Section 4.02 of the
5 article creating this chapter; or

6 (2) outside the corporate limits of the city of
7 Gunter.

8 Sec. 8266.106. LIMITATION ON ANNEXATION. (a) The district
9 may not add land to the district under Subchapter J, Chapter 49,
10 Water Code, if the land is located outside the corporate limits of
11 the city of Gunter.

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

14 [Sections 8266.107-8266.150 reserved for expansion]

15 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

16 Sec. 8266.151. TAX TO REPAY BONDS. The district may impose
17 a tax to pay the principal of or interest on bonds or other
18 obligations issued under Section 8266.201.

19 [Sections 8266.152-8266.200 reserved for expansion]

20 SUBCHAPTER E. BONDS

21 Sec. 8266.201. AUTHORITY TO ISSUE BONDS AND OTHER
22 OBLIGATIONS. (a) The district may issue bonds or other obligations
23 as provided by Chapters 49 and 54, Water Code, to finance the
24 construction, maintenance, or operation of a project under Section
25 8266.101 or 8266.103.

26 (b) The district may not issue bonds or other obligations to
27 finance projects authorized by Section 8266.103 unless the issuance
28 is approved by a vote of a two-thirds majority of the district
29 voters voting at an election held for that purpose.

30 (c) Bonds or other obligations issued or incurred to finance
31 projects authorized by Section 8266.103 may not exceed one-fourth

1 of the assessed value of the real property in the district.

2 SECTION 4.02. The Kimberlin Ranch Municipal Utility
3 District No. 3 of Grayson County includes all the territory
4 contained in the following area:

5 All that certain tract or parcel of land situated in the Ricardo
6 Garcia Survey, Abstract Number 446 and the M.S. Herrera Survey,
7 Abstract Number 545, County of Grayson, State of Texas, said tract
8 being all of a 303.943 acre tract as described in Deed to Morris
9 Morgan Jr., et ux, Bonita Morgan, filed 26 October 1996, and
10 Recorded in Volume 2364 Page 637, and all of a 20.333 acre tract as
11 described in Deed to Morris Morgan Jr., et ux, Bonita Morgan, filed
12 02 May 2003, and Recorded in Volume 3446 Page 71, and all of a
13 22.469 acre tract as described in Deed to Morris Morgan Jr., et ux,
14 Bonita Morgan, filed 20 February 2004, and Recorded in Volume 3616
15 Page 79 of the Deed Records of the County of Grayson, State of
16 Texas, and being more fully described as follows:

17 Beginning for the southeast corner of the tract being described
18 herein at a found 3\4 inch Steel Rod, said rod being the southeast
19 corner of said Morgan 303.943 acre tract, and the northeast corner
20 of a tract as described in Deed to Martinek Grain & Bin Inc,, filed
21 03 August 1994, and Recorded in Volume 2352 Page 18 of said Deed
22 Records, said rod also being in Scharff Road (gravel surfaced);

23 Thence: South 88 degrees 48 minutes 47 seconds West, with the south
24 line of said Morgan 303.943acre tract, and passing at 22.90 feet a
25 wood fence corner post on the west side of said road, and continuing
26 on said course for a total distance of 3725.83 feet to a found 1\2
27 inch Steel Square Tubing with a plastic cap marked Cox 4577 for the
28 southwest corner of said Morgan 303.943 acre tract, and the
29 southeast corner of said Morgan 20.333 acre tract;

30 Thence: South 89 degrees 50 minutes 58 seconds West, with the south
31 line of said Morgan 20.333 acre tract, a distance of 624.98 feet to

1 a found 1\2 inch Steel Square Tubing with a plastic cap marked COX
2 4577 for the southwest corner of said Morgan 20.333 acre tract, and
3 the southeast corner of said Morgan 22.469 acre tract;
4 Thence: South 89 degrees 52 minutes 55 seconds West, with the south
5 line of said Morgan 22.469 acre tract, a distance of 719.91 feet to
6 a found 1\2 inch Steel Square Tubing with a plastic cap marked COX
7 4577 for the southwest corner of said Morgan 22/469 acre tract;
8 Thence: North 01 degrees 01 minutes 06 seconds West, with the west
9 line of said Morgan 22.469 acre tract, a distance of 1400.92 feet to
10 a found 1\2 inch Steel Rebar by a wood Fence corner Post for the
11 northwest corner of said Morgan 22.469 acre tract, and an ell corner
12 of said Morgan 303.943 acre tract;
13 Thence: North 01 degrees 01 minutes 06 seconds West, with the west
14 line of said Morgan 303.943 acre tract, a distance of 1583.19 feet
15 to a found 1\2 inch Steel Rebar by a wood Fence corner Post for the
16 northwest corner of said Morgan 303.943 acre tract;
17 Thence: North 89 degrees 11 minutes 45 seconds East, with the north
18 line of said Morgan 303.943acre tract, a distance of 1378.61 feet to
19 a found 1\2 inch Steel Rebar by a wood fence corner post for a
20 corner;
21 Thence: North 89 degrees 04 minutes 46 seconds East, with the north
22 line of said Morgan 303.943 tract, a distance of 3678.41 feet to a
23 found 3\4 inch Steel Rod for th3e northeast corner of said Morgan
24 303.943 acre tract, and in Scharff Road.
25 Thence: South 01 degrees 16 minutes 42 seconds East, with the east
26 line of said Morgan 303.943 tract, and in said road, a distance of
27 2982.52 feet to the POINT OF BEGINNING and containing 347.744 acres
28 of land.

29 SECTION 4.03. (a) The legal notice of the intention to
30 introduce this article, setting forth the general substance of this
31 article, has been published as provided by law, and the notice and a

1 copy of this article have been furnished to all persons, agencies,
2 officials, or entities to which they are required to be furnished
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
4 Government Code.

5 (b) The governor, one of the required recipients, has
6 submitted the notice and article to the Texas Commission on
7 Environmental Quality.

8 (c) The Texas Commission on Environmental Quality has filed
9 its recommendations relating to this article with the governor, the
10 lieutenant governor, and the speaker of the house of
11 representatives within the required time.

12 (d) All requirements of the constitution and laws of this
13 state and the rules and procedures of the legislature with respect
14 to the notice, introduction, and passage of this article are
15 fulfilled and accomplished.

16 SECTION 4.04. This article takes effect September 1, 2007.

17 ARTICLE 5. KING'S CROSSING MUNICIPAL
18 UTILITY DISTRICT OF GRAYSON COUNTY

19 SECTION 5.01. Subtitle F, Title 6, Special District Local
20 Laws Code, is amended by adding Chapter 8251 to read as follows:

21 CHAPTER 8251. KING'S CROSSING MUNICIPAL UTILITY DISTRICT OF
22 GRAYSON COUNTY

23 SUBCHAPTER A. GENERAL PROVISIONS

24 Sec. 8251.001. DEFINITIONS. In this chapter:

- 25 (1) "Board" means the district's board of directors.
26 (2) "Director" means a board member.
27 (3) "District" means the King's Crossing Municipal
28 Utility District of Grayson County.

29 Sec. 8251.002. NATURE OF DISTRICT. The district is a
30 municipal utility district in Grayson County created under and
31 essential to accomplish the purposes of Section 52, Article III,

1 and Section 59, Article XVI, Texas Constitution.

2 Sec. 8251.003. FINDING OF PUBLIC USE AND BENEFIT. The
3 district is created to serve a public use and benefit.

4 Sec. 8251.004. CONFIRMATION ELECTION REQUIRED. If the
5 creation of the district is not confirmed at a confirmation
6 election held under Section 8251.024 before September 1, 2009:

7 (1) the district shall, as soon as it reasonably knows
8 the district will not be confirmed and before September 1, 2009:

9 (A) pay any debts incurred; and

10 (B) transfer to Grayson County any assets that
11 remain after the payment of debts;

12 (2) the district is dissolved September 1, 2009; and

13 (3) this chapter expires September 1, 2009.

14 Sec. 8251.005. INITIAL DISTRICT TERRITORY. (a) The
15 district is initially composed of the territory described by
16 Section 5.02 of the article creating this chapter.

17 (b) The boundaries and field notes contained in Section 5.02
18 of the article creating this chapter form a closure. A mistake made
19 in the field notes or in copying the field notes in the legislative
20 process does not affect:

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

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

24 (3) the legality or operation of the board.

25 [Sections 8251.006-8251.020 reserved for expansion]

26 SUBCHAPTER A-1. TEMPORARY PROVISIONS

27 Sec. 8251.021. TEMPORARY DIRECTORS. (a) The temporary
28 board consists of:

29 (1) Hill Johnson;

30 (2) Joe Henneburger;

31 (3) Bill Casanova;

1 (4) Adrian Butler; and

2 (5) Kevin Eddy.

3 (b) If a temporary director fails to qualify for office, the
4 temporary directors who have qualified shall appoint a person to
5 fill the vacancy. If at any time there are fewer than three
6 qualified temporary directors, the Texas Commission on
7 Environmental Quality shall appoint the necessary number of persons
8 to fill all vacancies on the board.

9 (c) Temporary directors serve until the earlier of:

10 (1) the date directors are elected under Section
11 8251.024; or

12 (2) the date this chapter expires under Section
13 8251.004.

14 Sec. 8251.022. ORGANIZATIONAL MEETING OF TEMPORARY
15 DIRECTORS. As soon as practicable after all the temporary
16 directors have qualified under Section 49.055, Water Code, the
17 temporary directors shall convene the organizational meeting of the
18 district at a location in the district agreeable to a majority of
19 the directors. If a location cannot be agreed upon, the
20 organizational meeting shall be at the Grayson County Courthouse.

21 Sec. 8251.023. DEVELOPMENT AGREEMENT REQUIRED. The
22 temporary directors may not hold an election under Section 8251.024
23 or approve the issuance of bonds until a district landowner enters
24 into a development agreement regarding district land with the City
25 of Howe.

26 Sec. 8251.024. CONFIRMATION AND INITIAL DIRECTORS'
27 ELECTION. The temporary directors shall hold an election to
28 confirm the creation of the district and to elect five directors as
29 provided by Section 49.102, Water Code.

30 Sec. 8251.025. INITIAL ELECTED DIRECTORS; TERMS. The
31 directors elected under Section 8251.024 shall draw lots to

1 determine which two shall serve until the first regularly scheduled
2 election of directors and which three shall serve until the second
3 regularly scheduled election of directors.

4 Sec. 8251.026. EXPIRATION OF SUBCHAPTER. This subchapter
5 expires September 1, 2009.

6 [Sections 8251.027-8251.050 reserved for expansion]

7 SUBCHAPTER B. BOARD OF DIRECTORS

8 Sec. 8251.051. DIRECTORS; TERMS. (a) The district is
9 governed by a board of five directors.

10 (b) Directors serve staggered four-year terms.

11 [Sections 8251.052-8251.100 reserved for expansion]

12 SUBCHAPTER C. POWERS AND DUTIES

13 Sec. 8251.101. MUNICIPAL UTILITY DISTRICT POWERS AND
14 DUTIES. The district has the powers and duties provided by the
15 general law of this state, including Chapters 49 and 54, Water Code,
16 applicable to municipal utility districts created under Section 59,
17 Article XVI, Texas Constitution.

18 Sec. 8251.102. ROAD PROJECTS. (a) The district may
19 construct, acquire, improve, maintain, or operate macadamized,
20 graveled, or paved roads or improvements in aid of those roads,
21 inside or outside the district.

22 (b) A road project must meet all applicable construction
23 standards, zoning and subdivision requirements, and regulations of
24 each municipality in whose corporate limits or extraterritorial
25 jurisdiction the district is located. If the district is not
26 located in the corporate limits or extraterritorial jurisdiction of
27 a municipality, a road project must meet all applicable
28 construction standards, zoning and subdivision requirements, and
29 regulations of each county in which the district is located.

30 (c) The district may not undertake a road project unless
31 each municipality in whose corporate limits or extraterritorial

1 jurisdiction the district is located consents by resolution. If
2 the district is not located in the corporate limits or
3 extraterritorial jurisdiction of a municipality, the district may
4 not undertake a road project unless each county in which the
5 district is located consents by resolution.

6 Sec. 8251.103. ROAD CONTRACTS. The district may contract
7 for a road project in the manner provided by Subchapter I, Chapter
8 49, Water Code.

9 Sec. 8251.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY
10 OUTSIDE CORPORATE LIMITS OF MUNICIPALITY. If district territory,
11 or a portion of district territory, is located outside the
12 corporate limits of a municipality, the district shall:

13 (1) maintain, improve, operate, and repair any road
14 located in that territory in accordance with the ordinances and
15 rules of each political subdivision in whose jurisdiction the road
16 is located; and

17 (2) pay for the cost of performing the district's
18 duties under Subdivision (1).

19 [Sections 8251.105-8251.150 reserved for expansion]

20 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

21 Sec. 8251.151. OPERATION AND MAINTENANCE TAX. The district
22 may impose a tax for any district operation and maintenance purpose
23 in the manner provided by Section 49.107, Water Code.

24 Sec. 8251.152. TAX TO REPAY BONDS. The district may impose
25 a tax to pay the principal of and interest on bonds issued under
26 Section 8251.201.

27 Sec. 8251.153. UTILITY PROPERTY EXEMPT FROM IMPACT FEES AND
28 ASSESSMENTS. The district may not impose an impact fee or
29 assessment on the property, including the equipment,
30 rights-of-way, facilities, or improvements, of:

31 (1) an electric utility or a power generation company

1 as defined by Section 31.002, Utilities Code;

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

4 (3) a telecommunications provider as defined by
5 Section 51.002, Utilities Code;

6 (4) a cable operator as defined by 47 U.S.C. Section
7 522; or

8 (5) a person who provides to the public advanced
9 telecommunications services.

10 [Sections 8251.154-8251.200 reserved for expansion]

11 SUBCHAPTER E. BONDS

12 Sec. 8251.201. AUTHORITY TO ISSUE BONDS AND OTHER
13 OBLIGATIONS. (a) The district may issue bonds or other obligations
14 as provided by Chapters 49 and 54, Water Code, and to finance the
15 construction, maintenance, or operation of projects under Section
16 8251.102.

17 (b) The district may issue bonds or other obligations
18 payable wholly or partly from ad valorem taxes, impact fees,
19 revenue, grants, or other district money.

20 (c) The district may not issue bonds or other obligations
21 secured wholly or partly by ad valorem taxation to finance projects
22 authorized by Section 8251.102 unless the issuance is approved by a
23 vote of a two-thirds majority of district voters voting at an
24 election called for that purpose.

25 (d) Bonds or other obligations issued or incurred to finance
26 projects authorized by Section 8251.102 may not exceed one-fourth
27 of the assessed value of the real property in the district.

28 SECTION 5.02. The King's Crossing Municipal Utility
29 District of Grayson County initially includes all the territory
30 contained in the following described area:

31 TRACT 1

1 BEING a tract of land situated in the J. ARMENDARIS SURVEY, ABSTRACT
2 NO. 39, the J. MARSHALL SURVEY, ABSTRACT NO. 868, the C. MASON
3 SURVEY, ABSTRACT NO. 859 and the E. REYNOLDS SURVEY, ABSTRACT NO.
4 1008, in Grayson County, Texas, and being all of a called 146 acre
5 tract of land described in a deed to W. C. King recorded in Volume
6 464, Page 531 of the Deed Records of Grayson County, Texas, part of
7 a called 273.2255 acre tract described in a deed to W. C. King
8 recorded in Volume 418, Page 320 of said Deed Records, (both of said
9 King tracts being subsequently conveyed in part to Joe C. King,
10 Nancy Jane Yarborough and the Mary Ann Arterbury Revocable Trust by
11 deeds recorded in Volume 2182, Page 950, Volume 2192, Page 234,
12 Volume 2249, Page 895, and Volume 3259, Page 266, all of said Deed
13 Records), all of a called 60.2 acre tract of land described as Tract
14 One in a deed to Nancy McElreath King recorded in Volume 953, Page
15 307 of said Deed Records, all of a called 12.5 acre tract of land
16 described as Tract Two in said deed, and all of a called 40 acre
17 tract of land described as Tract Three in said deed, and being more
18 particularly described as follows:

19 BEGINNING at a railroad spike found at the intersection of the
20 center of Farmington Road (undedicated public road) with the center
21 of Hall Cemetery Road (undedicated public road), said point being
22 the southwest corner of said 60.2 acre tract;

23 THENCE North 00 degrees 57 minutes 32 seconds West, along the
24 approximate center of Farmington Road, and along the west lines of
25 said 60.2 acre tract and said 146 acre tract, a distance of 2577.20
26 feet to a 1-inch iron pipe found for the most westerly northwest
27 corner of said 146 acre tract and the south corner of a called 34
28 acre tract of land described in a deed to the Burks Family Trusts
29 recorded in Volume 3128, Page 820 of said Deed Records;

30 THENCE North 34 degrees 38 minutes 57 seconds East, along the common
31 line between said 34 acre tract and said 146 acre tract, a distance

1 of 2574.44 feet to a 1-inch iron pipe found at an angle point in the
2 approximate center of Davis Road (undedicated public road) for the
3 east corner of said 34 acre tract and the most southerly southeast
4 corner of a called 123.8843 acre tract of land described in a deed
5 to C. J. Matthews and wife Dorothy Matthews recorded in Volume 1180,
6 Page 590 of said Deed Records;

7 THENCE North 33 degrees 34 minutes 50 seconds East, along the common
8 line between said 146 acre tract and said 123.8843 acre tract, and
9 along the approximate center of Davis Road, a distance of 989.01
10 feet to a 1-inch iron pipe found at an angle point in said road for
11 most northerly northwest corner of said 146 acre tract;

12 THENCE South 89 degrees 56 minutes 45 seconds East, along the
13 approximate center of Davis Road and the north lines of said 146
14 acre tract and said 273.2255 acre tract, a distance of 3122.85 feet
15 to a 5/8-inch iron rod with cap marked "PETITT RPLS 4087" set for
16 corner;

17 THENCE South 00 degrees 55 minutes 04 seconds East, along the
18 prolongation of and the west lines of a called 0.923 acre tract
19 described in a deed to Joe C. King and wife Katie Mae King recorded
20 in Volume 1518, Page 747 of said Deed Records, a called 3.086 acre
21 tract of land described in a deed to Joe C. King and wife Katie Mae
22 King recorded in Volume 1331, Page 150, a tract of land described in
23 a deed to Joe C. King recorded in Volume 1293, Page 77 of said Deed
24 Records, a distance of 3195.54 feet to a 5/8-inch iron rod with cap
25 marked "PETITT RPLS 4087" set for a point of the north line of
26 Western Hills, an addition to the City of Howe according to the plat
27 thereof recorded in Volume 3, Page 76 of the Map Records of Grayson
28 County, Texas.

29 THENCE South 89 degrees 24 minutes 28 seconds West, along the north
30 line of Western Hills, and addition to the City of Howe, a distance
31 of 1.52 feet to the northwest corner of said Western Hills to a

1 5/8-inch iron rod with cap marked "PETITT RPLS 4087" set for corner;
2 THENCE South 00 degrees 48 minutes 45 seconds East, departing the
3 northwest corner of said Western Hills, and along the most
4 southerly east line of said 273.2255 acre tract, a distance of
5 410.53 feet to a 5/8-inch iron rod with cap marked "PETITT - RPLS
6 4087" set for the most southerly southeast corner of said 273.2255
7 acre tract and the northeast corner of a called 111.5 acre tract
8 described in a deed to Robert Glen Sollis, Jr., recorded in Volume
9 2352, Page 222 of said Deed Records;
10 THENCE North 89 degrees 21 minutes 25 seconds West, along the common
11 line between said 273.2255 acre tract and said 111.5 acre tract, a
12 distance of 2591.12 feet to a 5/8-inch iron rod with cap marked
13 "PETITT - RPLS 4087" set for the northwest corner of said 111.5 acre
14 tract and the northeast corner of said 40 acre tract;
15 THENCE South 00 degrees 48 minutes 45 seconds East, along the common
16 line between said 111.5 acre tract and said 40 acre tract, a distance
17 of 1904.72 feet to a 5/8-inch iron rod with cap marked "PETITT -
18 RPLS 4087" set in the approximate center of Hall Cemetery Road for
19 the southeast corner of said 40 acre tract;
20 THENCE South 89 degrees 13 minutes 54 seconds West, along the
21 approximate center of Hall Cemetery Road and the south lines of said
22 40 acre tract, said 12.5 acre tract and said 60.2 acre tract, a
23 distance of 2582.24 feet to the POINT OF BEGINNING and containing
24 470.470 acres of land, more or less.

25 TRACT 2

26 BEING A TRACT OF LAND SITUATED IN THE J. ARMENDARIS SURVEY, ABSTRACT
27 NO. 39, THE J. MARSHALL SURVEY, ABSTRACT NO. 825, AND THE E.
28 REYNOLDS SURVEY, ABSTRACT NO. 1008, IN GRAYSON COUNTY, TEXAS, AND
29 BEING A PORTION OF A CALLED 57.898 ACRE TRACT DESCRIBED IN A DEED TO
30 JOE CLYDE KING RECORDED IN VOLUME 3693, PAGE 147 OF THE DEED RECORDS
31 OF GRAYSON COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED AS

1 FOLLOWS:
2 BEGINNING AT A NAIL FOUND IN THE APPROXIMATE CENTER OF DAVIS ROAD
3 (UNDEDICATED PUBLIC ROAD) FOR THE NORTHEAST CORNER OF SAID 57.898
4 ACRE TRACT AND THE NORTHWEST CORNER OF A CALLED 29.732 ACRE TRACT OF
5 LAND DESCRIBED AS TRACT 1 IN A DEED TO JERRY L. KING AND DONNA KING
6 BEDGOOD RECORDED IN VOLUME 2001, PAGE 107 OF SAID DEED RECORDS;
7 THENCE ALONG THE COMMON LINE BETWEEN SAID 29.732 ACRE TRACT AND SAID
8 57.898 ACRE TRACT AS FOLLOWS:
9 SOUTH 26 DEGREES 30 MINUTES 31 SECONDS EAST, A DISTANCE OF 274.02
10 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET
11 FOR CORNER;
12 SOUTH 22 DEGREES 04 MINUTES 49 SECONDS EAST, A DISTANCE OF 371.90
13 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET
14 FOR CORNER;
15 SOUTH 64 DEGREES 31 MINUTES 10 SECONDS EAST, A DISTANCE OF 174.55
16 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET
17 FOR THE MOST EASTERLY NORTHEAST CORNER OF SAID 57.898 ACRE TRACT AND
18 THE NORTHWEST CORNER OF WESTERN HILLS COMMERCIAL, AN ADDITION TO
19 THE CITY OF HOWE ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 3,
20 PAGE 79 OF THE PLAT RECORDS OF GRAYSON COUNTY, TEXAS;
21 THENCE SOUTH 00 DEGREES 54 MINUTES 15 SECONDS EAST, ALONG THE
22 EASTERLY LINE OF SAID 57.898 ACRE TRACT AND THE WEST LINE OF SAID
23 WESTERN HILLS COMMERCIAL, A DISTANCE OF 360.57 FEET TO A 5/8-INCH
24 IRON ROD WITH CAP MARKED "PETITT - RPLS 4087" SET FOR CORNER FROM
25 WHICH A 1/2-INCH IRON ROD FOUND FOR THE SOUTHWEST CORNER OF SAID
26 WESTERN HILLS COMMERCIAL BEARS SOUTH 00 DEGREES 54 MINUTES 15
27 SECONDS EAST, A DISTANCE OF 305.41 FEET;
28 THENCE SOUTH 89 DEGREES 31 MINUTES 09 SECONDS WEST, DEPARTING SAID
29 EASTERLY AND WEST LINES AND OVER AND ACROSS SAID 57.898 ACRE TRACT,
30 A DISTANCE OF 905.24 FEET TO A 5/8-INCH IRON ROD WITH CAP MARKED
31 "PETITT - RPLS 4087" SET IN THE WEST LINE OF SAID 57.898 ACRE TRACT

1 SAME BEING THE EAST LINE OF A TRACT OF LAND DESCRIBED IN A DEED TO AP
2 HOWE LIMITED PARTNERSHIP FILED IN VOLUME 3814, PAGE 898, OF SAID
3 DEED RECORDS;
4 THENCE NORTH 00 DEGREES 55 MINUTES 04 SECONDS WEST, ALONG SAID EAST
5 AND WEST LINES, A DISTANCE OF 1030.55 FEET TO A NAIL FOUND IN THE
6 APPROXIMATE CENTER OF SAID DAVIS ROAD FOR THE NORTHWEST CORNER OF
7 SAID 57.898 ACRE TRACT AND THE NORTHEAST CORNER OF SAID AP HOWE
8 LIMITED PARTNERSHIP TRACT;
9 THENCE SOUTH 89 DEGREES 56 MINUTES 50 SECONDS EAST, ALONG THE NORTH
10 LINE OF SAID 57.898 ACRE TRACT AND THE APPROXIMATE CENTER OF SAID
11 DAVIS ROAD, A DISTANCE OF 160.56 FEET TO A RAILROAD SPIKE FOUND FOR
12 AN ANGLE POINT;
13 THENCE NORTH 89 DEGREES 31 MINUTES 33 SECONDS EAST, CONTINUING
14 ALONG SAID NORTH LINE AND THE APPROXIMATE CENTER OF SAID DAVIS ROAD,
15 A DISTANCE OF 335.80 FEET TO THE POINT OF BEGINNING AND CONTAINING
16 762,300 SQUARE FEET, OR 17.500 ACRES OF LAND, MORE OR LESS.

17 SECTION 5.03. (a) The legal notice of the intention to
18 introduce this article, setting forth the general substance of this
19 article, has been published as provided by law, and the notice and a
20 copy of this article have been furnished to all persons, agencies,
21 officials, or entities to which they are required to be furnished
22 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
23 Government Code.

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

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

31 (d) All requirements of the constitution and laws of this

1 state and the rules and procedures of the legislature with respect
2 to the notice, introduction, and passage of this article are
3 fulfilled and accomplished.

4 SECTION 5.04. This article takes effect immediately if this
5 Act receives a vote of two-thirds of all the members elected to each
6 house, as provided by Section 39, Article III, Texas Constitution.
7 If this Act does not receive the vote necessary for immediate
8 effect, this article takes effect September 1, 2007.

9 ARTICLE 6. PLATINUM RANCH MUNICIPAL
10 UTILITY DISTRICT NO. 1 OF GRAYSON COUNTY

11 SECTION 6.01. Subtitle F, Title 6, Special District Local
12 Laws Code, is amended by adding Chapter 8256 to read as follows:

13 CHAPTER 8256. PLATINUM RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
14 GRAYSON COUNTY

15 SUBCHAPTER A. GENERAL PROVISIONS

16 Sec. 8256.001. DEFINITIONS. In this chapter:

17 (1) "Board" means the board of directors of the
18 district.

19 (2) "Director" means a member of the board.

20 (3) "District" means the Platinum Ranch Municipal
21 Utility District No. 1 of Grayson County.

22 Sec. 8256.002. NATURE OF DISTRICT. The district is a
23 municipal utility district in Grayson County created under and
24 essential to accomplish the purposes of Section 59, Article XVI,
25 Texas Constitution.

26 Sec. 8256.003. CONFIRMATION ELECTION REQUIRED. If the
27 creation of the district is not confirmed at a confirmation
28 election held under Section 8256.055 before September 1, 2009:

29 (1) the district is dissolved September 1, 2009,
30 except that:

31 (A) any debts incurred shall be paid;

1 (B) any assets that remain after the payment of
2 debts shall be transferred to Grayson County; and

3 (C) the organization of the district shall be
4 maintained until all debts are paid and remaining assets are
5 transferred; and

6 (2) this chapter expires September 1, 2014.

7 Sec. 8256.004. INITIAL DISTRICT TERRITORY. (a) The
8 district is initially composed of the territory described by
9 Section 6.02 of the article creating this chapter.

10 (b) The boundaries and field notes contained in Section 6.02
11 of the article creating this chapter form a closure. A mistake made
12 in the field notes or in copying the field notes in the legislative
13 process does not affect:

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

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

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

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

21 Sec. 8256.005. ANNEXATION INTO CITY OF GUNTER. (a)
22 Notwithstanding any other law, if all of the territory of the
23 district is annexed by the City of Gunter into the corporate limits
24 of that municipality before the date of the election held to confirm
25 the creation of the district, the district is not dissolved and
26 shall continue in full force and effect.

27 (b) Any future annexation or inclusion of additional
28 territory into a district governed by this chapter may not occur
29 unless the City of Gunter is allowed to voluntarily annex the same
30 territory into the municipality's corporate limits.

31 Sec. 8256.006. DISSOLUTION. Section 43.074, Local

1 Government Code, applies to the dissolution of the district.

2 [Sections 8256.007-8256.050 reserved for expansion]

3 SUBCHAPTER B. BOARD OF DIRECTORS

4 Sec. 8256.051. DIRECTORS; TERMS. (a) The district is
5 governed by a board of five directors.

6 (b) Except as provided by Section 8256.053, directors serve
7 staggered four-year terms.

8 Sec. 8256.052. ELECTION OF DIRECTORS. On the uniform
9 election date in May of each even-numbered year, the appropriate
10 number of directors shall be elected.

11 Sec. 8256.053. INITIAL DIRECTORS. (a) The initial board
12 consists of:

13 (1) Mark McClure;

14 (2) Greg Meador;

15 (3) Lance Hancock;

16 (4) David Howell; and

17 (5) Mark Smith.

18 (b) The terms of the first three directors named in
19 Subsection (a) expire on the uniform election date in May 2008, and
20 the terms of the last two directors named in Subsection (a) expire
21 on the uniform election date in May 2010.

22 (c) This section expires September 1, 2011.

23 Sec. 8256.054. INCORPORATION OF DISTRICT TERRITORY INTO
24 MUNICIPALITY REQUIRED. The directors may not hold an election
25 under Section 8256.055 until all of the territory of the district is
26 included in the corporate limits of the City of Gunter.

27 Sec. 8256.055. CONFIRMATION AND INITIAL DIRECTORS'
28 ELECTION. The initial directors shall hold an election to confirm
29 the creation of the district.

30 [Sections 8256.056-8256.100 reserved for expansion]

1 SUBCHAPTER C. POWERS AND DUTIES

2 Sec. 8256.101. MUNICIPAL UTILITY DISTRICT POWERS AND
3 DUTIES. (a) The district has the powers and duties provided by the
4 general law of this state, including Chapters 49 and 54, Water Code,
5 applicable to municipal utility districts created under Section 59,
6 Article XVI, Texas Constitution.

7 (b) Notwithstanding Subsection (a), the district may not
8 act as a retail provider of water or wastewater service.

9 (c) The district shall make the district's water and
10 wastewater facilities available to an entity holding the applicable
11 certificate of convenience and necessity.

12 Sec. 8256.102. ROAD PROJECTS. (a) To the extent authorized
13 by Section 52, Article III, Texas Constitution, the district may
14 construct, acquire, improve, maintain, or operate macadamized,
15 graveled, or paved roads or turnpikes, or improvements in aid of
16 those roads, inside the district.

17 (b) A road project must meet all applicable construction
18 standards, subdivision requirements, and regulatory ordinances of
19 the municipality in whose corporate limits or extraterritorial
20 jurisdiction the district is located.

21 (c) If a portion of the territory of the district is
22 excluded from the corporate limits of the City of Gunter, the
23 district shall:

24 (1) improve, maintain, repair, and operate the roads
25 located in that portion of territory in accordance with the
26 ordinances and rules of the political subdivision possessing
27 jurisdiction over the roads in that portion of territory; and

28 (2) pay the entire cost of performing the district's
29 duties under Subdivision (1).

30 Sec. 8256.103. DIVISION OF DISTRICT. (a) The district may
31 be divided into two new districts only if:

1 (1) the district has no outstanding bonded debt;
2 (2) the district is not imposing ad valorem taxes; and
3 (3) each new district is within the corporate limits
4 of the City of Gunter.

5 (b) The division procedure is prescribed by Sections 53.030
6 through 53.041, Water Code.

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

9 (d) At the time of creation, any new district created by the
10 division of the district may not contain any land outside the area
11 described by Section 6.02 of the article creating this chapter.

12 [Sections 8256.104-8256.150 reserved for expansion]

13 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

14 Sec. 8256.151. TAX TO REPAY BONDS. The district may impose
15 a tax to pay the principal of or interest on bonds or other
16 obligations issued under Section 8256.201.

17 [Sections 8256.152-8256.200 reserved for expansion]

18 SUBCHAPTER E. BONDS

19 Sec. 8256.201. AUTHORITY TO ISSUE BONDS AND OTHER
20 OBLIGATIONS. (a) The district may issue bonds or other obligations
21 as provided by Chapters 49 and 54, Water Code, to finance the
22 construction, maintenance, or operation of a project under Section
23 8256.101 or 8256.102.

24 (b) The district may not issue bonds to finance projects
25 authorized by Section 8256.102 unless the issuance is approved by a
26 vote of a two-thirds majority of the district voters voting at an
27 election called for that purpose.

28 (c) Bonds or other obligations issued or incurred to finance
29 projects authorized by Section 8256.102 may not exceed one-fourth
30 of the assessed value of the real property in the district.

31 SECTION 6.02. The Platinum Ranch Municipal Utility District

1 No. 1 of Grayson County includes all the territory contained in the
2 following area:

3 All that certain tract or parcel of land situated in the William
4 Richards Survey, Abstract Number 998, the Robert Mason Survey,
5 Abstract Number 784, the J.R. Worrall Survey, Abstract Number 1357,
6 and the William Wells Survey, Abstract Number 1354, County of
7 Grayson, State of Texas and being all that called 339.24 acre tract
8 of land as described in Deed to Platinum Ranch Venture, LTD, filed
9 16 February 2001 and recorded in Volume 3033 Page 185 of the Deed
10 Records of the County of Grayson, State of Texas, and being all that
11 called 300.264 acre tract of land as described in Deed to Platinum
12 Ranch Venture, LTD, filed 16 February 2001 and recorded in Volume
13 3033 Page 189 of said Deed Records, and being all that called 100.00
14 acre tract of land as described in Deed to Platinum Ranch Venture,
15 LTD, filed 01 March 2001 and recorded in Volume 3038 Page 100 of
16 said Deed Records, and being all that called 851.808 acre tract of
17 land as described in Deed to Platinum Ranch Venture, LTD, filed 16
18 May 2001 and recorded in Volume 3072 Page 217 of said Deed Records,
19 and being all that called 78.427 acre tract of land as described in
20 Deed to Platinum Ranch Venture, LTD, filed 23 May 2002 and recorded
21 in Volume 3253 Page 743 of said Deed Records, and being more fully
22 described as follows:

23 BEGINNING for the Southeast corner of the tract being described
24 herein at a found 1\2 inch iron rod at the intersection of Old
25 Scaggs School Road and Merilee Roads for the Southeast corner of
26 said 851.808 acre tract, said rod being on the South line of said
27 Mason Survey;

28 Thence: South 89 degrees 57 minutes 55 seconds West, with the South
29 line of said 851.808 acre tract and said Mason Survey, along the
30 centerline of said Marilee Road, a distance of 3186.43 feet to a
31 found 1\2 inch iron rod for the Southwest corner of said 851.808

1 acre tract and the Southeast corner of said 329.424 acre tract;
2 Thence: North 89 degrees 22 minutes 52 seconds West, with the South
3 line of said 329.424 acre tract, continuing along the centerline of
4 said road, and passing at 4174.77 feet the Southwest corner of said
5 329.424 acre tract and the Southeast corner of said 100.00 acre
6 tract, and continuing along said course, a total distance of
7 5198.85 feet to a found 1\2 inch steel square tube for corner at the
8 intersection of said Marilee Road and County Road Number 10;
9 Thence: North 88 degrees 59 minutes 54 seconds West, continuing
10 with the South line of said 100.00 acre tract, along the centerline
11 of said Marilee Road, a distance of 244.55 feet to a found 1\2 inch
12 steel square tube at the intersection of said Marilee Road and Blaine
13 Road for the Southwest corner of said 100.00 acre tract;
14 Thence: North 00 degrees 07 minutes 57 seconds West, with the West
15 line of said 100.00 acre tract, along the centerline of said Blaine
16 Road, and passing at 3425.72 feet the Northwest corner of said
17 100.00 acre tract and the Southwest corner of said 300.264 acre
18 tract, and continuing along said course and road, and passing at
19 5630.58 feet the Northwest corner of said 300.264 acre tract and the
20 Southwest corner of said 78.427 acre tract, and continuing along
21 said course and road, a total distance of 7236.34 feet to a found
22 1\2 inch steel square tube at the intersection of said Blaine Road
23 and Jaresh Road for the Northwest corner of said 78.427 acre tract;
24 Thence: North 88 degrees 26 minutes 13 seconds East, with the North
25 line of said 78.427 acre tract, along the centerline of said Jaresh
26 Road, a distance of 2076.20 feet to a found 1\2 inch iron rod for the
27 Northeast corner of said 78.427 acre tract;
28 Thence: South 01 degrees 09 minutes 52 seconds East, with the East
29 line of said 78.427 acre tract, and passing at 14.0 feet a cross-tie
30 fence corner post on the South side of said Jaresh Road, and
31 continuing along said course, along and near a fence, a total

1 distance of 1662.51 feet to a found 1\2 inch steel square tube for
2 the Southeast corner of said 78.427 acre tract, said tubing being on
3 the North line of said 300.264 acre tract, said tubing also being
4 the Southwest corner of a called 252.043 tract of land as described
5 in Deed to Ronald Evans Box, et ux Nita Gay Box, filed 15 December
6 1992 and recorded in Volume 2246 Page 173 of said Deed Records;
7 Thence: North 89 degrees 32 minutes 42 seconds East, with the North
8 line of said 300.264 acre tract and the South line of said Box
9 tract, with a fence, a distance of 1771.60 feet to a bois d' arc post
10 for corner;
11 Thence: North 89 degrees 04 minutes 11 seconds East, continuing
12 with the North line of said 300.264 acre tract and the South line of
13 said Box tract, with a fence, a distance of 1940.19 feet to a
14 cross-tie fence corner post for an ell corner of this tract, said
15 corner also being the Southeast corner of said Box tract;
16 Thence: North 00 degrees 40 minutes 31 seconds West, with the West
17 line of said 851.808 acre tract and the East line of said Box tract,
18 along and near a fence, a distance of 1208.96 feet to a wood fence
19 corner post for an ell corner of this tract and a Northeast corner
20 of said Box tract;
21 Thence: South 87 degrees 48 minutes 54 seconds West, continuing
22 with the West line of said 851.808 acre tract and the East line of
23 said Box tract, along and near a fence, a distance of 1749.62 feet
24 to a pipe fence corner post for corner;
25 Thence: North 01 degrees 29 minutes 27 seconds West, continuing
26 with the West line of said 851.808 acre tract and the East line of
27 said Box tract, along and near a fence, a distance of 1664.74 feet
28 to a pipe fence corner post for corner;
29 Thence: North 87 degrees 51 minutes 31 seconds East, continuing
30 with the West line of said 851.808 acre tract and the East line of
31 said Box tract, along and near a fence, 849.86 feet to a pipe fence

1 corner post for corner;
2 Thence: North 01 degrees 26 minutes 50 seconds West, continuing
3 with the West line of said 851.808 acre tract and the East line of
4 said Box tract, along and near a fence, a distance of 1216.06 feet
5 to a pipe fence corner post for the Northwest corner of said 851.808
6 acre tract, said post also being the Southwest corner of a called
7 374.17 acre tract of land as described in Deed to Martinek Grain &
8 Bins, Inc., filed 01 June 1993 and recorded in Volume 2272 Page 912
9 of said Deed Records;
10 Thence: North 87 degrees 58 minutes 36 seconds East, with the North
11 line of said 851.808 acre tract and the South line of said 374.17
12 acre tract, with the general course of a fence, a distance of 973.27
13 feet to a wood post for corner;
14 Thence: North 87 degrees 53 minutes 22 seconds East, continuing
15 with the North line of said 851.808 acre tract and the South line of
16 said 374.17 acre tract, with said fence, a distance of 1091.88 feet
17 to a wood fence corner post for corner;
18 Thence: North 89 degrees 57 minutes 15 seconds East, continuing
19 with the North line of said 851.808 acre tract and the South line of
20 said 374.17 acre tract, with said fence, a distance of 1491.72 feet
21 to a cross-tie fence corner post for the Northeast corner of said
22 851.808 acre tract, said post also being the most Westerly
23 Northwest corner of a called 178.842 acre tract of land as described
24 in Deed to Martinek Grain & Bins, Inc., dated 03 August 1994 and
25 recorded in Volume 2352 Page 18 of said Deed Records;
26 Thence: South 02 degrees 33 minutes 15 seconds East, with the East
27 line of said 851.808 acre tract, along and near a fence, a distance
28 of 960.89 feet to a found 1\2 inch iron rod for a Southwest corner of
29 said 178.842 acre tract, said rod also being the Northwest corner of
30 a called 112.268 acre tract of land as described in Deed to Marion
31 Cole, et ux Linda Cole, dated 27 May 1999 and recorded in Volume

1 2796 Page 848 of said Deed Records;
2 Thence: South 02 degrees 57 minutes 08 seconds East, continuing
3 with the East line of said 851.808 acre tract and the West line of
4 said Cole tract, along and near a fence, a distance of 1552.77 feet
5 to a found 1\2 inch iron rod for the Southwest corner of said Cole
6 tract;
7 Thence: South 89 degrees 54 minutes 04 seconds East, continuing
8 with the East line of said 851.808 acre tract and the South line of
9 said Cole tract, along and near a fence, and passing a cross-tie
10 fence corner post on the West side of Old Skaggs School Road, and
11 continuing along said course, a distance of 3118.80 feet to a set
12 1\2 inch steel square tube with a plastic cap marked COX 4577 in the
13 centerline of said Old Skaggs School Road for the Southeast corner
14 of said Cole tract;
15 Thence: South 00 degrees 04 minutes 13 seconds East, continuing
16 with the East line of said 851.808 acre tract, along the center of
17 said Old Skaggs School Road, a distance of 1561.21 feet to a found
18 1\2 inch iron rod for corner, said road making a turn to the West at
19 this corner;
20 Thence: North 89 degrees 46 minutes 04 seconds West, continuing
21 with the East line of said 851.808 acre tract, along the center of
22 said Old Skaggs School Road, a distance of 3072.50 feet to a found
23 nail for corner, said nail being at a turn of said Old Skaggs School
24 Road;
25 Thence: South 00 degrees 51 minutes 03 seconds East, continuing
26 with the East line of said 851.808 acre tract, along the center of
27 said Old Scaggs School Road, a distance of 5800.26 feet to the POINT
28 OF BEGINNING and containing 1659.998 acres of land.

29 SECTION 6.03. (a) The legal notice of the intention to
30 introduce this article, setting forth the general substance of this
31 article, has been published as provided by law, and the notice and a

1 copy of this article have been furnished to all persons, agencies,
2 officials, or entities to which they are required to be furnished
3 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
4 Government Code.

5 (b) The governor, one of the required recipients, has
6 submitted the notice and article to the Texas Commission on
7 Environmental Quality.

8 (c) The Texas Commission on Environmental Quality has filed
9 its recommendations relating to this article with the governor, the
10 lieutenant governor, and the speaker of the house of
11 representatives within the required time.

12 (d) All requirements of the constitution and laws of this
13 state and the rules and procedures of the legislature with respect
14 to the notice, introduction, and passage of this article are
15 fulfilled and accomplished.

16 SECTION 6.04. This article takes effect September 1, 2007.

17 ARTICLE 7. SANGANI RANCH MUNICIPAL

18 UTILITY DISTRICT NO. 1 OF GRAYSON COUNTY

19 SECTION 7.01. Subtitle F, Title 6, Special District Local
20 Laws Code, is amended by adding Chapter 8258 to read as follows:

21 CHAPTER 8258. SANGANI RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF

22 GRAYSON COUNTY

23 SUBCHAPTER A. GENERAL PROVISIONS

24 Sec. 8258.001. DEFINITIONS. In this chapter:

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

26 (2) "Director" means a board member.

27 (3) "District" means the Sangani Ranch Municipal
28 Utility District No. 1 of Grayson County.

29 Sec. 8258.002. NATURE OF DISTRICT. The district is a
30 municipal utility district in Grayson County created under and
31 essential to accomplish the purposes of Section 52, Article III,

1 and Section 59, Article XVI, Texas Constitution.

2 Sec. 8258.003. CONFIRMATION ELECTION REQUIRED. If the
3 creation of the district is not confirmed at a confirmation
4 election held under Section 8258.023 before September 1, 2009:

5 (1) the district is dissolved September 1, 2009,
6 except that the district shall:

7 (A) pay any debts incurred;

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

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

12 (2) this chapter expires September 1, 2012.

13 Sec. 8258.004. INITIAL DISTRICT TERRITORY. (a) The
14 district is initially composed of the territory described by
15 Section 7.02 of the article creating this chapter.

16 (b) The boundaries and field notes contained in Section 7.02
17 of the article creating this chapter form a closure. A mistake made
18 in the field notes or in copying the field notes in the legislative
19 process does not affect:

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

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

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

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

27 [Sections 8258.005-8258.020 reserved for expansion]

28 SUBCHAPTER A-1. TEMPORARY PROVISIONS

29 Sec. 8258.021. TEMPORARY DIRECTORS. (a) On or after
30 September 1, 2007, a person who owns land in the district may submit
31 a petition to the Texas Commission on Environmental Quality

1 requesting that the commission appoint as temporary directors the
2 five persons named in the petition.

3 (b) The commission shall appoint as temporary directors the
4 five persons named in the first petition received by the commission
5 under Subsection (a).

6 (c) If a temporary director fails to qualify for office, the
7 commission shall appoint a person to fill the vacancy.

8 (d) Temporary directors serve until the earlier of:

9 (1) the date directors are elected under Section
10 8258.023; or

11 (2) the date this chapter expires under Section
12 8258.003.

13 Sec. 8258.022. ORGANIZATIONAL MEETING OF TEMPORARY
14 DIRECTORS. As soon as practicable after all the temporary
15 directors have qualified under Section 49.055, Water Code, the
16 temporary directors shall meet at a location in the district
17 agreeable to a majority of the directors. At the meeting, the
18 temporary directors shall elect officers from among the temporary
19 directors and conduct any other district business.

20 Sec. 8258.023. CONFIRMATION AND INITIAL DIRECTORS'
21 ELECTION; ANNEXATION BY CITY. (a) The temporary directors shall
22 hold an election to confirm the creation of the district and to
23 elect five directors as provided by Section 49.102, Water Code.

24 (b) The temporary directors may not hold the election until
25 the City of Gunter has annexed into its corporate limits all
26 territory described by Section 7.02 of the article creating this
27 chapter.

28 Sec. 8258.024. INITIAL ELECTED DIRECTORS; TERMS. The
29 directors elected under Section 8258.023 shall draw lots to
30 determine which two shall serve until the first regularly scheduled
31 election of directors and which three shall serve until the second

1 regularly scheduled election of directors.

2 Sec. 8258.025. EXPIRATION OF SUBCHAPTER. This subchapter
3 expires September 1, 2014.

4 [Sections 8258.026-8258.050 reserved for expansion]

5 SUBCHAPTER B. BOARD OF DIRECTORS

6 Sec. 8258.051. GOVERNING BODY; TERMS. (a) The district is
7 governed by a board of five directors.

8 (b) Directors serve staggered four-year terms.

9 [Sections 8258.052-8258.100 reserved for expansion]

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 8258.101. MUNICIPAL UTILITY DISTRICT POWERS AND
12 DUTIES. The district has the powers and duties provided by the
13 general law of this state, including Chapters 49 and 54, Water Code,
14 applicable to municipal utility districts created under Section 59,
15 Article XVI, Texas Constitution.

16 Sec. 8258.102. WATER AND WASTEWATER FACILITIES AND
17 SERVICES. (a) The district shall make available any district water
18 or wastewater facility to each person that holds a certificate of
19 convenience and necessity for land in the district.

20 (b) The district may not provide retail water or wastewater
21 services.

22 Sec. 8258.103. ROAD PROJECTS. (a) To the extent authorized
23 by Section 52, Article III, Texas Constitution, the district may
24 construct, acquire, improve, maintain, or operate macadamized,
25 graveled, or paved roads or turnpikes, or improvements in aid of
26 those roads or turnpikes, inside the district.

27 (b) A road project must meet all applicable construction
28 standards, subdivision requirements, and regulations of each
29 municipality in whose corporate limits or extraterritorial
30 jurisdiction the district is located.

31 Sec. 8258.104. MAINTENANCE AND REPAIR OF ROADS IN TERRITORY

1 EXCLUDED FROM CITY. If the City of Gunter excludes district
2 territory from the city's corporate limits, the district shall
3 maintain, improve, operate, and repair any road located in that
4 territory in accordance with the ordinances and rules of each
5 political subdivision in whose jurisdiction the road is located.

6 Sec. 8258.105. DIVISION OF DISTRICT. (a) The district may
7 be divided into two new districts only if the district:

8 (1) has no outstanding bonded debt; and

9 (2) is not imposing ad valorem taxes.

10 (b) The division procedure is prescribed by Sections 53.030
11 through 53.041, Water Code.

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

14 (d) Any new district created by the division of the district
15 may not, at the time the new district is created, contain any land:

16 (1) outside the area described by Section 7.02 of the
17 article creating this chapter; or

18 (2) outside the corporate limits of the city of
19 Gunter.

20 Sec. 8258.106. LIMITATION ON ANNEXATION. (a) The district
21 may not add land to the district under Subchapter J, Chapter 49,
22 Water Code, if the land is located outside the corporate limits of
23 the city of Gunter.

24 (b) Section 43.075, Local Government Code, does not apply to
25 the district.

26 [Sections 8258.107-8258.150 reserved for expansion]

27 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

28 Sec. 8258.151. TAX TO REPAY BONDS. The district may impose
29 a tax to pay the principal of or interest on bonds or other
30 obligations issued under Section 8258.201.

31 [Sections 8258.152-8258.200 reserved for expansion]

1 Thence North 45 Degrees 35 Minutes 10 Seconds East with the said
2 east monumented right-of-way line and generally with a fence line,
3 a distance of 180.50 feet to a right-of-way monument found for
4 corner;
5 Thence North 40 Degrees 07 Minutes 07 Seconds East with the said
6 east right-of-way line and generally with a fence line, a distance
7 of 329.14 feet to a 1/2" capped iron rod set for corner;
8 Thence North 45 Degrees 35 Minutes 13 Seconds East with the said
9 east right-of-way line and generally with a fence line, a distance
10 of 1391.07 feet to a 1/2" capped iron rod set for corner;
11 Thence North 51 Degrees 15 Minutes 05 Seconds East with the said
12 east monumented right-of-way line and generally with a fence line,
13 a distance of 494.20 feet to a concrete monument for corner;
14 Thence North 45 Degrees 35 Minutes 13 Seconds East with the said
15 east right-of-way line and generally with a fence line, a distance
16 of 131.23 feet to a 1/2" capped iron rod set for corner;
17 Thence North 42 Degrees 32 Minutes 58 Seconds East with the said
18 east monumented right-of-way line and generally with a fence line,
19 a distance of 3 15.33 feet to a concrete monument for corner;
20 Thence North 45 Degrees 35 Minutes 13 Seconds East with the said
21 east right-of-way line and generally with a fence line, a distance
22 of 98.43 feet to a 1/2" capped iron rod set for corner;
23 Thence North 40 Degrees 15 Minutes 20 Seconds East with the said
24 east right-of-way line and generally with a fence line, a distance
25 of 354.85 feet to a 1/2" capped iron rod set for the north corner of
26 said Tract No. 3 and at the northwest corner of a called 26.14 acre
27 tract of land described in a deed to Penny S. Avery as recorded in
28 Volume 2670, Page 802, Deed Records of Grayson County, Texas;
29 Thence South 01 Degrees 16 Minutes 21 Seconds East with the east
30 line of said Tract No. 3 and with the west line of said 26.14 acre
31 tract and also with or near a fence line, passing a 1/2" iron rod

1 found at 2400.96 feet and continuing along said coarse for a total
2 distance of 2425.74 feet to a 60 D nail found at the southeast comer
3 of said Tract No. 3 and at the southwest corner of said 26.14 acre
4 tract and also in said asphalt road;

5 Thence South 89 Degrees 39 Minutes 37 Seconds West with the south
6 line of said Tract No. 3 and along said asphalt road, a distance of
7 2379.51 feet to the POINT OF BEGINNING and containing in total
8 69.234 acres of land and in the occupied road way and a total of
9 1.413 acres of land.

10 Tract 2

11 All that certain tract or parcel of land situated in the A. S. A.
12 Hartfield Survey, Abstract Number 490, Grayson County, Texas, and
13 being part of a called Tract No. 2 as described in a deed from Jack
14 A. Turpin to JMS & Co., a Texas General Partnership as recorded in
15 Volume 1963, Page 451, Deed Records of Grayson County, Texas, and
16 being more particularly described as follows:

17 Beginning at a 1/2" capped iron rod set at the southwest corner of
18 said Tract No. 2 and in an asphalt road under apparent public use
19 posted as Fallow Road and also in the west line of said Hartfield
20 Survey;

21 Thence North 00 Degrees 57 Minutes 46 Seconds East with the west
22 line of said Tract No. 2 and along said asphalt road most of the way
23 and also with the said west line, a distance of 1786.81 feet to a
24 1/2" capped iron rod set for corner in the southeast right-of-way
25 line of S.C. & S.F. RAILROAD;

26 Thence North 12 Degrees 29 Minutes 16 Seconds East with the west
27 line of said Tract No, 2 and with the said southeast right-of-way
28 line, a distance of 1260.61 feet to a 1/2" capped iron rod set for
29 corner at the start of a curve to the right having a radius of
30 3699.71 feet;

31 Thence with said curve to the right and with the said west line and

1 also with the said southeast right-of-way line an arc length of
2 991.94 feet and said curve having a chord bearing of North 20
3 Degrees 16 Minutes 14 Seconds East, a distance of 988.97 feet to a
4 1/2" capped iron rod set for corner at the start of a curve to the
5 right having a radius of 3772.73 feet;
6 Thence with said curve to the right and with the said west line and
7 also with the said southeast right-of-way line an arc length
8 1350.21 feet and said curve having a chord bearing of North 38
9 Degrees 02 Minutes 43 Seconds East, a distance of 1343.02 feet to a
10 60 D nail found at the northwest corner of said Tract No. 2 and in an
11 asphalt road under apparent public use posted as Savage Road;
12 Thence South 89 Degrees 33 Minutes 30 Seconds East with the north
13 line of said Tract No. 2 and along said asphalt road, a distance of
14 969.10 feet to a 60 D nail found for corner;
15 Thence South 89 Degrees 58 Minutes 51 Seconds East with the said
16 north line and along said asphalt road, a distance of 2702.37 feet
17 to a point for the northeast corner of said Tract No. 2 and in the
18 west right-of-way line of State Highway 289;
19 Thence South 00 Degrees 40 Minutes 28 Seconds West with the said
20 west monumented right-of-way line, a distance of 198.93 feet to a
21 1/2" iron rod found in concrete for corner;
22 Thence South 45 Degrees 35 Minutes 18 Seconds West with the said
23 west monumented right-of-way line and generally near a fence line,
24 a distance of 967.85 feet to a brass capped monument found for
25 corner;
26 Thence South 51 Degrees 18 Minutes 23 Seconds West with the said
27 west monumented right-of-way line and generally near a fence line,
28 a distance of 494.83 feet to a brass capped monument found for
29 corner;
30 Thence South 45 Degrees 49 Minutes 03 Seconds West with the said
31 west monumented right-of-way line and generally near a fence line,

1 a distance of 97.35 feet to a brass capped monument found for
2 corner;
3 Thence South 39 Degrees 52 Minutes 13 Seconds West with the said
4 west monumented right-of-way line and generally near a fence line,
5 a distance of 494.65 feet to a brass capped monument found for
6 corner;
7 Thence South 45 Degrees 35 Minutes 18 Seconds West with the said
8 west monumented right-of-way line and generally near a fence line,
9 a distance of 1205.10 feet to a brass capped monument found for
10 corner;
11 Thence South 51 Degrees 19 Minutes 11 Seconds West with the said
12 west monumented right-of-way line and generally near a fence line,
13 a distance of 329.75 feet to a brass capped monument found for
14 corner;
15 Thence South 45 Degrees 28 Minutes 36 Seconds West with the said
16 west monumented right-of-way line and generally near a fence line,
17 a distance of 98.33 feet to a brass capped monument found for
18 corner;
19 Thence South 48 Degrees 35 Minutes 13 Seconds West with the said
20 west monumented right-of-way line and generally near a fence line,
21 a distance of 315.45 feet to a brass capped monument found for
22 corner;
23 Thence South 45 Degrees 56 Minutes 27 Seconds West with the said
24 west monumented right-of-way line and generally near a fence line,
25 a distance of 130.31 feet to a brass capped monument found for
26 corner;
27 Thence South 39 Degrees 47 Minutes 37 Seconds West with the said
28 west monumented right-of-way line and generally near a fence line,
29 a distance of 495.56 feet to a brass capped monument found for
30 corner;
31 Thence South 45 Degrees 35 Minutes 13 Seconds West with the said

1 west monumented right-of-way line and generally near a fence line,
2 a distance of 1226.52 feet to a concrete monument found for corner;
3 Thence South 51 Degrees 18 Minutes 15 Seconds West with the said
4 west monumented right-of-way line and generally near a fence line,
5 a distance of 494.51 feet to a concrete monument found for corner;
6 Thence South 46 Degrees 15 Minutes 32 Seconds West with the said
7 west monumented right-of-way line and generally near a fence line,
8 a distance of 97.79 feet to a concrete monument found for corner;
9 Thence South 37 Degrees 09 Minutes 28 Seconds West with the said
10 west right-of-way line, a distance of 409.29 feet to a 1/2" capped
11 iron rod set at the southeast corner of said Tract No. 2;
12 Thence South 89 Degrees 39 Minutes 37 Seconds West with the south
13 line of said Tract No. 2, a distance of 261.85 feet to the POINT OF
14 BEGINNING and containing in total 278.933 acres of land and in the
15 occupied in roadway and a total of 6.477 acres of land.

16 Tract 3

17 All that certain tract or parcel of land situated in the A. S. A.
18 Hartfield Survey, Abstract Number 490, Grayson County, Texas, and
19 being all of a called Tract No. 1 and all of a called Tract No. 4 as
20 described in a deed from Jack A. Turpin to JMS & Co., a Texas General
21 Partnership as recorded in Volume 1963, Page 451, Deed Records of
22 Grayson County, Texas, and being more particularly described as
23 follows:

24 Beginning at a 1/2" capped iron rod set at the northwest corner of
25 said Tract No. 1 and at the northwest corner of said Hartfield
26 Survey and also in an asphalt road under apparent public use posted
27 as Fallow Road;

28 Thence South 89 Degrees 33 Minutes 30 Seconds East with the north
29 line of said Tract No. 1 and with the north line of said Hartfield
30 Survey, a distance of 1212.54 feet to a 60 D nail found for the
31 northeast corner of said Tract No. 4 and in an asphalt road under

1 apparent public use posted as Savage Road and in the northwest
2 right-of-way line of S.C. & S.F. RAILROAD and also in a curve to the
3 left having a radius of 3872.73 feet;
4 Thence with said curve to the left and with the said northwest
5 right-of-way line an arc length of 1276.90 feet and said curve
6 having a chord bearing of South 37 Degrees 14 Minutes 32 Seconds
7 West, a distance of 1271.12 feet to a 1/2" capped iron rod set for
8 corner at the start of a curve to the left having a radius of 3799.71
9 feet;
10 Thence with said curve to the left and with said northwest line an
11 arc length of 1018.75 feet and said curve having a chord bearing of
12 South 20 Degrees 16 Minutes 14 Seconds West, a distance of 1015.70
13 feet to a 1/2" capped iron rod set for corner;
14 Thence South 12 Degrees 29 Minutes 16 Seconds West with the said
15 northwest right-of-way line, a distance of 771.10 feet to a 60 D
16 nail set for the south corner of said Tract No. 1 and in said Fallow
17 Road and also in the west line of said Hartfield Survey;
18 Thence North 00 Degrees 57 Minutes 32 Seconds East with the west
19 line of said Tract No. 1 and with the said west line and also with
20 said Fallow Road, a distance of 1721.54 feet to a 60 D nail set for
21 corner;
22 Thence North 01 Degrees 57 Minutes 45 Seconds East with the west
23 line of said Tract No. 1 and with the said west line and also with
24 said Fallow Road, a distance of 866.75 feet to a 60 D nail set for
25 corner;
26 Thence North 06 Degrees 54 Minutes 43 Seconds East with the west
27 line of said Tract No. 1, a distance of 140.40 feet to the POINT OF
28 BEGINNING and containing in total 26.861 acres of land and in an
29 occupied road way and a total of 2.173 acres of land.

30 SECTION 7.03. (a) The legal notice of the intention to
31 introduce this article, setting forth the general substance of this

1 article, has been published as provided by law, and the notice and a
2 copy of this article have been furnished to all persons, agencies,
3 officials, or entities to which they are required to be furnished
4 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
5 Government Code.

6 (b) The governor, one of the required recipients, has
7 submitted the notice and article to the Texas Commission on
8 Environmental Quality.

9 (c) The Texas Commission on Environmental Quality has filed
10 its recommendations relating to this article with the governor, the
11 lieutenant governor, and the speaker of the house of
12 representatives within the required time.

13 (d) All requirements of the constitution and laws of this
14 state and the rules and procedures of the legislature with respect
15 to the notice, introduction, and passage of this article are
16 fulfilled and accomplished.

17 SECTION 7.04. This article takes effect September 1, 2007.

18 ARTICLE 8. FOUR SEASONS RANCH MUNICIPAL
19 UTILITY DISTRICT NO. 1 OF DENTON COUNTY

20 SECTION 8.01. Subtitle F, Title 6, Special District Local
21 Laws Code, is amended by adding Chapter 8208 to read as follows:

22 CHAPTER 8208. FOUR SEASONS RANCH MUNICIPAL UTILITY DISTRICT NO. 1
23 OF DENTON COUNTY

24 SUBCHAPTER A. GENERAL PROVISIONS

25 Sec. 8208.001. DEFINITIONS. In this chapter:

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

27 (2) "Director" means a board member.

28 (3) "District" means the Four Seasons Ranch Municipal
29 Utility District No. 1 of Denton County.

30 Sec. 8208.002. NATURE OF DISTRICT. The district is a
31 municipal utility district in Denton County created under and

1 essential to accomplish the purposes of Section 59, Article XVI,
2 Texas Constitution.

3 Sec. 8208.003. CONFIRMATION ELECTION REQUIRED. If the
4 creation of the district is not confirmed at a confirmation
5 election held under Section 8208.024 before September 1, 2011:

6 (1) the district is dissolved September 1, 2011,
7 except that the district shall:

8 (A) pay any debts incurred;

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

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

13 (2) this chapter expires September 1, 2014.

14 Sec. 8208.004. INITIAL DISTRICT TERRITORY. (a) The
15 district is initially composed of the territory described by
16 Section 9.02 of the article creating this chapter.

17 (b) The boundaries and field notes contained in Section 9.02
18 of the article creating this chapter form a closure. A mistake made
19 in the field notes or in copying the field notes in the legislative
20 process does not affect:

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

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

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

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

27 [Sections 8208.005-8208.020 reserved for expansion]

28 SUBCHAPTER A-1. TEMPORARY PROVISIONS

29 Sec. 8208.021. TEMPORARY DIRECTORS. (a) On or after
30 September 1, 2007, a person who owns land in the district may submit
31 a petition to the Texas Commission on Environmental Quality

1 requesting that the commission appoint as temporary directors the
2 five persons named in the petition.

3 (b) The commission shall appoint as temporary directors the
4 five persons named in the first petition received by the commission
5 under Subsection (a).

6 (c) If a temporary director fails to qualify for office, the
7 commission shall appoint a person to fill the vacancy.

8 (d) Temporary directors serve until the earlier of:

9 (1) the date directors are elected under Section
10 8208.024; or

11 (2) the date this subchapter expires under Section
12 8208.026.

13 Sec. 8208.022. ORGANIZATIONAL MEETING OF TEMPORARY
14 DIRECTORS. As soon as practicable after all the temporary
15 directors have qualified under Section 49.055, Water Code, the
16 temporary directors shall meet at a location in the district
17 agreeable to a majority of the directors. At the meeting the
18 temporary directors shall elect officers from among the temporary
19 directors and conduct any other district business.

20 Sec. 8208.023. CONSENT OF MUNICIPALITY REQUIRED. The
21 temporary directors may not hold an election under Section 8208.024
22 until each municipality in whose corporate limits or
23 extraterritorial jurisdiction the district is located, if any, has
24 adopted a resolution consenting to the creation of the district.

25 Sec. 8208.024. CONFIRMATION AND INITIAL DIRECTORS'
26 ELECTION. The temporary directors shall hold an election to
27 confirm the creation of the district and to elect five directors as
28 provided by Section 49.102, Water Code.

29 Sec. 8208.025. INITIAL ELECTED DIRECTORS; TERMS. The
30 directors elected under Section 8208.024 shall draw lots to
31 determine which two shall serve until the first regularly scheduled

1 election of directors and which three shall serve until the second
2 regularly scheduled election of directors.

3 Sec. 8208.026. EXPIRATION OF SUBCHAPTER. This subchapter
4 expires September 1, 2014.

5 [Sections 8208.027-8208.050 reserved for expansion]

6 SUBCHAPTER B. BOARD OF DIRECTORS

7 Sec. 8208.051. DIRECTORS; TERMS. (a) The district is
8 governed by a board of five directors.

9 (b) Directors serve staggered four-year terms.

10 Sec. 8208.052. ELECTION OF DIRECTORS. On the uniform
11 election date in May of each even-numbered year, the appropriate
12 number of directors shall be elected.

13 [Sections 8208.053-8208.100 reserved for expansion]

14 SUBCHAPTER C. POWERS AND DUTIES

15 Sec. 8208.101. MUNICIPAL UTILITY DISTRICT POWERS AND
16 DUTIES. The district has the powers and duties provided by the
17 general law of this state, including Chapters 49 and 54, Water Code,
18 applicable to municipal utility districts created under Section 59,
19 Article XVI, Texas Constitution.

20 Sec. 8208.102. ROAD PROJECTS. (a) To the extent authorized
21 by Section 52, Article III, Texas Constitution, the district may
22 construct, acquire, improve, maintain, or operate macadamized,
23 graveled, or paved roads, or improvements in aid of those roads,
24 inside the district.

25 (b) A road project must meet or exceed all applicable
26 construction standards, zoning and subdivision requirements, and
27 regulatory ordinances of each municipality in whose corporate
28 limits or extraterritorial jurisdiction the district is located.

29 (c) The district may not undertake a road project unless
30 each municipality in whose corporate limits or extraterritorial
31 jurisdiction the district is located consents by ordinance or

1 resolution.

2 (d) The district shall, at its sole cost and expense,
3 maintain, improve, operate, and repair all roads constructed or
4 acquired by the district unless the municipality or county in which
5 a road is located voluntarily assumes the obligation. An
6 assumption of an obligation under this subsection is not valid or
7 binding unless the assumption is in writing, executed by the
8 necessary parties, and filed in the land records of the county in
9 which the road is located.

10 Sec. 8208.103. COMPLIANCE WITH MUNICIPAL ORDINANCES OR
11 RESOLUTIONS. The district shall comply with all applicable
12 requirements of any ordinance or resolution adopted by the
13 governing body of each municipality in whose corporate limits or
14 extraterritorial jurisdiction the district is located.

15 Sec. 8208.104. ANNEXATION OF LAND IN GRAYSON COUNTY. The
16 district may not annex land located in Grayson County without the
17 prior consent of the Commissioners Court of Grayson County.

18 Sec. 8208.105. DIVISION OF DISTRICT. (a) The district may
19 be divided into two new districts only if the district:

20 (1) has no outstanding bonded debt; and

21 (2) is not imposing ad valorem taxes.

22 (b) The division procedure is prescribed by Sections 53.030
23 through 53.041, Water Code.

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

26 (d) A new district, at the time it is created by the division
27 of the district, may not contain land outside the area described by
28 Section 9.02 of the article creating this chapter.

29 [Sections 8208.106-8208.150 reserved for expansion]

30 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

31 Sec. 8208.151. TAX TO REPAY BONDS. The district may impose

1 a tax to pay the principal of and interest on bonds issued under
2 Section 8208.201.

3 [Sections 8208.152-8208.200 reserved for expansion]

4 SUBCHAPTER E. BONDS

5 Sec. 8208.201. AUTHORITY TO ISSUE BONDS AND OTHER
6 OBLIGATIONS. (a) The district may issue bonds or other obligations
7 as provided by Chapters 49 and 54, Water Code, and to finance the
8 construction, maintenance, or operation of projects under Sections
9 8208.101 and 8208.102.

10 (b) The district may not issue bonds to finance projects
11 authorized by Section 8208.102 unless the issuance is approved by a
12 vote of a two-thirds majority of district voters voting at an
13 election called for that purpose.

14 (c) Bonds or other obligations issued or incurred to finance
15 projects authorized by Section 8208.102 may not exceed one-fourth
16 of the assessed value of the real property in the district.

17 SECTION 8.02. The Four Seasons Ranch Municipal Utility
18 District No. 1 of Denton County initially includes all the
19 territory contained in the following area:

20 All that certain tract or parcel of land situated in the Juana
21 Curbello Survey, Abstract Number 213, and the A. H. Gee Survey,
22 Abstract Number 1522, County of Denton, State of Texas, said tract
23 being all of a Tract, as described in deed to Sadot Venture, LTD ,
24 filed 03 December 2003, and recorded in clerk number 2003-195563,
25 and being all of a tract as described in deed to McKinney 17 Venture
26 L.T.D., filed 28 May 2002, and recorded in volume 3257 page 22 of
27 the Deed Records of the County of Grayson, State of Texas, and
28 recorded in volume 5094 page 2020 of the Deed Records of the County
29 of Denton, State of Texas, said tract being all of a Tract, as
30 described in deed to Sadot Venture, LTD , filed 17 December 2003,
31 and recorded in clerk number 2003-203006, and being all of a tract

1 as described in deed to Netzer Environmental Consulting, filed 28
2 May 2002, and recorded in volume 5094 page 2014 of the Deed Records
3 of the County of Denton, State of Texas and being more fully
4 described as follows:

5 Beginning for the southwest corner of the tract being described
6 herein at a found 1\2 inch rebar at the intersection of Garell Road
7 and Fritcher Road, said rebar being the southwest corner of said
8 Brock South tract;

9 Thence: North 00 degrees 32 minutes 08 seconds West, with the west
10 line of said Brock South tract, and with the center of said Garell
11 Road, a distance of 2487.12 feet to a found 1\2 inch rebar for an
12 angle point in the west line of said Brock South tract, same being
13 an angle point in said road;

14 Thence: North 00 degrees 01 minutes 19 seconds West, with the west
15 line of said Brock South tract, and with the center of said road, a
16 distance of 1439.64 feet to a found 1\2 inch rebar for the northwest
17 corner of said Brock South tract, same being a turn in said road;

18 Thence: North 86 degrees 29 minutes 35 seconds East, with the north
19 line of said Brock South tract, and with the center of said road, a
20 distance of 256.11 feet to a found 1\2 inch rebar for an ell corner
21 of this tract, and said rebar being the southwest corner of said
22 Street tract, same being a turn in said road, said rebar also being
23 an angle point in the north line of said Brock South tract;

24 Thence: North 02 degrees 34 seconds 12 seconds East, with the west
25 line of said Netzer tract, and with the center of said road, a
26 distance of 2019.60 feet to a point for an ell corner of this tract;

27 Thence: North 89 degrees 56 minutes 50 seconds East, a distance of
28 27.25 feet to a found 1\2 inch steel rebar for a corner of this
29 tract;

30 Thence: North 02 degrees 25 seconds 53 seconds East, with the west
31 line of said Venture tract, and with the east side of said road, a

1 distance of 1028.83 feet to a point for an ell corner of this tract;
2 Thence: North 89 degrees 53 minutes 08 seconds East, a distance of
3 521.59 feet to a found 1\2 inch rebar;
4 Thence: North 00 degrees 00 minutes 32 seconds East, with the west
5 line of said venture tract, a distance of 4225.1 feet to a found 1\2
6 inch steel square tubing for the northwest corner of said Venture
7 tract;
8 Thence: North 89 degrees 31 minutes 51 seconds East, with the north
9 line of said Venture tract, a distance of 866.39 feet to a set 1\2
10 inch steel square tubing for an ell corner of this tract;
11 Thence: South 00 degrees 06 minutes 09 seconds East, a distance of
12 18.01 feet to a set 1\2 inch steel square tubing for an ell corner of
13 this tract;
14 Thence: North 89 degrees 45 minutes 28 seconds East, with the north
15 line of said Brock North tract, and with the center of said road, a
16 distance of 1130.35 feet for a corner of this tract;
17 Thence: South 00 degrees 07 minutes 51 seconds East, with the
18 approximate location of the county line, a distance of 2818.67 feet
19 for a corner of this tract;
20 Thence: North 89 degrees 45 minutes 28 seconds East, with the
21 approximate location of the county line a distance of 2100.00 feet
22 for a corner of this tract;
23 Thence: South 89 degrees 59 minutes 54 seconds East, a distance of
24 244.55 feet to a found 1\2 inch steel square tubing, said tubing
25 being in the intersection of Merilee Road and County Road Number 10;
26 Thence: South 00 degrees 17 minutes 37 seconds East, with the
27 center of said road, a distance of 1409.82 feet to a found 1\2 inch
28 rebar;
29 Thence: South 00 degrees 18 minutes 38 seconds East, with the east
30 line of said Street tract, and with the center of said road, and
31 passing at 3031.32 feet the southeast corner of said Street tract,

1 same being the northeast corner of said Brock South tract, and
2 continuing on said course a total distance of 3071.37 feet to a
3 found 1\2 inch rebar for an angle point in said road;
4 Thence: South 00 degrees 23 minutes 56 seconds East, with the east
5 line of said Brock South tract, and with the center of said road, a
6 distance of 1104.84 feet to a found 1\2 inch rebar for the most
7 easterly southeast corner of said Brock South tract;
8 Thence: North 89 degrees 30 minutes 05 seconds West, a distance of
9 27.25 feet to a old wood fence corner post;
10 Thence: South 00 degrees 19 minutes 28 seconds East, with the east
11 line of said road, a distance of 1292.99 feet to a pipe fence corner
12 post for an ell corner of this tract;
13 Thence: North 89 degrees 31 minutes 21 seconds West, with the south
14 line of said Venture tract, a distance of 3326.78 feet to a pipe
15 fence corner post for an ell corner of said Venture South tract;
16 Thence: South 00 degrees 41 minutes 02 seconds East, a distance of
17 1534.63 feet to a found nail for the southeast corner of said
18 Venture tract, said nail being in the center of Fritcher Road;
19 Thence: North 89 degrees 30 minutes 14 seconds West, with the south
20 line of said Venture tract, and with the center of said road, a
21 distance of 527.38 feet to a found 1\2 inch rebar for an ell corner
22 of said Venture tract;
23 Thence: South 89 degrees 34 minutes 19 seconds West, with the south
24 line of said Venture tract, and with the center of said road, a
25 distance of 1437.85 feet to the POINT OF BEGINNING and containing
26 979.408 acres of land.

27 SECTION 8.03. (a) The legal notice of the intention to
28 introduce this article, setting forth the general substance of this
29 article, has been published as provided by law, and the notice and a
30 copy of this article have been furnished to all persons, agencies,
31 officials, or entities to which they are required to be furnished

1 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
2 Government Code.

3 (b) The governor, one of the required recipients, has
4 submitted the notice and article to the Texas Commission on
5 Environmental Quality.

6 (c) The Texas Commission on Environmental Quality has filed
7 its recommendations relating to this article with the governor, the
8 lieutenant governor, and the speaker of the house of
9 representatives within the required time.

10 (d) All requirements of the constitution and laws of this
11 state and the rules and procedures of the legislature with respect
12 to the notice, introduction, and passage of this article are
13 fulfilled and accomplished.

14 SECTION 8.04. This article takes effect September 1, 2007.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

May 18, 2007

TO: Honorable Eddie Lucio, Jr., Chair, Senate Committee on International Relations & Trade

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4069 by Phillips (Relating to the creation of the Platinum Ranch Municipal Utility District No. 1 of Grayson County; providing authority to impose taxes and issue bonds; granting the power of eminent domain.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, CL, WK, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 30, 2007

TO: Honorable Robert Puente, Chair, House Committee on Natural Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4069 by Phillips (Relating to the creation of the Platinum Ranch Municipal Utility District No. 1 of Grayson County; providing authority to impose taxes and issue bonds; granting the power of eminent domain.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, WK, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 23, 2007

TO: Honorable Robert Puente, Chair, House Committee on Natural Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4069 by Phillips (Relating to the creation of the Platinum Ranch Municipal Utility District No. 1 of Grayson County; providing authority to impose taxes and issue bonds; granting the power of eminent domain.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: JOB, WK, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

WATER DEVELOPMENT POLICY IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

May 1, 2007

TO: Honorable Robert Puente, Chair, House Committee on Natural Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4069 by Phillips (Relating to the creation of the Platinum Ranch Municipal Utility District No. 1 of Grayson County; providing authority to impose taxes and issue bonds; granting the power of eminent domain.), **Committee Report 1st House, Substituted**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined the following:

The bill amends Special District Local Laws Code by adding Chapter 8256 to create Platinum Ranch Municipal Utility District No. 1 of Grayson County (District) with the powers and duties of a municipal utility district under Water Code Chapters 49 and 54 and Article XVI, Section 59 of the Texas Constitution. The bill also gives the District road powers, under Article III, Section 52 of the Texas Constitution. The District would have the power of eminent domain. The District is subject to confirmation election by the voters. The bill indicates that Section 43.074, Local Government Code, applies to the dissolution of the District; adds Sections 8256.101(c) and 8256.101(d) which indicate that, notwithstanding the powers and duties of a municipal utility district, the District may not act as a retail provider of water or wastewater and that the District shall make water and wastewater facilities available to an entity holding the applicable Certificate of Convenience and Necessity; and adds turnpikes to the types of roads the District may construct acquire, improve, maintain, or operate.

- 1) Population - The detailed description of the proposed boundaries does not allow staff to develop precise population estimates. The 2000 Census population of Grayson County was 110,595, with 26,766 living in areas identified in the 2007 State Water Plan as "County-Other" (outside cities of more than 500 and established water utility districts). The total county population is projected to increase to 163,711 by 2020, the County-Other population is projected to increase to 26,799.
- 2) Location - The district is located within Grayson County.
- 3) Comments on Powers/Duties Different from Similar Types of Districts - The District will have road powers. The District would also have the authority to divide into two districts.
- 4) Overlapping Services - The stated boundaries form a closure. There is insufficient information provided in the bill to determine if the District overlaps any water supply or sewer-service corporations, investor-owned utilities, or local water districts or authorities. An area map containing at least two reference points (major road names, road intersections) and the proposed district's geographic location mapped within Grayson County is needed to complete an overlapping services check. The overlapping service providers may be: the City of Gunter (CCN Nos. 13105 and 20951), and Gunter Special Utility District (CCN No. 10150).
- 5) TCEQ's Supervision - As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

6) Water Use - Sixty-seven percent of Grayson County water use in 2004 was for municipal purposes, with 11 percent for manufacturing. Fifty-nine percent of the total water use, and 57 percent of the municipal use, comes from groundwater sources.

Source Agencies: 580 Water Development Board, 582 Commission on Environmental Quality

LBB Staff: JOB, DB

LEGISLATIVE BUDGET BOARD

Austin, Texas

WATER DEVELOPMENT POLICY IMPACT STATEMENT

80TH LEGISLATIVE REGULAR SESSION

April 24, 2007

TO: Honorable Robert Puente, Chair, House Committee on Natural Resources

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB4069 by Phillips (Relating to the creation of the Platinum Ranch Municipal Utility District No. 1 of Grayson County; providing authority to impose taxes and issue bonds; granting the power of eminent domain.), **As Introduced**

The Legislative Budget Board, in cooperation with the Texas Water Development Board (TWDB) and the Texas Commission on Environmental Quality (TCEQ), has determined that:

The bill amends Special District Local Laws Code by adding Chapter 8256 to create Platinum Ranch Municipal Utility District No. 1 of Grayson County (District) with the powers and duties of a municipal utility district under Water Code Chapters 49 and 54 and Article XVI, Section 59 of the Texas Constitution. The bill also gives the District road powers, under Article III, Section 52 of the Texas Constitution. The District would have the power of eminent domain. The District is subject to confirmation election by the voters. District board members were not provided.

1) Population - The detailed description of the proposed boundaries does not allow staff to develop precise population estimates. The 2000 Census population of Grayson County was 110,595, with 26,766 living in areas identified in the 2007 State Water Plan as "County-Other" (outside cities of more than 500 and established water utility districts). The total county population is projected to increase to 163,711 by 2020, the County-Other population is projected to increase to 26,799.

2) Location - The district is located within Grayson County.

3) Comments on Powers/Duties Different from Similar Types of Districts- The District will have road powers. The District would also have the authority to divide into two districts.

4) Overlapping Services- The stated boundaries form a closure. An area map containing at least two reference points (major road names, road intersections) and the proposed district's geographic location mapped within Grayson County is needed to complete an overlapping services check. The overlapping service providers may be City of Celina (CCN: 12667), City of Gunter (CCN: 13105/20951), and Gunter SUD (CCN: 10150).

5) TCEQ's Supervision- As with general law districts, the TCEQ will have general supervisory authority, including bond review authority and review of financial reports.

6) Water Use - 67 percent of Grayson County water use in 2004 was for municipal purposes, with 11 percent for manufacturing. 59 percent of the total water use, and 57 percent of the municipal use, comes from groundwater sources.

Source Agencies: 582 Commission on Environmental Quality, 580 Water Development Board

LBB Staff: JOB, WK

