

By: Keffer

H.B. No. 2035

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Hood County Granbury Municipal Utility District No. 1; providing authority to impose a tax and issue bonds; granting a limited 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 8342 to read as follows:

CHAPTER 8342. HOOD COUNTY GRANBURY MUNICIPAL UTILITY

DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8342.001. DEFINITIONS. In this chapter:

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

(2) "Director" means a board member.

(3) "District" means the Hood County Granbury Municipal Utility District No. 1.

Sec. 8342.002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8342.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

Sec. 8342.004. CONSENT OF MUNICIPALITY AND DEVELOPMENT AGREEMENT REQUIRED. (a) The temporary directors may not hold an

1 election under Section 8342.003 until each municipality in whose
2 corporate limits or extraterritorial jurisdiction the district is
3 located has:

4 (1) consented by ordinance or resolution to the
5 creation of the district; and

6 (2) entered into a development agreement with the
7 majority owner of the assessed value of the real property in the
8 district.

9 (b) If a development agreement required under Subsection
10 (a)(2) has not been entered into before September 1, 2010:

11 (1) the district is dissolved September 1, 2010,
12 except that:

13 (A) any debts incurred shall be paid;

14 (B) any assets that remain after the payment of
15 debts shall be transferred to Hood County; and

16 (C) the organization of the district shall be
17 maintained until all debts are paid and remaining assets are
18 transferred; and

19 (2) this chapter expires September 1, 2013.

20 Sec. 8342.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
21 The district is created to serve a public purpose and benefit.

22 (b) The district is created to accomplish the purposes of:

23 (1) a municipal utility district as provided by
24 general law and Section 59, Article XVI, Texas Constitution; and

25 (2) Section 52, Article III, Texas Constitution, that
26 relate to the construction, acquisition, improvement, operation,
27 or maintenance of macadamized, graveled, or paved roads, or

1 improvements, including storm drainage, in aid of those roads.

2 Sec. 8342.006. INITIAL DISTRICT TERRITORY. (a) The
3 district is initially composed of the territory described by
4 Section 2 of the Act creating this chapter.

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

9 (1) organization, existence, or validity;

10 (2) right to issue any type of bond for the purposes
11 for which the district is created or to pay the principal of and
12 interest on a bond;

13 (3) right to impose a tax; or

14 (4) legality or operation.

15 [Sections 8342.007-8342.050 reserved for expansion]

16 SUBCHAPTER B. BOARD OF DIRECTORS

17 Sec. 8342.051. GOVERNING BODY; TERMS. (a) The district is
18 governed by a board of five elected directors.

19 (b) Except as provided by Section 8342.052, directors serve
20 staggered four-year terms.

21 Sec. 8342.052. TEMPORARY DIRECTORS. (a) The temporary
22 board consists of:

23 (1) Jeffrey Krueger;

24 (2) William Bruce Schneider;

25 (3) Kevin Patton;

26 (4) Virgil R. Briscoe; and

27 (5) Jeffrey K. Wilson.

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

2 (1) the date permanent directors are elected under
3 Section 8342.003; or

4 (2) September 1, 2013.

5 (c) If permanent directors have not been elected under
6 Section 8342.003 and the terms of the temporary directors have
7 expired, successor temporary directors shall be appointed or
8 reappointed as provided by Subsection (d) to serve terms that
9 expire on the earlier of:

10 (1) the date permanent directors are elected under
11 Section 8342.003; or

12 (2) the fourth anniversary of the date of the
13 appointment or reappointment.

14 (d) If Subsection (c) applies, the owner or owners of a
15 majority of the assessed value of the real property in the district
16 may submit a petition to the commission requesting that the
17 commission appoint as successor temporary directors the five
18 persons named in the petition. The commission shall appoint as
19 successor temporary directors the five persons named in the
20 petition.

21 [Sections 8342.053-8342.100 reserved for expansion]

22 SUBCHAPTER C. POWERS AND DUTIES

23 Sec. 8342.101. GENERAL POWERS AND DUTIES. The district has
24 the powers and duties necessary to accomplish the purposes for
25 which the district is created.

26 Sec. 8342.102. MUNICIPAL UTILITY DISTRICT POWERS AND
27 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. 8342.103. AUTHORITY FOR ROAD PROJECTS. Under Section
5 52, Article III, Texas Constitution, the district may design,
6 acquire, construct, finance, issue bonds for, improve, operate,
7 maintain, and convey to this state, a county, or a municipality for
8 operation and maintenance macadamized, graveled, or paved roads, or
9 improvements, including storm drainage, in aid of those roads.

10 Sec. 8342.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
11 project must meet all applicable construction standards, zoning and
12 subdivision requirements, and regulations of each municipality in
13 whose corporate limits or extraterritorial jurisdiction the road
14 project is located.

15 (b) If a road project is not located in the corporate limits
16 or extraterritorial jurisdiction of a municipality, the road
17 project must meet all applicable construction standards,
18 subdivision requirements, and regulations of each county in which
19 the road project is located.

20 (c) If the state will maintain and operate the road, the
21 Texas Transportation Commission must approve the plans and
22 specifications of the road project.

23 Sec. 8342.105. COMPLIANCE WITH MUNICIPAL REGULATIONS. Any
24 water, sanitary sewer, drainage, or other infrastructure or public
25 facilities constructed, acquired, improved, maintained, or
26 operated by the district shall comply with any subdivision or other
27 applicable regulations of any municipality in whose corporate

1 limits or extraterritorial jurisdiction the infrastructure or
2 public facilities are located.

3 Sec. 8342.106. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
4 OR RESOLUTION. The district shall comply with all applicable
5 requirements of any ordinance or resolution that is adopted under
6 Section 54.016 or 54.0165, Water Code, and that consents to the
7 creation of the district or to the inclusion of land in the
8 district.

9 Sec. 8342.107. LIMITATION ON USE OF EMINENT DOMAIN. The
10 district may not exercise the power of eminent domain outside the
11 district to acquire a site or easement for:

- 12 (1) a road project authorized by Section 8342.103; or
13 (2) a recreational facility as defined by Section
14 49.462, Water Code.

15 Sec. 8342.108. DIVISION OF DISTRICT. (a) The district may
16 be divided into two or more new districts only if the district:

- 17 (1) has no outstanding bonded debt; and
18 (2) is not imposing ad valorem taxes.

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

21 (c) Any new district created by the division of the district
22 has all the powers and duties of the district and is subject to all
23 limitations and conditions provided by this chapter.

24 (d) A new district created by the division of the district
25 may not, at the time the new district is created, contain land that
26 is not contiguous to the area described by Section 2 of the Act
27 creating this chapter.

1 (e) A division of the district may not occur until each
2 municipality in whose corporate limits or extraterritorial
3 jurisdiction the district is located has adopted a resolution
4 consenting to the division.

5 Sec. 8342.109. LIMITATION ON DISSOLUTION OF DISTRICT. (a)
6 Before the issuance of bonds, the district or any new district
7 created by the division of the district may not be dissolved unless
8 the dissolution is approved by:

9 (1) the board;

10 (2) the majority owner of the assessed value of the
11 real property in the district or the new district, as applicable;
12 and

13 (3) the governing body of each municipality in whose
14 corporate limits or extraterritorial jurisdiction the district or
15 the new district is located.

16 (b) The district or any new district may not be dissolved if
17 it has outstanding bonded debt unless:

18 (1) all the property in the district or the new
19 district is annexed by a municipality;

20 (2) the dissolution is approved by the governing body
21 of the municipality; and

22 (3) the bonded debt and developer reimbursement
23 obligations of the district or the new district are assumed by the
24 municipality in whose corporate limits or extraterritorial
25 jurisdiction the district or the new district is located or by
26 another entity approved by the municipality.

27 (c) A dissolution subject to Subsection (b) is effective

1 when all outstanding bonded debt and developer reimbursement
2 obligations have been discharged.

3 Sec. 8342.110. DEDICATION OF AIRPORT PROPERTY. The
4 district may dedicate, by fee or easement, property owned by the
5 district for any purposes necessary or convenient for the
6 operation, use, or expansion of a municipal airport.

7 [Sections 8342.111-8342.150 reserved for expansion]

8 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

9 Sec. 8342.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
10 district may issue, without an election, bonds and other
11 obligations secured by:

12 (1) revenue other than ad valorem taxes; or

13 (2) contract payments described by Section 8342.153.

14 (b) The district must hold an election in the manner
15 provided by Chapters 49 and 54, Water Code, to obtain voter approval
16 before the district may impose an ad valorem tax or issue bonds
17 payable from ad valorem taxes.

18 (c) The district may not issue bonds payable from ad valorem
19 taxes to finance a road project unless the issuance is approved by a
20 vote of a two-thirds majority of the district voters voting at an
21 election held for that purpose.

22 Sec. 8342.152. OPERATION AND MAINTENANCE TAX. (a) If
23 authorized at an election held under Section 8342.151, the district
24 may impose an operation and maintenance tax on taxable property in
25 the district in accordance with Section 49.107, Water Code.

26 (b) The board shall determine the tax rate. The rate may not
27 exceed the rate approved at the election.

1 Sec. 8342.153. CONTRACT TAXES. (a) In accordance with
2 Section 49.108, Water Code, the district may impose a tax other than
3 an operation and maintenance tax and use the revenue derived from
4 the tax to make payments under a contract after the provisions of
5 the contract have been approved by a majority of the district voters
6 voting at an election held for that purpose.

7 (b) A contract approved by the district voters may contain a
8 provision stating that the contract may be modified or amended by
9 the board without further voter approval.

10 [Sections 8342.154-8342.200 reserved for expansion]

11 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

12 Sec. 8342.201. AUTHORITY TO ISSUE BONDS AND OTHER
13 OBLIGATIONS. The district may issue bonds or other obligations
14 payable wholly or partly from ad valorem taxes, impact fees,
15 revenue, contract payments, grants, or other district money, or any
16 combination of those sources, to pay for any authorized district
17 purpose.

18 Sec. 8342.202. TAXES FOR BONDS. At the time the district
19 issues bonds payable wholly or partly from ad valorem taxes, the
20 board shall provide for the annual imposition of a continuing
21 direct ad valorem tax, without limit as to rate or amount, while all
22 or part of the bonds are outstanding as required and in the manner
23 provided by Sections 54.601 and 54.602, Water Code.

24 Sec. 8342.203. BONDS FOR ROAD PROJECTS. At the time of
25 issuance, the total principal amount of bonds or other obligations
26 issued or incurred to finance road projects and payable from ad
27 valorem taxes may not exceed one-fourth of the assessed value of the

1 real property in the district.

2 SECTION 2. The Hood County Granbury Municipal Utility
3 District No. 1 initially includes all the territory contained in
4 the following area:

5 Parts of the MILAM COUNTY SCHOOL LAND SURVEY LOWER LEAGUE,
6 the MILAM COUNTY SCHOOL LAND SURVEY UPPER LEAGUE, the JOHN DAVID
7 CROW SURVEY, Abstract No. 110, the EBENEZER MILLICAN SURVEY,
8 Abstract No. 414, the J. W. OWNSBY SURVEY, Abstract No. 814, the G.
9 W. WILLIAMS SURVEY, Abstract No. 600, the JOSE MAYBARBO SURVEY,
10 Abstract No. 749, the C. C. HARVICK SURVEY, Abstract No. 290, the E.
11 T. GATLIN SURVEY, Abstract No. 211, the J. W. DAWSON SURVEY,
12 Abstract No. 805 and the J. H. DAVIS SURVEY, Abstract No. 157
13 situated about 2-9/10 miles south 41 degrees-30 minutes west from
14 the courthouse in Granbury the county seat for Hood County, Texas;
15 embracing a portion of the 1924-31/100 acres tract described in the
16 deed to The Ranch at Granbury, L.L.C. recorded in volume 1547, page
17 834 of the Real Records of Hood County, Texas and a portion of the
18 246-323/1000 acres tract described in the deed to The Ranch at
19 Granbury, L.P. recorded in volume 1591, page 306 of the said Real
20 Records and all of the SCOTTISH RITE VILLAGE SUBDIVISION UNIT ONE
21 TRACT ONE, according to the plat thereof recorded in Slide A-348-B
22 of the Plat Records of Hood County, Texas and described by metes and
23 bounds as follows:

24 The bearings and coordinate positions are per the Texas
25 Coordinate System North Central Zone NAD 83 (1993). The lengths
26 shown hereon are horizontal ground lengths. To convert horizontal
27 ground lengths to grid lengths multiply by 0.999892309. All 5/8"

1 capped irons set called for in this description are marked (BROOKES
2 BAKER SURVEYORS).

3 Beginning at a 12" pine fence post found for the northeast
4 corner of said 1924-31/1000 acres tract and a re-entrant corner of
5 Parcel No. 1 the 6-17/100 acres tract described in the deed to
6 Arlene McCraw recorded in volume 284, page 305 of the Deed Records
7 of Hood County, Texas , said beginning corner having a grid
8 coordinate value of X= 2,176,937.742 feet, Y= 6,841,025.644 feet.

9 Thence south 30 degrees-28 minutes-07 seconds east, along the
10 west line of said 6-17/100 acres tract for the east line of said
11 1924-31/100 acres tract, to and along the west line of the 2 acres
12 tract described in the deed to Michael H. McCraw and wife, Paula N.
13 McCraw recorded in volume 1040, page 293 of the said Real Records,
14 781-02/100 feet to a 3" pipe post for the southwest corner of said 2
15 acres tract and the northwest corner of the 47-373/1000 acres tract
16 described in the deed to Harris Composites, Inc. recorded in volume
17 1981, page 215 of the said Real Records.

18 Thence south 30 degrees-29 minutes-01 seconds east, along the
19 west line of said 47-373/1000 acres tract for the east line of said
20 1924-31/100 acres tract, 446-21/100 feet to a 10" cedar post found.

21 Thence south 30 degrees-22 minutes-43 seconds east,
22 continuing along the west line of said 47-373/1000 acres tract for
23 the east line of said 1924-31/100 acres tract, 966-87/100 feet to a
24 1/2" iron found for the southwest corner of said 47-373/1000 acres
25 tract and the northwest corner of the 10 acres tract described in
26 the deed to Swaim Construction Company, Inc. recorded in volume
27 356, page 734 of the said Deed Records.

1 Thence south 30 degrees-22 minutes-26 seconds east, along the
2 west line of said 10 acres tract for the east line of said
3 1924-31/100 acres tract, 916-49/100 feet to a 1/2" iron found for
4 the southwest corner of said 10 acres tract and the northwest corner
5 of the 12-51/100 acres tract described in the deed to James R.
6 Walker and wife, Mary L. Walker recorded in volume 142, page 53 of
7 the said Deed Records.

8 Thence south 30 degrees-23 minutes-22 seconds east, along the
9 west line of said 12-51/100 acres tract for the east line of said
10 1924-31/100 acres tract, 1129-98/100 feet to a square head bolt
11 found for the southwest corner of said 12-51/100 acres tract and the
12 northwest corner of the 3-32/100 acres tract described in the deed
13 to Donald Trumble and Julie Trumble recorded in volume 1295, page
14 384 of the said Real Records.

15 Thence south 30 degrees-08 minutes-06 seconds east, along the
16 west line of said 3-32/100 acres tract for the west line of said
17 1924-31/100 acres tract, 284-36/100 feet to a 3/8" iron found for
18 the southwest corner of said 3-32/100 acres tract and the northwest
19 corner of the 1-24/100 acres tract described in the deed to Norman
20 Lumber Company, Inc. recorded in volume 1249, page 456 of the said
21 Real Records.

22 Thence south 30 degrees-39 minutes-30 seconds east, along the
23 west line of said 1-24/100 acres tract for the east line of said
24 1924-31/100 acres tract, 208-69/100 feet to a 3/8" iron found for
25 the southwest corner of said 1-24/100 acres tract and the northwest
26 corner of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE.

27 Thence north 59 degrees-36 minutes-27 seconds east, along the

1 north line of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE and
2 the south line of said 1-24/100 acres tract, 182-81/100 feet to a
3 1/2" iron in concrete found for the most northerly northeast corner
4 of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE and the
5 northwest corner of the 2 acres tract described in the deed to The
6 City of Granbury recorded in volume 1291, page 287 of the said Real
7 Records.

8 Thence south 30 degrees-16 minutes-33 seconds east, along a
9 easterly line of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE
10 and the west line of said 2 acres tract, 132-65/100 feet to a 1/2"
11 iron in concrete found for the southwest corner of said 2 acres
12 tract.

13 Thence south 84 degrees-20 minutes-19 seconds east, along the
14 north line of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE and
15 the south line of said 2 acres tract, 282-34/100 feet to a 1/2" iron
16 in concrete found for the northeast corner of said SCOTTISH RITE
17 SUBDIVISION UNIT ONE TRACT ONE and the southeast corner of said 2
18 acres tract in the west right-of-way of Paluxy Highway (Farm to
19 Market Highway No. 51 South) in a curve to the left having a radius
20 of 1004-93/100 feet.

21 Thence southwesterly, along the east line of said SCOTTISH
22 RITE SUBDIVISION UNIT ONE TRACT ONE and the west right-of-way of
23 said Paluxy Highway, the following: along said curve to the left an
24 arc length of 111-32/100 feet to a 1/2" iron in concrete found at
25 its end, the long chord of said 111-32/100 feet arc is south 08
26 degrees-53 minutes-27 seconds west 111-26/100 feet; south 05
27 degrees-40 minutes-59 seconds west 250-10/100 feet to a 1/2" iron

1 in concrete found for the southeast corner of said SCOTTISH RITE
2 SUBDIVISION UNIT ONE TRACT ONE and the northeast corner of Lot 2
3 Block 1 PALUXY ROAD SUBDIVISION, according to the plat thereof
4 recorded in Slide A-349-A of the said Plat Records.

5 Thence north 84 degrees-18 minutes-30 seconds west, along the
6 south line of said SCOTTISH RITE SUBDIVISION UNIT ONE TRACT ONE and
7 the north line of said Lot 2 Block 1, 489-58/100 feet to a 1/2" iron
8 in concrete found for the southwest corner of said SCOTTISH RITE
9 SUBDIVISION UNIT ONE TRACT ONE and the northwest corner of said Lot
10 2 Block 1.

11 Thence southwesterly, along the west line of said Lot 2 Block
12 1 for the west line of said 1924-31/100 acres tract to and along the
13 west line of Lot 1R Block 1 PALUXY ROAD SUBDIVISION, according to
14 the plat thereof recorded in Slide B-20 of the said Plat Records,
15 the following: south 05 degrees-26 minutes-42 seconds west
16 110-07/100 feet to a 1/2" iron in concrete found; south 31
17 degrees-19 minutes-17 seconds west 230-43/100 feet to a 1/2" iron
18 in concrete found; south 06 degrees-42 minutes-57 seconds west
19 113-62/100 feet to a 1/2" capped iron found for the northeast corner
20 of the 20-72/100 acres tract described in the deed to Health
21 Facilities Investment Group I L.P. recorded in volume 1828, page
22 385 of the said Real Records and a easterly corner of said
23 1924-31/100 acres tract.

24 Thence northwesterly, southwesterly, along the north line of
25 said 20-72/100 acres tract, the following: north 77 degrees-21
26 minutes-57 seconds west 351-87/100 feet to a 5" pine post found;
27 south 76 degrees-40 minutes-34 seconds west 601-68/100 feet to a 5"

1 pine post found for the northwest corner of said 20-72/100 acres
2 tract.

3 Thence southwesterly and southeasterly, along the west and
4 south line of said 20-72/100 acres tract for a easterly and
5 northerly line of said 1924-31/100 acres tract, the following:
6 south 06 degrees-44 minutes-20 seconds west 301-61/100 feet to a
7 1/2" capped iron found; south 47 degrees-08 minutes-37 seconds east
8 699-62/100 feet to a 1/2" capped iron found; south 77 degrees-21
9 minutes-45 seconds east 910-80/100 feet to a 1/2" capped iron found
10 for the southeast corner of said 20-72/100 acres tract and a
11 easterly corner of said 1924-31/100 acres tract in the west
12 right-of-way of said Paluxy Road.

13 Thence southwesterly, along the southeasterly line of said
14 1924-31/100 acres tract along a fence for the westerly right-of-way
15 of said Paluxy Highway, the following: south 35 degrees-31
16 minutes-00 seconds west 299-95/100 feet to a 5/8" capped iron set;
17 south 07 degrees-37 minutes-31 seconds west 615-48/100 feet to a
18 5/8" capped iron set; south 33 degrees-26 minutes-50 seconds west
19 1005-05/100 feet to a 5/8" capped iron set at the intersection of
20 the westerly right-of-way of said Paluxy Highway and the north line
21 of Huddleston Road for the most southerly southeast corner of said
22 1924-31/100 acres tract.

23 Thence southwesterly, along the south line of said
24 1924-31/100 acres tract, generally along a fence to and along the
25 north line of the 15-005/1000 acres tract described in the deed to
26 The Ranch at Granbury, L. P. recorded in volume 1592, page 484 of
27 the said Real Records, the following: south 63 degrees-49

1 minutes-18 seconds west 673-72/100 feet to a 5/8" capped iron set;
2 south 66 degrees-55 minutes-40 seconds west 598-15/100 feet to a
3 1/2" iron found; south 63 degrees-47 minutes-28 seconds west
4 165-74/100 feet to a 1/2" iron found; south 53 degrees-52
5 minutes-00 seconds west 167-15/100 feet to a 1/2" iron found; south
6 47 degrees-17 minutes-55 seconds west 113-51/100 feet to a 1/2"
7 iron found; south 45 degrees-18 minutes-29 seconds west 447-49/100
8 feet to a 5/8" capped iron set; south 58 degrees-02 minutes-29
9 seconds west 322-02/100 feet to a 5/8" capped iron set; south 59
10 degrees-52 minutes-29 seconds west 1613-19/100 feet to a 5/8"
11 capped iron set to replace a 60 d nail found; south 56 degrees-27
12 minutes-29 seconds west 378-90/100 feet to a 5/8" iron found for the
13 most southerly southwest corner of said 1924-31/100 acres tract and
14 the southeast corner of Lot 12 Block B MEADOW WOOD ESTATES, an
15 addition to Hood County, Texas according to the Revised plat
16 thereof recorded in Slide A-289 of the said Plat Records.

17 Thence northwesterly, along the east line of said Block B
18 MEADOW WOOD ESTATES for a west line of said 1924-31/100 acres
19 tract, the following: north 31 degrees-40 minutes-02 seconds west
20 795-16/100 feet to a 1/2" iron found for the common corner of Lots 7
21 and 8 in said Block B; north 31 degrees-46 minutes-45 seconds west
22 1079-42/100 feet to a 5/8" iron found for the common corner of Lots
23 3 and 4 in said Block B; north 31 degrees-57 minutes-22 seconds west
24 193-60/100 feet to a 1/2" iron found; north 27 degrees-56
25 minutes-15 seconds west 607-31/100 feet to a 5/8" iron found for the
26 northeast corner of Lot 1 in said Block B and a re-entrant corner of
27 said 1924-31/100 acres tract.

1 Thence south 59 degrees-09 minutes-11 seconds west, along a
2 south line of said 1924-31/100 acres tract and the north line of
3 said Lot 1, 840-88/100 feet to a 5/8" capped iron set for a
4 southerly corner of said 1924-31/100 acres tract.

5 Thence north 30 degrees-21 minutes-01 seconds west, along a
6 west line of said 1924-31/100 acres tract, 599-92/100 feet to a 1/2"
7 iron found for the southwest corner of the 2 acres tract described
8 in the deed to The City of Granbury recorded in volume 1317, page
9 867 of the said Real Records.

10 Thence north 59 degrees-07 minutes-35 seconds east, along the
11 south line of said 2 acres tract, 420-01/100 feet to a 1/2" iron
12 found for the southeast corner of said 2 acres tract.

13 Thence north 30 degrees-52 minutes-06 seconds west, along the
14 east line of said 2 acres tract, 207-42/100 feet to a 1/2" iron
15 found for its northeast corner.

16 Thence south 59 degrees-07 minutes-38 seconds west, along the
17 north line of said 2 acres tract, 420-03/100 feet to a 5/8" capped
18 iron set for the northwest corner of said 2 acres tract for a
19 re-entrant corner of said 1924-31/100 acres tract.

20 Thence north 30 degrees-18 minutes-50 seconds west, along a
21 westerly line of said 1924-31/100 acres tract, 1187-69/100 feet to
22 a 5/8" capped iron set for a re-entrant corner of said 1924-31/100
23 acres tract.

24 Thence south 58 degrees-25 minutes-25 seconds west, along a
25 southerly line of said 1924-31/100 acres tract crossing Meadow Wood
26 Road, 44-49/100 feet to a 2-7/8" pipe post found for the northeast
27 corner of said 246-323/1000 acres tract.

1 Thence south 30 degrees-27 minutes-45 seconds east, along the
2 east line of said 246-323/1000 acres tract, 2014-14/100 feet to a
3 1/2" iron found for the southeast corner of said 246-323/1000 acres
4 tract and the northeast corner of Lot 1R of MEADOW WOOD ESTATES, an
5 addition to Hood County, Texas according to the plat thereof
6 recorded in Slide A-350A of the said Plat Records.

7 Thence south 58 degrees-36 minutes-47 seconds west, along the
8 south line of said 246-323/1000 acres tract and the north line of
9 said Lot 1R, 1234-58/100 feet to a 1/2" iron found for the northwest
10 corner of said Lot 1R and the northeast corner of the 35-113/1000
11 acres tract described in the deed to Daniel C. and Carolyn Fauber
12 recorded in volume 1729, page 204 of the said Real Records.

13 Thence south 58 degrees-41 minutes-34 seconds west, along the
14 north line of said 35-113/1000 acres tract for the south line of
15 said 246-323/1000 acres tract, 558-23/100 feet to a 6" pipe corner
16 post found for the northwest corner of said 35-113/1000 acres tract
17 a re-entrant corner of said 246-323/1000 acres tract.

18 Thence south 31 degrees-47 minutes-06 seconds east, along a
19 east line of said 246-323/1000 acres tract and the west line of said
20 35-113/1000 acres tract, 744-69/100 feet to a 6" pipe corner post
21 found for the southeast corner of said 246-323/1000 acres tract and
22 the northeast corner of Parcel One the 35 acres tract described in
23 the deed to Lester J. Walker and wife, Cleo Walker recorded in
24 volume 1012, page 681 of the said Real Records.

25 Thence south 58 degrees-46 minutes-49 seconds west, along the
26 south line of said 246-323/1000 acres tract and the north line of
27 said 35 acres tract to and along the north line of the 103-239/1000

1 acres tract described in the deed to The Lester J. Walker and Willie
2 C. Walker Revocable Trust recorded in volume 1554, page 484,
3 2341-51/100 feet to a 1/2" iron found for the southwest corner of
4 said 246-323/1000 acres tract and the northwest corner of said
5 103-239/1000 acres tract.

6 Thence north 30 degrees-44 minutes-50 seconds west, along the
7 west line of said 246-323/1000 acres tract 769-20/100 feet to a 3/8"
8 iron found for the most westerly northwest corner of said
9 246-323/1000 acres tract in the south line of said 1924-31/100
10 acres tract.

11 Thence south 58 degrees-09 minutes-02 seconds west, along the
12 south line of said 1924-31/100 acres tract 2306-39/100 feet to a 8"
13 cedar fence post found for the southwest corner of said 1924-31/100
14 acres tract and a re-entrant corner of Parcel One the 6 acres tract
15 described in the deed to Wayne Howard and Brenda Howard recorded in
16 volume 1722, page 785 of the said Real Records and to Brandon Dunlop
17 Howard in volume 1713, page 819 of the said Real Records from which
18 a 5/8" capped iron found marked RPLS # 5236 bears south 23
19 degrees-13 minutes-34 seconds west 1-37/100 feet.

20 Thence north 30 degrees-12 minutes-00 seconds west, along the
21 west line of said 1924-31/100 acres tract and the east line of said
22 Parcel One the 6 acres tract to and along the east line of the
23 23-076/1000 acres tract described in the deed to Michael Moffitt
24 and Patricia G. Moffitt recorded in volume 1736, page 87 of the said
25 Real Records, 1318-07/100 feet to a 3/8" iron found for a re-entrant
26 corner of said 1924-31/100 acres tract and the northeast corner of
27 said 23-076/1000 acres tract.

1 Thence south 59 degrees-34 minutes-28 seconds west, along a
2 south line of said 1924-31/100 acres tract and the north line of
3 said 23-076/1000 acres tract, 305-57/100 feet to a 8" cedar post
4 found for the most westerly southwest corner of said 1924-31/100
5 acres tract and the southeast corner of the 27-868/1000 acres tract
6 described in the deed to Franklin Delano Wentworth recorded in
7 volume 1414, page 827 of the said Real Records.

8 Thence northwesterly, along the west line of said
9 1924-31/1000 acres tract and the east line of said 1924-31/100
10 acres tract, to and along the east line of the 7-353/1000 acres
11 tract described in the deed to Shelly R. Maclellan recorded in
12 volume 1843, page 496 of the said Real Records, the following: north
13 31 degrees-32 minutes-30 seconds west 350 feet to a 1/2" iron found;
14 north 42 degrees-39 minutes-53 seconds west 2225-48/100 feet to a
15 railroad spike set in Knox Road for the northwest corner of said
16 1924-31/100 acres tract.

17 Thence north 59 degrees-20 minutes-08 seconds east, along a
18 northerly line of said 1924-31/100 acres tract, 673-90/100 feet to
19 a 5/8" capped iron set.

20 Thence north 52 degrees-18 minutes-08 seconds east,
21 continuing along the north line of said 1924-31/100 acres tract
22 80-89/100 feet to a 3/8" iron found for a re-entrant corner of said
23 1924-31/100 acres tract in the east line of Knox Road as fenced.

24 Thence north 30 degrees-25 minutes-40 seconds west, along the
25 west line of said 1924-31/100 acres tract, 1464-74/100 feet to a
26 concrete highway monument found for the northwest corner of said
27 1924-31/100 acres tract in the south right-of-way of U. S. Highway

1 No. 377.

2 Thence northeasterly, the south right-of-way of said U. S.
3 Highway No. 377, the following: north 35 degrees-45 minutes-34
4 seconds east 118-91/100 feet to a concrete highway monument found;
5 north 55 degrees-11 minutes-10 seconds east 3285-29/100 feet to a
6 concrete highway monument found at the beginning of a curve to the
7 right having a radius of 5729-58/100 feet; along said curve to the
8 right and arc length of 730-88/100 feet to a concrete highway
9 monument found at its end, the long chord of said 730-88/100 feet
10 arc is north 58 degrees-52 minutes-49 seconds east 730-39/100 feet;
11 north 62 degrees-20 minutes-41 seconds east 173-73/100 feet to a
12 concrete highway monument found; north 65 degrees-03 minutes-28
13 seconds east 199-86/100 feet to a concrete highway monument found;
14 north 62 degrees-52 minutes-36 seconds east 200 feet to a concrete
15 highway monument found; north 62 degrees-02 minutes-52 seconds east
16 1054-91/100 feet to a concrete highway monument found north 62
17 degrees-33 minutes-02 seconds east 7021-48/100 feet to a 5/8"
18 capped iron set for the most northerly northeast corner of said
19 1924-31/100 acres tract and the northwest corner of the 1-405/1000
20 acres tract described in the deed to Sandra Kay Hicks recorded in
21 volume 1686, page 885 of the said Real Records.

22 Thence south 28 degrees-01 minutes-32 seconds east, along a
23 east line of said 1924-31/100 acres tract and the west line of said
24 1-405/1000 acres tract, 63-80/100 feet to a 5/8" iron found for the
25 southwest corner of said 1-405/1000 acres tract.

26 Thence north 66 degrees-39 minutes-14 seconds east, along the
27 north line of said 1924-31/100 acres tract and the south line of

1 said 1-405/1000 acres tract 685-13/100 feet to a 1/2" iron found for
2 the southeast corner of said 1-405/1000 acres tract.

3 Thence north 66 degrees-41 minutes-41 seconds east,
4 continuing along the north line of said 1924-31/100 acres tract,
5 403-88/100 feet to a 5/8" iron found.

6 Thence north 03 degrees-03 minutes-49 seconds west 12-93/100
7 feet to a 60 d nail in post found for a north corner of said
8 1924-31/100 acres tract and the southwest corner of said 6-17/100
9 acres tract.

10 Thence north 66 degrees-55 minutes-34 seconds east, along the
11 north line of said 1924-31/100 acres tract and the south line of
12 said 6-17/100 acres tract, 218-89/100 feet to the place of
13 beginning and containing 2114-146/1000 acres of which 4-478/1000
14 acres lies in County Road as fenced.

15 Surveyed on the ground March and April, 2004.

16 A part of the MILAM COUNTY SCHOOL LAND SURVEY LOWER LEAGUE,
17 Abstract No. 903 and the E. HAMMACK SURVEY, Abstract No. 650
18 situated about 2-95/100 miles south 41 degrees-30 minutes west from
19 the courthouse in Granbury the county seat for Hood County, Texas;
20 embracing all of the 15-005/1000 acres tract described in the deed
21 to The Ranch at Granbury, L.P. recorded in volume 1592, page 484 of
22 the Real Records of Hood County, Texas and described by metes and
23 bounds as follows:

24 The bearings and coordinate positions are per the Texas
25 Coordinate System North Central Zone NAD 83 (1993). The lengths
26 shown hereon are horizontal ground lengths. To convert horizontal
27 ground lengths to grid lengths multiply by 0.999892309. All 5/8"

1 capped irons set called for in this description are marked (BROOKES
2 BAKER SURVEYORS).

3 Beginning at a 5/8" capped iron set for the northeast corner
4 of said 15-005/1000 acres tract in the south line of the 1924-31/100
5 acres tract described in the deed to The Ranch at Granbury, L. L. C
6 recorded in volume 1547, page 834 of the said Real Records, said
7 beginning corner having a grid coordinate value of X= 2,178,188.928
8 feet, Y= 6,833,138.021 feet.

9 Thence south 40 degrees-17 minutes-26 seconds east, along the
10 east line of said 15-005/1000 acres tract at 38 feet passing a 3/4"
11 pipe found for the northwest corner of the 1 acre tract described in
12 the deed to C. H. Huddleston and wife, Roberta Huddleston recorded
13 in volume 338, page 759 of the Deed Records of Hood County, Texas in
14 all, 354-40/100 feet to a 3/4" pipe found for the southeast corner
15 of said 15-005/1000 acres tract and the southwest corner of said 1
16 acre tract in the northwesterly right-of-way of Paluxy Highway
17 (Farm to Market Highway No. 51 south).

18 Thence south 33 degrees-31 minutes-11 seconds west, along the
19 easterly line of said 15-005/1000 acres tract and the westerly
20 right-of-way of said Paluxy Highway, 934-71/100 feet to a 1/2" iron
21 found for the southeasterly corner of said 15-005/1000 acres tract.
22 Thence northwesterly, along the west line of said 15-005/1000 acres
23 tract, the following: north 70 degrees-34 minutes-19 seconds west
24 199-49/100 feet to a 1/2" iron found; north 65 degrees-51
25 minutes-13 seconds west 135-11/100 feet to a 1/2" iron found; north
26 35 degrees-38 minutes-51 seconds west 547-37/100 feet to a 1/2"
27 iron found for the northwest corner of said 15-005/1000 acres tract

1 in the south line of said 1924-31/100 acres tract.

2 Thence northeasterly, along the north line of said
3 15-005/1000 acres tract and the south line of said 1524-31/100
4 acres tract, the following: north 47 degrees-17 minutes-55 seconds
5 east 113-51/100 feet to a 1/2" iron found; north 53 degrees-52
6 minutes-00 seconds east 167-15/100 feet to a 1/2" iron found; north
7 63 degrees-47 minutes-28 seconds east 165-74/100 feet to a 1/2"
8 iron found; north 66 degrees-55 minutes-40 seconds east 598-15/100
9 feet to the place of beginning and containing 653,712 square feet or
10 15-007/1000 acres.

11 Surveyed on the ground March and April, 2004.

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

19 (b) The governor, one of the required recipients, has
20 submitted the notice and Act to the Texas Commission on
21 Environmental Quality.

22 (c) The Texas Commission on Environmental Quality has filed
23 its recommendations relating to this Act with the governor, the
24 lieutenant governor, and the speaker of the house of
25 representatives within the required time.

26 (d) All requirements of the constitution and laws of this
27 state and the rules and procedures of the legislature with respect

H.B. No. 2035

1 to the notice, introduction, and passage of this Act are fulfilled
2 and accomplished.

3 SECTION 4. This Act takes effect September 1, 2009.