

1-1 By: Alonzo (Senate Sponsor - West) H.B. No. 4738
1-2 (In the Senate - Received from the House May 18, 2009;
1-3 May 19, 2009, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 23, 2009, reported favorably by
1-5 the following vote: Yeas 5, Nays 0; May 23, 2009, sent to
1-6 printer.)

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

1-9 relating to the creation of the North Oak Cliff Municipal
1-10 Management District; providing the authority to impose an
1-11 assessment, impose a tax, and issue bonds.

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

1-13 SECTION 1. Subtitle C, Title 4, Special District Local Laws
1-14 Code, is amended by adding Chapter 3884 to read as follows:

1-15 CHAPTER 3884. NORTH OAK CLIFF MUNICIPAL MANAGEMENT DISTRICT

1-16 SUBCHAPTER A. GENERAL PROVISIONS

1-17 Sec. 3884.001. DEFINITIONS. In this chapter:

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

1-19 (2) "City" means the City of Dallas.

1-20 (3) "District" means the North Oak Cliff Municipal
1-21 Management District.

1-22 (4) "Improvement project" means a project authorized
1-23 by Section 3884.102:

1-24 (A) inside the boundaries of the district; and

1-25 (B) in areas outside but adjacent to the
1-26 boundaries of the district if the project is for the purpose of
1-27 extending public infrastructure improvements beyond the district's
1-28 boundaries to a logical terminus.

1-29 Sec. 3884.002. CREATION AND NATURE OF DISTRICT. The
1-30 district is a special district created under Section 59, Article
1-31 XVI, Texas Constitution.

1-32 Sec. 3884.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The
1-33 creation of the district is essential to accomplish the purposes of
1-34 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
1-35 Texas Constitution, and other public purposes stated in this
1-36 chapter. By creating the district and in authorizing the city and
1-37 other political subdivisions to contract with the district, the
1-38 legislature has established a program to accomplish the public
1-39 purposes set out in Section 52-a, Article III, Texas Constitution.

1-40 (b) The creation of the district is necessary to promote,
1-41 develop, encourage, and maintain employment, commerce,
1-42 transportation, housing, tourism, recreation, the arts,
1-43 entertainment, economic development, safety, the public welfare in
1-44 the district, and educational scholarships for college-bound
1-45 students residing in or out of the district.

1-46 (c) The district is created to supplement and not to
1-47 supplant city services provided in the district.

1-48 Sec. 3884.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
1-49 The district is created to serve a public use and benefit.

1-50 (b) All land and other property included in the district
1-51 will benefit from the improvements and services to be provided by
1-52 the district under powers conferred by Sections 52 and 52-a,
1-53 Article III, and Section 59, Article XVI, Texas Constitution, and
1-54 other powers granted under this chapter.

1-55 (c) The creation of the district is in the public interest
1-56 and is essential to further the public purposes of:

1-57 (1) developing and diversifying the economy of the
1-58 state;

1-59 (2) eliminating unemployment and underemployment;

1-60 (3) developing or expanding transportation and
1-61 commerce; and

1-62 (4) providing quality residential housing.

1-63 (d) The district will:

1-64 (1) promote the health, safety, and general welfare of

2-1 residents, employers, employees, potential employees, visitors,
 2-2 and consumers in the district, and of the public;
 2-3 (2) provide needed funding for the district to
 2-4 preserve, maintain, and enhance the economic health and vitality of
 2-5 the district territory as a residential community and business
 2-6 center;
 2-7 (3) promote the health, safety, welfare, and enjoyment
 2-8 of the public by providing pedestrian ways and by landscaping and
 2-9 developing certain areas in the district, which are necessary for
 2-10 the restoration, preservation, and enhancement of scenic beauty;
 2-11 and
 2-12 (4) provide educational scholarships for
 2-13 college-bound students residing in or out of the district.
 2-14 (e) Pedestrian ways along or across a street, whether at
 2-15 grade or above or below the surface, and street lighting, street
 2-16 landscaping, vehicle parking, and street art objects are parts of
 2-17 and necessary components of a street and are considered to be an
 2-18 improvement project that includes a street or road improvement.
 2-19 (f) The district will not act as the agent or
 2-20 instrumentality of any private interest even though the district
 2-21 will benefit many private interests as well as the public.
 2-22 Sec. 3884.005. DISTRICT TERRITORY. (a) The district is
 2-23 composed of the territory described by Section 2 of the Act creating
 2-24 this chapter, as that territory may have been modified under
 2-25 Section 3884.106.
 2-26 (b) A mistake in the field notes of the district contained
 2-27 in Section 2 of the Act creating this chapter or in copying the
 2-28 field notes in the legislative process does not in any way affect:
 2-29 (1) the district's organization, existence, or
 2-30 validity;
 2-31 (2) the district's right to contract, including the
 2-32 right to issue any type of bond or other obligation for a purpose
 2-33 for which the district is created;
 2-34 (3) the district's right to impose or collect an
 2-35 assessment, tax, or any other revenue; or
 2-36 (4) the legality or operation of the board.
 2-37 Sec. 3884.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
 2-38 (a) All or any part of the area of the district is eligible to be
 2-39 included in:
 2-40 (1) a tax increment reinvestment zone created by the
 2-41 city under Chapter 311, Tax Code;
 2-42 (2) a tax abatement reinvestment zone created by the
 2-43 city under Chapter 312, Tax Code; or
 2-44 (3) an enterprise zone created by the city under
 2-45 Chapter 2303, Government Code.
 2-46 (b) If the city creates a tax increment reinvestment zone
 2-47 described by Subsection (a), the city and the board of directors of
 2-48 the zone, by contract with the district, may grant money deposited
 2-49 in the tax increment fund to the district to be used by the district
 2-50 for the purposes permitted for money granted to a corporation under
 2-51 Section 380.002(b), Local Government Code, including the right to
 2-52 pledge the money as security for any bonds issued by the district
 2-53 for an improvement project. A project may not receive public funds
 2-54 under Section 380.002(b), Local Government Code, unless the project
 2-55 has been approved by the governing body of the city by the adoption
 2-56 of a resolution.
 2-57 (c) A tax increment reinvestment zone created by the city in
 2-58 the district is not subject to the limitations provided by Section
 2-59 311.006(b), Tax Code.
 2-60 [Sections 3884.007-3884.050 reserved for expansion]
 2-61 SUBCHAPTER B. BOARD OF DIRECTORS
 2-62 Sec. 3884.051. GOVERNING BODY; TERMS. (a) The district is
 2-63 governed by a board of nine directors composed of:
 2-64 (1) six directors appointed by the governing body of
 2-65 the city under Subsections (b) and (c);
 2-66 (2) one assistant city manager of the city, appointed
 2-67 by the city manager;
 2-68 (3) the chief financial officer of the city; and
 2-69 (4) the economic director of the city.

3-1 (b) Before the term of each director expires as provided by
 3-2 Subsection (d), the owner or owners of a majority of the appraised
 3-3 value of the real property in the district, or the majority of the
 3-4 record owners of real property in the district subject to taxation,
 3-5 may submit a petition to the governing body of the city requesting
 3-6 that the governing body appoint as successor directors the persons
 3-7 named in the petition. If the persons named in the petition meet
 3-8 the qualifications prescribed by Sections 3884.052 and 3884.053,
 3-9 the governing body may appoint those persons as successor
 3-10 directors.

3-11 (c) If a petition is not submitted under Subsection (b), the
 3-12 governing body of the city shall appoint as successor directors
 3-13 persons who meet the qualifications prescribed by Sections 3884.052
 3-14 and 3884.053.

3-15 (d) Directors serve staggered terms of four years, with four
 3-16 or five directors' terms expiring July 1 of each odd-numbered year.

3-17 Sec. 3884.052. APPOINTMENT OF DIRECTORS; BOARD MEETINGS.

3-18 (a) Directors appointed by the governing body of the city must meet
 3-19 at least one of the qualifications prescribed by Section 3884.053.

3-20 (b) A person may not be appointed to the board by the
 3-21 governing body of the city if the appointment of that person would
 3-22 result in fewer than:

3-23 (1) four of the directors being residents of the city
 3-24 and meeting the qualifications prescribed by Section
 3-25 3884.053(a)(2), (3), (4), or (5); and

3-26 (2) two of the directors meeting the qualifications
 3-27 prescribed by Section 3884.053(a)(1).

3-28 (c) The governing body of the city may not appoint a person
 3-29 as a director if the appointment will result in more than four
 3-30 persons serving on the board at any time who are seeking financial
 3-31 assistance or reimbursement from the district for capital
 3-32 improvements in the district.

3-33 (d) The governing body of the city may remove a member of the
 3-34 board with or without cause at any time by a majority vote.

3-35 (e) The board shall hold meetings at a place accessible to
 3-36 the public. The board shall file a copy of the notice of a meeting
 3-37 with the city's secretary. The city's secretary shall post the
 3-38 notice at Dallas City Hall.

3-39 (f) The board may not create an executive committee to
 3-40 exercise the powers of the board.

3-41 (g) If an office described in Section 3884.051(a) is
 3-42 renamed, changed, or abolished, the governing body of the city may
 3-43 appoint another city officer or employee who performs duties
 3-44 comparable to those performed by the officer described by that
 3-45 subsection.

3-46 Sec. 3884.053. QUALIFICATIONS OF DIRECTORS APPOINTED BY
 3-47 CITY. (a) To be qualified to serve as a director appointed by the
 3-48 governing body of the city, a person must be at least 18 years old
 3-49 and must be:

3-50 (1) a resident of the district who is also a registered
 3-51 voter of the district or a registered voter who lives within a
 3-52 two-mile radius of the district;

3-53 (2) an owner of property in the district;

3-54 (3) an owner of stock, whether beneficial or
 3-55 otherwise, of a corporate owner of property in the district;

3-56 (4) an owner of a beneficial interest in a trust that
 3-57 owns property in the district; or

3-58 (5) an agent, employee, or tenant of a person covered
 3-59 by Subdivision (2), (3), or (4).

3-60 (b) Section 49.052, Water Code, does not apply to the
 3-61 district.

3-62 Sec. 3884.054. VACANCY. The governing body of the city
 3-63 shall fill a vacancy on the board by appointing a person who meets
 3-64 the qualifications prescribed by Section 3884.051(a) or 3884.053 to
 3-65 serve for the remainder of the unexpired term.

3-66 Sec. 3884.055. DIRECTOR'S OATH OR AFFIRMATION. A
 3-67 director's oath or affirmation of office shall be filed with the
 3-68 district and the district shall retain the oath or affirmation in
 3-69 the district records. A copy of each director's oath or affirmation

4-1 of office shall be filed with the city's secretary.

4-2 Sec. 3884.056. OFFICERS. The board shall elect from among
 4-3 the directors a chair, a vice chair, and a secretary. The offices
 4-4 of chair and secretary may not be held by the same person
 4-5 concurrently.

4-6 Sec. 3884.057. COMPENSATION; EXPENSES; LIABILITY INSURANCE
 4-7 FOR DIRECTORS. (a) The district may compensate each director in an
 4-8 amount not to exceed \$50 for each board meeting. The total amount
 4-9 of compensation for each director in one year may not exceed \$2,000.

4-10 (b) Directors are entitled to reimbursement for necessary
 4-11 and reasonable expenses incurred in carrying out the duties and
 4-12 responsibilities of the board.

4-13 (c) The district may obtain and pay for comprehensive
 4-14 general liability insurance coverage from a commercial insurance
 4-15 company or other source that protects and insures a director
 4-16 against personal liability and from any and all claims relating to:

4-17 (1) actions taken by the director in the director's
 4-18 capacity as a member of the board;

4-19 (2) actions and activities taken by the district; or

4-20 (3) the actions of others acting on behalf of the
 4-21 district.

4-22 Sec. 3884.058. CONFLICTS OF INTEREST. (a) A director,
 4-23 including a director who qualifies under Section 3884.053(a)(2),
 4-24 (3), (4), or (5), may participate in all board votes and decisions
 4-25 if the director complies with the requirements of Subsection (b).

4-26 (b) A director shall comply with Section 171.004, Local
 4-27 Government Code, including the disclosure and abstention
 4-28 requirements of that section. A director must file a copy of the
 4-29 director's disclosure affidavit required by Section 171.004, Local
 4-30 Government Code, with the city's secretary before participating in
 4-31 a board discussion or vote.

4-32 Sec. 3884.059. INITIAL DIRECTORS. (a) The initial board
 4-33 consists of the following directors:

4-34 (1) Place 1: a director who qualifies under Section
 4-35 3884.053(a)(2), (3), (4), or (5), appointed by the governing body
 4-36 of the city;

4-37 (2) Place 2: a director who qualifies under Section
 4-38 3884.053(a)(2), (3), (4), or (5), appointed by the governing body
 4-39 of the city;

4-40 (3) Place 3: a director who qualifies under Section
 4-41 3884.053(a)(2), (3), (4), or (5), appointed by the governing body
 4-42 of the city;

4-43 (4) Place 4: a director who qualifies under Section
 4-44 3884.053(a)(2), (3), (4), or (5), appointed by the governing body
 4-45 of the city;

4-46 (5) Place 5: a director who qualifies under Section
 4-47 3884.053(a)(1), appointed by the governing body of the city;

4-48 (6) Place 6: a director who qualifies under Section
 4-49 3884.053(a)(1), appointed by the governing body of the city;

4-50 (7) Place 7: a City of Dallas assistant city manager,
 4-51 appointed by the Dallas city manager;

4-52 (8) Place 8: the City of Dallas chief financial
 4-53 officer; and

4-54 (9) Place 9: the director of the City of Dallas
 4-55 Office of Economic Development.

4-56 (b) Of the initial directors, the terms of directors
 4-57 appointed for places 1, 2, 3, and 4 expire July 1, 2011, and the
 4-58 terms of directors appointed for places 5, 6, 7, 8, and 9 expire
 4-59 July 1, 2013.

4-60 (c) This section expires September 1, 2013.

4-61 [Sections 3884.060-3884.100 reserved for expansion]

4-62 SUBCHAPTER C. POWERS AND DUTIES

4-63 Sec. 3884.101. GENERAL POWERS AND DUTIES. The district has
 4-64 the powers and duties provided by this chapter and by:

4-65 (1) the general laws relating to conservation and
 4-66 reclamation districts created under Section 59, Article XVI, Texas
 4-67 Constitution, including Chapters 49 and 54, Water Code;

4-68 (2) Chapter 441, Transportation Code, except that:

4-69 (A) the district may exercise any power granted

5-1 by this chapter without regard to any provision or requirement of or
5-2 procedure prescribed by Chapter 441, Transportation Code; and
5-3 (B) the district may not build or operate a toll
5-4 road;
5-5 (3) Subchapter A, Chapter 372, Local Government Code,
5-6 in the same manner as a municipality or a county;
5-7 (4) Chapter 1371, Government Code;
5-8 (5) Chapter 375, Local Government Code; and
5-9 (6) Chapter 311, Tax Code.

5-10 Sec. 3884.102. IMPROVEMENT PROJECTS. (a) The district may
5-11 provide, or it may enter into contracts with a governmental or
5-12 private entity to provide, the following types of improvement
5-13 projects located in the district or activities in support of or
5-14 incidental to those projects:

5-15 (1) a supply and distribution facility or system to
5-16 provide potable and nonpotable water to the residents and
5-17 businesses of the district, including a wastewater collection
5-18 facility;
5-19 (2) a paved, macadamized, or graveled road or street,
5-20 inside and outside the district, to the full extent authorized by
5-21 Section 52, Article III, Texas Constitution;
5-22 (3) the planning, design, construction, improvement,
5-23 and maintenance of:

5-24 (A) landscaping;
5-25 (B) highway right-of-way or transit corridor
5-26 beautification and improvement;
5-27 (C) lighting, banners, and signs;
5-28 (D) a street or sidewalk;
5-29 (E) a hiking and cycling path or trail;
5-30 (F) a pedestrian walkway, skywalk, crosswalk, or
5-31 tunnel;
5-32 (G) a park, lake, garden, recreational facility,
5-33 community activities center, dock, wharf, sports facility, open
5-34 space, scenic area, or related exhibit or preserve;
5-35 (H) a fountain, plaza, or pedestrian mall; or
5-36 (I) a drainage or storm-water detention
5-37 improvement;

5-38 (4) protection and improvement of the quality of storm
5-39 water that flows through the district;
5-40 (5) the planning, design, construction, improvement,
5-41 maintenance, and operation of:

5-42 (A) a water or sewer facility; or
5-43 (B) an off-street parking facility or heliport;
5-44 (6) the planning and acquisition of:

5-45 (A) public art and sculpture and related exhibits
5-46 and facilities; or
5-47 (B) an educational facility, and a cultural
5-48 exhibit or facility;
5-49 (7) the planning, design, construction, acquisition,
5-50 lease, rental, improvement, maintenance, installation, and
5-51 management of and provision of furnishings for a facility for:

5-52 (A) a conference, convention, or exhibition;
5-53 (B) a manufacturer, consumer, or trade show;
5-54 (C) a civic, community, or institutional event;
5-55 or
5-56 (D) an exhibit, display, attraction, special
5-57 event, or seasonal or cultural celebration or holiday;
5-58 (8) the removal, razing, demolition, or clearing of
5-59 land or improvements in connection with improvement projects;
5-60 (9) the acquisition and improvement of land or other
5-61 property for the mitigation of the environmental effects of an
5-62 improvement project if those costs are incurred in accordance with
5-63 a development agreement and reimbursement of those costs is
5-64 conditioned on the completion of substantial vertical development,
5-65 or the costs are related to a transit or mobility project;
5-66 (10) the acquisition of property or an interest in
5-67 property in connection with one or more authorized improvement
5-68 projects, including a project authorized by Subchapter A, Chapter
5-69 372, Local Government Code;

6-1 (11) a special or supplemental service for the
6-2 improvement and promotion of the district or an area adjacent to the
6-3 district or for the protection of public health and safety in or
6-4 adjacent to the district, including:
6-5 (A) advertising;
6-6 (B) promotion;
6-7 (C) tourism;
6-8 (D) health and sanitation;
6-9 (E) public safety;
6-10 (F) security;
6-11 (G) fire protection or emergency medical
6-12 services;
6-13 (H) business recruitment;
6-14 (I) elimination of traffic congestion, including
6-15 by use of rail services;
6-16 (J) recreational, educational, or cultural
6-17 improvements, enhancements, and services; and
6-18 (K) creation and financing of a higher education
6-19 scholarship fund for students attending Mountain View College or
6-20 the University of North Texas (Dallas Campus); or
6-21 (12) any similar public improvement, facility, or
6-22 service.
6-23 (b) The district may not undertake an improvement project
6-24 under this section unless the board determines the project to be
6-25 necessary to accomplish a public purpose of the district and has
6-26 received the approval of the city under Section 3884.160.
6-27 (c) An improvement project must comply with any applicable
6-28 codes and ordinances of the city.
6-29 (d) The district may not provide, conduct, or authorize an
6-30 improvement project on the city streets, highways, rights-of-way,
6-31 or easements without the consent of the governing body of the city.
6-32 (e) Subject to an agreement between the district and the
6-33 city, the city may:
6-34 (1) by ordinance, order, or resolution require that
6-35 title to all or any portion of an improvement project vest in the
6-36 city; or
6-37 (2) unless prohibited by Subsection (h), by ordinance,
6-38 order, resolution, or other directive, authorize the district to
6-39 own, encumber, maintain, and operate an improvement project,
6-40 subject to the right of the city to order a conveyance of the
6-41 improvement project to the city on a date determined by the city.
6-42 (f) The district shall immediately comply with any city
6-43 ordinance, order, or resolution adopted under Subsection (e).
6-44 (g) For the purposes of this section, planning, design,
6-45 construction, improvement, and maintenance of a lake includes work
6-46 done for drainage, reclamation, or recreation.
6-47 (h) Waterworks and sanitary sewer improvements may be
6-48 undertaken by the district inside or outside the boundaries of the
6-49 district, subject to the following conditions:
6-50 (1) the city shall request that waterworks or sanitary
6-51 sewer improvements be funded by the district;
6-52 (2) the city shall construct, own, operate, and
6-53 maintain the improvements; and
6-54 (3) the district shall comply with Sections 3884.152,
6-55 3884.157, and 3884.160 as a condition for the district to fund the
6-56 improvements.
6-57 Sec. 3884.103. GENERAL POWERS REGARDING CONTRACTS. (a)
6-58 The district may:
6-59 (1) contract with any person to accomplish any
6-60 district purpose, including a contract for:
6-61 (A) the payment, repayment, or reimbursement of
6-62 costs incurred by that person on behalf of the district, including
6-63 all or part of the costs of any improvement project and interest on
6-64 the reimbursed cost; or
6-65 (B) the use, occupancy, lease, rental,
6-66 operation, maintenance, or management of all or part of a proposed
6-67 or existing improvement project; and
6-68 (2) apply for and contract with any person to receive,
6-69 administer, and perform a duty or obligation of the district under a

7-1 federal, state, local, or private gift, grant, loan, conveyance,
 7-2 transfer, bequest, or other financial assistance arrangement
 7-3 relating to the investigation, planning, analysis, study, design,
 7-4 acquisition, construction, improvement, completion,
 7-5 implementation, or operation by the district or others of a
 7-6 proposed or existing improvement project.

7-7 (b) A contract the district enters into to carry out a
 7-8 purpose of this chapter may be on any terms and for any period the
 7-9 board determines, including a negotiable or nonnegotiable note or
 7-10 warrant payable to the city, Dallas County, or any other person.

7-11 (c) Any person may contract with the district to carry out
 7-12 the purposes of this chapter without further statutory or other
 7-13 authorization.

7-14 (d) The district must follow Resolution 08-2826, adopted by
 7-15 the city on October 22, 2008, for construction, procurement, and
 7-16 professional services contracts related to the use of historically
 7-17 underutilized businesses and minority contracting in the
 7-18 implementation of its district plan.

7-19 Sec. 3884.104. RULES; ENFORCEMENT. (a) The district may
 7-20 adopt rules:

7-21 (1) to administer or operate the district;
 7-22 (2) for the use, enjoyment, availability, protection,
 7-23 security, and maintenance of the district's property and
 7-24 facilities; or
 7-25 (3) to provide for public safety and security in the
 7-26 district.

7-27 (b) The district may enforce its rules by injunctive relief.

7-28 (c) To the extent a district rule conflicts with a city
 7-29 rule, order, or regulation, the city rule, order, or regulation
 7-30 controls.

7-31 (d) The district shall provide the city with written notice
 7-32 not later than the 30th day before the date of a meeting at which the
 7-33 board will adopt rules. The district may not adopt a rule affecting
 7-34 the use of a municipally owned asset, such as a public park, street,
 7-35 sidewalk, transit facility, or public right-of-way, unless the
 7-36 governing body of the city has approved the rule by ordinance,
 7-37 order, or resolution.

7-38 Sec. 3884.105. NAME CHANGE. The board by resolution may
 7-39 change the district's name. The board shall give written notice of
 7-40 the change to the city.

7-41 Sec. 3884.106. ADDING OR REMOVING TERRITORY. The board may
 7-42 add or remove territory under Subchapter J, Chapter 49, Water Code,
 7-43 and Section 54.016, Water Code, except that:

7-44 (1) the addition or removal of the territory must be
 7-45 approved by:

7-46 (A) the governing body of the city by ordinance,
 7-47 order, or resolution; and

7-48 (B) the owners of the territory being added or
 7-49 removed;

7-50 (2) a reference to a tax in Subchapter J, Chapter 49,
 7-51 Water Code, or Section 54.016, Water Code, means an ad valorem tax;
 7-52 and

7-53 (3) territory may not be removed from the district if
 7-54 bonds or other obligations of the district payable wholly or partly
 7-55 from ad valorem taxes or assessments imposed or assessed on the
 7-56 territory are outstanding.

7-57 Sec. 3884.107. ECONOMIC DEVELOPMENT. (a) The district may
 7-58 create economic development and other programs under Section 52-a,
 7-59 Article III, Texas Constitution, and may impose and collect ad
 7-60 valorem taxes for those purposes. The district has the economic
 7-61 development powers that Chapter 380, Local Government Code,
 7-62 provides to a municipality with a population of more than 100,000.
 7-63 Each economic development program and each project that will
 7-64 receive public funds under an economic development program must be
 7-65 approved by the governing body of the city by ordinance, order, or
 7-66 resolution.

7-67 (b) The district shall provide the city written notice not
 7-68 later than the 30th day before the date of a meeting at which the
 7-69 board will adopt terms of an economic development program. The

8-1 district may not adopt an economic development program or
 8-2 improvement project to be funded under an economic development
 8-3 program unless the governing body of the city has approved the
 8-4 program or improvement project by ordinance, order, or resolution.

8-5 Sec. 3884.108. NO EMINENT DOMAIN POWER. The district may
 8-6 not exercise the power of eminent domain.

8-7 Sec. 3884.109. TERMS OF EMPLOYMENT; COMPENSATION. The
 8-8 board may employ and establish the terms of employment and
 8-9 compensation of an executive director or general manager and any
 8-10 other district employees the board considers necessary. An
 8-11 employee may not receive annual compensation of more than \$150,000
 8-12 from public funds of the district.

8-13 Sec. 3884.110. NOTICE TO PROPERTY OWNERS. (a) The board
 8-14 shall annually provide owners of real property in the district
 8-15 written notice that specifies the tax of the district for the
 8-16 district's next fiscal year in sufficient clarity to describe the
 8-17 tax rate for the operation and maintenance of the district and the
 8-18 tax rate for the payment of debt service of obligations issued or
 8-19 incurred by the district. The written notice must be sent by first
 8-20 class United States mail, postage prepaid, to the current address
 8-21 of the property owner as reflected on the tax rolls of the appraisal
 8-22 district.

8-23 (b) The notice must clearly state that the tax rates on real
 8-24 property imposed in the district are in addition to the ad valorem
 8-25 taxes imposed by other taxing units that tax real property in the
 8-26 boundaries of the district.

8-27 (c) The district shall generate and implement a program to
 8-28 provide notification to a prospective purchaser of property in the
 8-29 district of the rates of tax and assessments that have been approved
 8-30 and are imposed by the district.

8-31 [Sections 3884.111-3884.150 reserved for expansion]

8-32 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

8-33 Sec. 3884.151. GENERAL POWERS REGARDING FINANCIAL MATTERS.

8-34 (a) Except as provided by Section 3884.160, the district may:

8-35 (1) impose an ad valorem tax on all taxable industrial
 8-36 and commercial property in the district to pay for any improvement
 8-37 projects of the types authorized by Section 52(b), Article III, and
 8-38 Section 59, Article XVI, Texas Constitution, and to secure the
 8-39 payment of bonds issued for those purposes;

8-40 (2) impose an assessment on property in the district
 8-41 to pay the cost of any authorized improvement project and the cost
 8-42 of the maintenance of the project in the manner provided for:

8-43 (A) a district under Subchapters A, E, and F,
 8-44 Chapter 375, Local Government Code; or

8-45 (B) a municipality or county under Subchapter A,
 8-46 Chapter 372, Local Government Code;

8-47 (3) provide or secure the payment or repayment of any
 8-48 bond, note, or other temporary or permanent obligation or
 8-49 reimbursement or other contract with any person, the costs and
 8-50 expenses of the establishment, administration, and operation of the
 8-51 district, and the district's costs or share of the costs or revenue
 8-52 of an improvement project or district contractual obligation or
 8-53 indebtedness by or through:

8-54 (A) the imposition of an ad valorem tax,
 8-55 assessment, user fee, concession fee, or rental charge; and

8-56 (B) any other revenue or resources of the
 8-57 district, or other revenue authorized by the city, including
 8-58 revenue from a tax increment reinvestment zone created by the city
 8-59 under applicable law;

8-60 (4) establish user charges related to the operation of
 8-61 storm-water facilities, including the regulation of storm water for
 8-62 the protection of water quality in the district;

8-63 (5) establish user charges for the use of nonpotable
 8-64 water for irrigation purposes, subject to the approval of the
 8-65 governing body of the city;

8-66 (6) undertake separately or jointly with other
 8-67 persons, including the city or Dallas County, all or part of the
 8-68 cost of any improvement project, including an improvement project:

8-69 (A) for improving, enhancing, and supporting

9-1 public safety and security, fire protection and emergency medical
 9-2 services, and law enforcement in and adjacent to the district; or
 9-3 (B) that confers a general benefit on the entire
 9-4 district or a special benefit on a definable part of the district;
 9-5 and

9-6 (7) enter into a tax abatement agreement in accordance
 9-7 with the general laws of this state authorizing and applicable to
 9-8 tax abatement agreements by municipalities.

9-9 (b) The district may not impose an ad valorem tax to pay for
 9-10 an improvement project under this chapter unless the imposition is
 9-11 approved by the voters of the district voting at an election held
 9-12 for that purpose. The board may call an election to approve the
 9-13 imposition of an ad valorem tax to pay for an improvement project
 9-14 under this chapter only if the board receives a petition requesting
 9-15 the election signed by:

9-16 (1) at least 65 percent of the record owners of real
 9-17 property in the district subject to taxation; or

9-18 (2) owners representing at least 65 percent of the
 9-19 appraised value of real property in the district subject to
 9-20 taxation, as determined by the tax rolls of the appraisal district.

9-21 Sec. 3884.152. BORROWING MONEY. (a) The district may
 9-22 borrow money for a district purpose by issuing or executing bonds,
 9-23 notes, credit agreements, or other obligations of any kind found by
 9-24 the board to be necessary or appropriate for any district purpose.
 9-25 The bond, note, credit agreement, or other obligation may be
 9-26 secured by and payable from ad valorem taxes, assessments, a
 9-27 combination of ad valorem taxes and assessments, or other district
 9-28 revenue. The governing body of the city must approve the issuance
 9-29 of bonds, notes, credit agreements, or other obligations of the
 9-30 district, in general terms before the preparation of preliminary
 9-31 official statements or loan closing documents, as provided by the
 9-32 development and operating agreement approved by the city in
 9-33 accordance with Section 3884.160, or by separate action.

9-34 (b) The governing body of the city must approve the final
 9-35 terms of the bond issuance, note, or credit facility, including the
 9-36 principal amount, note amount, interest rate or rates, redemption
 9-37 provisions, and other terms and conditions relating to the
 9-38 issuance.

9-39 (c) The district shall file annual audited financial
 9-40 statements with the city's secretary.

9-41 Sec. 3884.153. ASSESSMENTS; EXEMPTION. (a) The district
 9-42 may impose an assessment on property in the district, including an
 9-43 assessment on commercial, industrial, or office property, only in
 9-44 the manner provided by Subchapter A, Chapter 372, Local Government
 9-45 Code, or Subchapter F, Chapter 375, Local Government Code, for a
 9-46 municipality, county, or public improvement district, according to
 9-47 the benefit received by the property.

9-48 (b) An assessment on property must be for the limited
 9-49 purpose of providing capital funding for:

9-50 (1) public water and wastewater facilities;

9-51 (2) drainage and storm-water facilities;

9-52 (3) streets and alleys; and

9-53 (4) any authorized purpose under Chapter 372, Local
 9-54 Government Code.

9-55 (c) An assessment, a reassessment, or an assessment
 9-56 resulting from an addition to or correction of the assessment roll
 9-57 by the district, penalties and interest on an assessment or
 9-58 reassessment, an expense of collection, and reasonable attorney's
 9-59 fees incurred by the district:

9-60 (1) are a first and prior lien against the property
 9-61 assessed; and

9-62 (2) are superior to any other lien or claim other than
 9-63 a lien or claim for county, school district, or municipal ad valorem
 9-64 taxes.

9-65 (d) A lien of an assessment against property under this
 9-66 chapter runs with the land, and the portion of an assessment payment
 9-67 obligation that has not yet come due is not eliminated by the
 9-68 foreclosure of an ad valorem tax lien. Any purchaser of property in
 9-69 a foreclosure of an ad valorem tax lien takes the property subject

10-1 to the assessment payment obligations that have not yet come due and
 10-2 to the lien and terms of payment under the applicable assessment
 10-3 ordinance or order.

10-4 (e) The board may make a correction to or deletion from the
 10-5 assessment roll that does not increase the amount of assessment of
 10-6 any parcel of land without providing notice and holding a hearing in
 10-7 the manner required for additional assessments.

10-8 (f) The district shall file notice of any tax or assessment
 10-9 imposed by the district with the county clerk of Dallas County and
 10-10 post the notice on the district's Internet website.

10-11 Sec. 3884.154. RESIDENTIAL PROPERTY EXEMPT. The district
 10-12 may not impose taxes, assessments, fees, or any other requirement
 10-13 for payment, construction, alteration, or dedication on
 10-14 single-family detached residential property, residential
 10-15 condominiums, duplexes, triplexes, and quadruplexes.

10-16 Sec. 3884.155. MAINTENANCE AND OPERATION TAX; ELECTION.
 10-17 (a) The district may impose a tax for maintenance and operation
 10-18 purposes, including for:

10-19 (1) planning, constructing, acquiring, maintaining,
 10-20 repairing, and operating all improvement projects, including land,
 10-21 plants, works, facilities, improvements, appliances, and equipment
 10-22 of the district; and

10-23 (2) paying costs of services, engineering and legal
 10-24 fees, and organization and administrative expenses, including
 10-25 expenses of the city payable under the terms of the project
 10-26 development agreement described by Section 3884.160.

10-27 (b) The district may not impose a maintenance and operation
 10-28 tax for improvement projects under this chapter unless the
 10-29 imposition of the tax is approved by the voters of the district
 10-30 voting at an election held for that purpose. An election may be
 10-31 called only on receipt of a petition as provided by Section
 10-32 3884.151(b).

10-33 (c) A maintenance and operation tax election may be held at
 10-34 the same time and in conjunction with any other district election.
 10-35 The election may be called by a separate election order or as part
 10-36 of any other election order.

10-37 Sec. 3884.156. USE OF SURPLUS MAINTENANCE AND OPERATION
 10-38 MONEY. If the district has surplus maintenance and operation tax
 10-39 money that is not needed for the purposes for which it was
 10-40 collected, the money may be used for any authorized purpose.

10-41 Sec. 3884.157. BONDS AND OTHER OBLIGATIONS. (a) Subject to
 10-42 the requirements of Sections 3884.159 and 3884.160, the district
 10-43 may issue by public or private sale bonds, notes, or other
 10-44 obligations payable wholly or partly from ad valorem taxes, or by
 10-45 assessments in the manner provided by Subchapter A, Chapter 372,
 10-46 Local Government Code, or Subchapter J, Chapter 375, Local
 10-47 Government Code.

10-48 (b) In exercising the district's borrowing power, the
 10-49 district may issue a bond or other obligation in the form of a bond,
 10-50 note, certificate of participation or other instrument evidencing a
 10-51 proportionate interest in payments to be made by the district, or
 10-52 any other type of obligation.

10-53 (c) In addition to the sources of money described by
 10-54 Subchapter A, Chapter 372, Local Government Code, and Subchapter J,
 10-55 Chapter 375, Local Government Code, district bonds may be secured
 10-56 and made payable wholly or partly by a pledge of any part of the
 10-57 money the district receives from system or improvement project
 10-58 revenue or from any other source.

10-59 Sec. 3884.158. BOND MATURITY. Bonds may mature not more
 10-60 than 40 years from their date of issue.

10-61 Sec. 3884.159. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
 10-62 the time bonds or other obligations payable wholly or partly from ad
 10-63 valorem taxes are issued:

10-64 (1) the board shall impose a continuing direct annual
 10-65 ad valorem tax for each year that all or part of the bonds are
 10-66 outstanding; and

10-67 (2) the district annually shall impose an ad valorem
 10-68 tax on all taxable property in the district in an amount sufficient
 10-69 to:

11-1 (A) pay the interest on the bonds or other
 11-2 obligations as the interest becomes due; and
 11-3 (B) create a sinking fund for the payment of the
 11-4 principal of the bonds or other obligations when due or the
 11-5 redemption price at any earlier required redemption date.

11-6 Sec. 3884.160. DEVELOPMENT AND OPERATING AGREEMENT
 11-7 REQUIRED. (a) After the district's board is organized, but before
 11-8 the district may undertake any improvement project, issue bonds,
 11-9 impose taxes, levy assessments or fees, or borrow money, the
 11-10 district and the city must negotiate and execute a mutually
 11-11 approved and accepted development and operating agreement,
 11-12 including any limitations imposed by the city, regarding the plans
 11-13 and rules for:

11-14 (1) the exercise of the powers granted to the district
 11-15 under this chapter, including the organization, development, and
 11-16 operation of the district;

11-17 (2) the selection and description of improvement
 11-18 projects that may be undertaken and financed by the district and the
 11-19 ownership, operation, and maintenance of those projects;

11-20 (3) the terms, conditions, methods, means, and amounts
 11-21 of financing authorized by this chapter that the district may use in
 11-22 providing improvement projects; and

11-23 (4) the amounts, methods, and times of reimbursement
 11-24 to the city for costs and expenses, if any, incurred by the city
 11-25 with respect to the development and operation of the district and
 11-26 the financing of improvement projects by the district.

11-27 (b) An agreement authorized by this section is not effective
 11-28 until its terms and execution are approved by the board and the
 11-29 governing body of the city by resolution.

11-30 [Sections 3884.161-3884.250 reserved for expansion]

11-31 SUBCHAPTER E. DISSOLUTION

11-32 Sec. 3884.251. DISSOLUTION BY CITY ORDINANCE. (a) The city
 11-33 by ordinance may dissolve the district.

11-34 (b) The city may not dissolve the district until the
 11-35 district's outstanding indebtedness or contractual obligations
 11-36 that are payable from ad valorem taxes have been repaid or
 11-37 discharged, or the city has affirmatively assumed the obligation to
 11-38 pay the outstanding indebtedness from the city's lawfully available
 11-39 revenue.

11-40 (c) The city may not dissolve the district until the
 11-41 agreement under Section 3884.160 has been executed and the
 11-42 district's performance under the agreement has been fulfilled,
 11-43 including any right or obligation the district has to reimburse a
 11-44 developer or owner for the costs of improvement projects.

11-45 Sec. 3884.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

11-46 (a) If the dissolved district has bonds or other obligations
 11-47 outstanding secured by and payable from assessments or other
 11-48 revenue, other than ad valorem taxes, the city shall succeed to the
 11-49 rights and obligations of the district regarding enforcement and
 11-50 collection of the assessments or other revenue.

11-51 (b) The city shall have and exercise all district powers to
 11-52 enforce and collect the assessments or other revenue to pay:

11-53 (1) the bonds or other obligations when due and
 11-54 payable according to their terms; or

11-55 (2) special revenue or assessment bonds or other
 11-56 obligations issued by the city to refund the outstanding bonds or
 11-57 obligations.

11-58 Sec. 3884.253. CONCURRENCE ON ADDITIONAL POWERS. If the
 11-59 legislature grants the district a power that is in addition to the
 11-60 powers approved by the initial resolution of the governing body of
 11-61 the city consenting to the creation of the district, the district
 11-62 may not exercise that power unless the governing body of the city
 11-63 consents to that change by resolution.

11-64 Sec. 3884.254. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
 11-65 After the city dissolves the district, the city assumes, subject to
 11-66 the appropriation and availability of funds, the obligations of the
 11-67 district, including any bonds or other indebtedness payable from
 11-68 assessments or other district revenue.

11-69 (b) If the city dissolves the district, the board shall

12-1 transfer ownership of all district property to the city.

12-2 SECTION 2. The district shall include the following land,
12-3 described by metes and bounds as follows:

12-4 (a) A 455.938 acre tract of land situated in the Anson
12-5 McCracken Survey Abstract No. 868, I N Coombs Survey Abstract No.
12-6 288, J E Helms Survey Abstract No. 605, T V Griffin Survey Abstract
12-7 No. 511, James Wetsell Survey Abstract No. 1541, Williams Myers
12-8 Survey Abstract No. 880, Ellis C. Thomas Survey Abstract No. 1465,
12-9 John B. Robinson Survey Abstract No. 1215, J L Leonard Survey
12-10 Abstract No. 770, Aaron Overton Survey Abstract No. 1101, G S C
12-11 Leonard Survey Abstract No. 780, Elizabeth Robertson Survey
12-12 Abstract No. 1211, City of Dallas, Dallas County, Texas and being
12-13 more particularly described by metes and bounds as follows:

12-14 BEGINNING at a point in the South right-of way (Variable width) line
12-15 of Davis Street and the intersection of the East Right-of-Way
12-16 (Variable Width) Line of Zang Boulevard situated in the J L Leonard
12-17 Survey Abstract No. 770 at the Southeast corner of said Zang
12-18 Boulevard and Davis Street, and being in the Northeast corner of a
12-19 tract of land conveyed to Banjo Ventures LTD by deed recorded in
12-20 Volume 2002129, Page 2902, Deed Records of Dallas County, Texas;
12-21 THENCE with the East and South line of said Zang Boulevard the
12-22 following courses:

12-23 North 00 Degrees 35 Minutes 50 Seconds West, 1075.73 feet to
12-24 an angle point;

12-25 North 02 Degrees 12 Minutes 01 Seconds West, 741.88 feet to an
12-26 angle point;

12-27 North 08 Degrees 08 Minutes 12 Seconds East, 90.43 feet to an
12-28 angle point;

12-29 North 20 Degrees 57 Minutes 34 Seconds East, 100.26 feet to an
12-30 angle point;

12-31 North 31 Degrees 48 Minutes 06 Seconds East, 568.78 feet with
12-32 a curve to the right having a radius 247.97 feet, a central angle of
12-33 39 Degrees 20 Minutes 53 Seconds, a Chord bearing North 30 Degrees
12-34 29 Minutes 12 Seconds East and distance of 166.97;

12-35 North 44 Degrees 04 Minutes 46 Seconds East, 1163.59 feet to
12-36 an angle point;

12-37 North 44 Degrees 32 Minutes 08 Seconds East, 715.94 feet to an
12-38 angle point;

12-39 THENCE leaving south line of Zang Boulevard, North 34 Degrees 53
12-40 Minutes 57 Seconds West, 135.44 feet to the intersection of the
12-41 Northeast line of Zang Boulevard and the North line of Oakenwald
12-42 Street (60' Right-of-way), with the curving North right-of-way;

12-43 THENCE with the North line of said Oakenwald Street with the curve
12-44 to the left having a radius of 157.90, a central angle of 40 Degrees
12-45 51 Minutes 35 Seconds, a Chord bearing North 73 Degrees 25 Minutes
12-46 28 Seconds West and distance of 110.23;

12-47 THENCE North 89 Degrees 43 Minutes 16 Seconds, 405.43 feet to the
12-48 intersection of said North line of Oakenwald Street and the East
12-49 line of Plowman Avenue (70' Right-of-Way);

12-50 THENCE leaving north line of Oakenwald Street, North No Degrees 15
12-51 Minutes 34 Seconds, 618.61 feet;

12-52 THENCE North 33 Degrees 51 Minutes 20 Seconds, 42.72 feet to a 1/2
12-53 Inch Iron Rod Found with a yellow cap stamped "RPLS 5310" the
12-54 Northeast corner of said Plowman Avenue and Tilden Street (60'
12-55 Right-of-Way) and also being the southeast corner of a tract of land
12-56 conveyed to Trinity Rivers Holdings LTD., a Texas Limited
12-57 Partnership Recorded in Instrument No. 200600023600, Deed Records,
12-58 Dallas County, Texas;

12-59 THENCE leaving north line of Tilden Street, North No Degrees 11
12-60 Minutes 51 Seconds East, 262.16 feet to a found 5/8 inch iron rod
12-61 with a yellow cap stamped "Bury & Partners";

12-62 THENCE North 89 Degrees 06 Minutes 18 Seconds West, 104.65 feet to a
12-63 found 1/2 inch iron rod;

12-64 THENCE North 01 Degrees 34 Minutes 30 Seconds West, 156.80 feet to a
12-65 found 1/2 inch iron rod;

12-66 THENCE South 89 Degrees 56 Minutes 58 Seconds West, 307.85 feet to a
12-67 found 1/2 inch iron rod with a yellow plastic cap stamped "Bury &
12-68 Partners";

12-69 THENCE South 00 Degrees 07 Minutes 43 Seconds East, 420.26 feet to a

13-1 found 1/2 inch iron rod and being the in the North line of said
 13-2 Tilden Street;
 13-3 THENCE South 24 Degrees 18 Minutes 38 Seconds West, 56.91 feet to a
 13-4 found 1/2 inch iron rod being in the South line of said Tilen Street
 13-5 and the East line of Englewood Drive (60' Right-of-Way) and the
 13-6 Northeast corner of Tract 3 of a tract of land conveyed to Plowman
 13-7 Development LLC, a Delaware Limited Company, recorded in Instrument
 13-8 No. 20070344751, Deed Records, Dallas County, Texas;
 13-9 THENCE along the East line of said Englewood Drive, South, 100.00
 13-10 feet;
 13-11 THENCE leaving the East line of said Englewood Drive, South 89
 13-12 Degrees 55 Minutes 00 Seconds East, 195.00 feet to the Southeast
 13-13 corner of Tract 3 of said Plowman tract and being in the west line of
 13-14 a 18' Alley;
 13-15 THENCE leaving Said 18' Alley, South 89 Degrees 29 Minutes 25
 13-16 Seconds East, 18.00 feet to a point in the East line of said 18'
 13-17 Alley and also being a point in Tract 1 of said Plowman tract;
 13-18 THENCE along 18' alley and said Tract 1 of the Plowman Tract, South,
 13-19 50.80.00 feet;
 13-20 THENCE leaving Said 18' Alley, North 86 Degrees 56 Minutes 19
 13-21 Seconds West, 18.03 feet to a point in the West line of said 18'
 13-22 Alley and also being a the Northeast corner in Tract 2 of said
 13-23 Plowman tract;
 13-24 THENCE North 89 Degrees 55 Minutes 00 Seconds West, 195.00 feet to
 13-25 the Northwest corner of Tract 2 of said Plowman tract and in the
 13-26 east line of said Englewood Drive;
 13-27 THENCE along east line of said Englewood Drive, South, 50.00 feet to
 13-28 the Southwest corner of tract 2 of the said Plowman tract;
 13-29 THENCE leaving Said east line Englewood Drive, South 89 Degrees 55
 13-30 Minutes 00 Seconds East, 195.00 feet to the Southeast Corner of
 13-31 Tract 2 of the said Plowman Tract and in the west line of said 18'
 13-32 alley;
 13-33 THENCE South 89 Degrees 59 Minutes 38 Seconds East, 18.00 feet to
 13-34 the Southwest corner of Tract 1 of the Plowman tract and in the east
 13-35 line of said 18' alley;
 13-36 THENCE leaving said 18' Alley, South 89 Degrees 55 Minutes 00
 13-37 Seconds East, 185.00 feet to the Southeast corner of tract 1 of the
 13-38 Plowman tract and in the west line of said Plowman Avenue;
 13-39 THENCE South, 50.00 feet to the Northeast corner of tract 5 of the
 13-40 Plowman tract and in the west line of said Plowman Avenue;
 13-41 THENCE leaving said Plowman Avenue, North 89 Degrees 55 Minutes 00
 13-42 Seconds West, 185.00 feet to the Northwest corner of tract 5 of the
 13-43 Plowman tract and in the east line of said 18' alley;
 13-44 THENCE South 19 Degrees 47 Minutes 58 Seconds West, 53.14 feet to
 13-45 the Northeast corner of tract 4 of the Plowman tract and in the west
 13-46 line of said 18' alley;
 13-47 THENCE leaving said 18' Alley, North 89 Degrees 55 Minutes 00
 13-48 Seconds West, 195.00 feet to the Northwest corner of tract 4 of the
 13-49 Plowman tract and in the east line of said Englewood Drive;
 13-50 THENCE South, 250.00 feet to the Southwest corner of tract 4 of the
 13-51 Plowman tract and in the east line of said Englewood Drive;
 13-52 THENCE South 89 Degrees 55 Minutes 00 Seconds East, 195.00 feet to
 13-53 the Southeast corner of tract 4 of the Plowman tract and in the west
 13-54 line of said 18' alley;
 13-55 THENCE North 19 Degrees 47 Minutes 56 Seconds East, 53.14 feet to
 13-56 the Southwest corner of tract 5 of the Plowman tract and in the east
 13-57 line of said 18' alley;
 13-58 THENCE South 89 Degrees 55 Minutes 00 Seconds East, 185.00 feet to
 13-59 the Southeast corner of tract 5 of the Plowman tract and in the east
 13-60 line of said Plowman Avenue;
 13-61 THENCE with the West line of said Plowman Avenue the following
 13-62 courses:
 13-63 South 00 Degrees 22 Minutes 14 Seconds East, 289.77 feet to an
 13-64 angle point;
 13-65 South, 108.11 feet;
 13-66 South, 283.82 feet to an angle point;
 13-67 South 05 Degrees 24 Minutes 40 Seconds East, 48.35 feet to a
 13-68 point in the North line of Zang Boulevard and the west line of
 13-69 Plowman Avenue;

14-1 THENCE with the North and west line of said Zang Boulevard the
14-2 following courses:
14-3 South 43 Degrees 03 Minutes 07 Seconds West, 1078.83 feet to
14-4 an angle point;
14-5 South 28 Degrees 13 Minutes 01 Seconds West, 172.22 feet to an
14-6 angle point;
14-7 South 30 Degrees 40 Minutes 23 Seconds West, 582.39 feet to an
14-8 angle point;
14-9 South 22 Degrees 53 Minutes 29 Seconds West, 111.38 feet to an
14-10 angle point;
14-11 South 07 Degrees 19 Minutes 41 Seconds West, 111.38 feet to an
14-12 angle point;
14-13 South No Degrees 34 Minutes 06 Seconds East, 887.69 feet to an
14-14 angle point;
14-15 South No Degrees 00 Minutes 52 Seconds East, 878.19 feet to a
14-16 point in the West line of Zang Boulevard and the North line of said
14-17 Davis Street;
14-18 THENCE with the North line of said Davis Street the following
14-19 courses:
14-20 South 89 Degrees 15 Minutes 55 Seconds West, 745.11 feet to an
14-21 angle point;
14-22 South 87 Degrees 42 Minutes 20 Seconds West, 420.25 feet to an
14-23 angle point;
14-24 South 89 Degrees 42 Minutes 15 Seconds West, 1062.54 feet to a
14-25 point in the North line of said Davis Street and the East line of
14-26 said Cedar Hill Avenue;
14-27 THENCE with the East line of said Cedar Hill Avenue the following
14-28 courses:
14-29 North No Degrees 11 Minutes 59 Seconds West, 1521.20 feet to
14-30 an angle point;
14-31 North No Degrees 59 Minutes 20 Seconds West, 46.04 feet to a
14-32 point in the East line of said Cedar Hill Avenue and the North line
14-33 of Sixth Street (60' Right-of-way);
14-34 THENCE South 89 Degrees 47 Minutes 13 Seconds West, 55.75 feet to a
14-35 point in the east line of said Cedar Hill Avenue and a point in the
14-36 East Line of Tract 5 of a tract of land conveyed to SPCO Development
14-37 LLC by deed recorded in Instrument No. 20070228027, Official Public
14-38 Records Records, Dallas County, Texas;
14-39 THENCE North No Degrees 12 Minutes 47 Seconds West, 188.44 feet a
14-40 point in the South line of West Fifth Street (60' Right-of-way) and
14-41 the West line of Cedar Hill Avenue (60' Right-of-Way) and the
14-42 Northeast corner of Tract 1 of a tract of land conveyed to SPCO
14-43 Development LLC, by deed recorded in Instrument No. 20080223657,
14-44 Official Public Records, Dallas County, Texas;
14-45 THENCE North 89 Degrees 57 Minutes 46 Seconds West, 129.61 feet to
14-46 the Northwest corner of Tract 1 of said SPCO tract and the South
14-47 line of said West Fifth Street (60' Right-of-Way);
14-48 THENCE departing said South line of West Fifth Street, North No
14-49 Degrees 02 Minutes 14 Seconds West, 65.33 feet to the Southwest
14-50 corner of Tract 1 of said SPCO tract;
14-51 THENCE North 89 Degrees 57 Minutes 46 Seconds West, 60.00 feet to
14-52 the Northeast corner of Tract 4 of a tract of land conveyed to SPCO
14-53 Development LLC, by deed recorded in Instrument No. 20080111729,
14-54 Official Public Records, Dallas County, Texas;
14-55 THENCE South No Degrees 02 Minutes 14 Seconds West, 54.67 feet to
14-56 the Southwest corner of Tract 4 of said SPCO tract;
14-57 THENCE along the north line of tract 5 of said SPCO tract, North 89
14-58 Degrees 57 Minutes 46 Seconds West, 55.00 feet to the Southeast
14-59 corner of Tract 2 of a tract of land conveyed to SPCO Development
14-60 LLC, by deed recorded in Instrument No. 20080111729, Official
14-61 Public Records, Dallas County, Texas;
14-62 THENCE North No Degrees 02 Minutes 14 Seconds East, 120.00 feet to
14-63 the Northeast corner of Tract 2 of a said SPCO tract and also being
14-64 in the south line of said West Fifth Street;
14-65 THENCE North 89 Degrees 57 Minutes 46 Seconds West, 55.00 feet to
14-66 the Northwest corner of Tract 2 of a said SPCO tract and also being
14-67 in the south line of said West Fifth Street;
14-68 THENCE North No Degrees 02 Minutes 14 Seconds West, 120.00 feet to
14-69 the Southwest corner of Tract 2 of a said SPCO tract;

15-1 THENCE Along the North line of said Tract 5 of said SPCO tract,
 15-2 North 89 Degrees 57 Minutes 46 Seconds West, 55.00 feet to the
 15-3 Southeast corner of Tract 3 of a tract of land conveyed to SPCO
 15-4 Development LLC, by deed recorded in Instrument No. 20080111729,
 15-5 Official Public Records, Dallas County, Texas;
 15-6 THENCE North No Degrees 02 Minutes 14 Seconds East, 120.00 feet to
 15-7 the Northeast corner of Tract 3 of a said SPCO tract and also being
 15-8 in the South line of said West Fifth Street;
 15-9 THENCE Along the South line of said West Fifth Street, North 89
 15-10 Degrees 57 Minutes 46 Seconds West, 55.00 feet to the Northwest
 15-11 corner of Tract 3 of a said SPCO tract;
 15-12 THENCE North 89 Degrees 53 Minutes 05 Seconds West, 20.90 feet;
 15-13 THENCE with the approximate meanders of Kidd Springs Park conveyed
 15-14 to the City of Dallas, by deed recorded in Volume 2816, Page 452,
 15-15 Deed Records, Dallas County, Texas the following Fourteen Courses:
 15-16 1) North No Degrees 24 Minutes 42 Seconds West, 65.35 feet;
 15-17 2) North 88 Degrees 58 Minutes 37 Seconds East, 441.02 feet;
 15-18 3) North 05 Degrees 18 Minutes 52 Seconds West, 170.02 feet;
 15-19 4) North, 173.23 feet;
 15-20 5) South 88 Degrees 48 Minutes 02 Seconds West, 639.51 feet;
 15-21 6) North 07 Degrees 21 Minutes 09 Seconds West, 49.22 feet;
 15-22 7) South 59 Degrees 56 Minutes 12 Seconds West, 291.87 feet;
 15-23 8) South 88 Degrees 18 Minutes 55 Seconds West, 291.15 feet;
 15-24 9) South 02 Degrees 59 Minutes 29 Seconds East, 81.56 feet;
 15-25 10) East, 15.75 feet;
 15-26 11) South 00 Degrees 07 Minutes 38 Seconds East, 354.33
 15-27 feet;
 15-28 12) South 89 Degrees 23 Minutes 48 Seconds West, 589.79
 15-29 feet;
 15-30 13) South No Degrees 46 Minutes 53 Seconds East, 561.39
 15-31 feet;
 15-32 14) North 89 Degrees 30 Minutes 19 Seconds East, 1323.26
 15-33 feet;
 15-34 THENCE along the North line of Van Buren Street (44' Right-of-way),
 15-35 North 58 Degrees 41 Minutes 43 Seconds East, 263.01 feet;
 15-36 THENCE North 58 Degrees 25 Minutes 52 Seconds East, 209.66 feet to
 15-37 the intersection of the North line of said Van Buren Street and the
 15-38 West Line of said Cedar Hill Avenue;
 15-39 THENCE along the West line of said Cedar Hill Avenue, South 02
 15-40 Degrees 11 Minutes 45 Seconds West, 142.60 feet;
 15-41 THENCE South No Degrees 00 Minutes 31 Seconds West, 1161.24 feet to
 15-42 the intersection of the West line of said Cedar Hill Avenue and the
 15-43 North Line of said Davis Street;
 15-44 THENCE with the North line of said Davis Street the following
 15-45 courses:
 15-46 South 89 Degrees 20 Minutes 07 Seconds West, 2124.66 feet to
 15-47 an angle point;
 15-48 South 88 Degrees 34 Minutes 14 Seconds West, 503.44 feet to an
 15-49 angle point;
 15-50 South 89 Degrees 33 Minutes 15 Seconds West, 2411.29 feet to
 15-51 an angle point;
 15-52 North 82 Degrees 18 Minutes 54 Seconds West, 73.20 feet to an
 15-53 angle point;
 15-54 North 89 Degrees 54 Minutes 37 Seconds West, 1247.94 feet to a
 15-55 point in the North line of Davis Street and the East line of Stevens
 15-56 Village;
 15-57 THENCE North No Degrees 22 Minutes 49 Seconds West, 662.19 feet to
 15-58 the intersection of the East line of said Stevens Village and the
 15-59 South line of Stevens Forest Drive (Variable width Right-of-way);
 15-60 THENCE along the South line of said Stevens Forest Drive, North 86
 15-61 Degrees 35 Minutes 08 Seconds East, 223.45 feet;
 15-62 THENCE North 78 Degrees 00 Minutes 43 Seconds East, 35.35 feet;
 15-63 THENCE with the meanders of a tract of land conveyed to the Chateau
 15-64 Crete Development, LLC, by deed recorded in Instrument No.
 15-65 20070164416, Deed Records, Dallas County, Texas and a tract of land
 15-66 conveyed to the Chateau Crete Development, LLC, by deed recorded in
 15-67 Instrument No. 200600412556, Deed Records, Dallas County, Texas the
 15-68 following Five Courses:
 15-69 1) South No Degrees 36 Minutes 31 Seconds West, 56.45 feet;

16-1 2) South 28 Degrees 45 Minutes 19 Seconds East, 19.61 feet;
16-2 3) South 58 Degrees 07 Minutes 10 Seconds East, 82.21 feet;
16-3 4) South 88 Degrees 50 Minutes 44 Seconds East, 34.70 feet;
16-4 5) South 88 Degrees 38 Minutes 43 Seconds East, 891.76 feet;
16-5 THENCE South 88 Degrees 36 Minutes 42 Seconds East, 56.22 feet to a
16-6 point in the East line of Mary Cliff Road (50' Right-of-way);
16-7 THENCE with the East line of said Mary Cliff Road the following
16-8 courses:
16-9 North 02 Degrees 16 Minutes 12 Seconds West, 444.97 feet to an
16-10 angle point;
16-11 North 02 Degrees 00 Minutes 42 Seconds West, 43.51 feet to an
16-12 angle point;
16-13 North 01 Degrees 00 Minutes 57 Seconds East, 157.15 feet to an
16-14 angle point;
16-15 North 01 Degrees 05 Minutes 31 Seconds West, 169.81 feet to an
16-16 angle point;
16-17 North 04 Degrees 48 Minutes 26 Seconds West, 48.27 feet to an
16-18 angle point;
16-19 North 02 Degrees 27 Minutes 42 Seconds East, 206.22 feet;
16-20 THENCE with the meanders of the tracts of land described in the
16-21 following deeds: Kings Highway Development LLC recorded in
16-22 Instrument No. 20070101181 and Instrument No. 20070101182; River
16-23 District Holdings, LLC recorded in Instrument No. 20070325092,
16-24 Instrument No. 20080187473, Instrument No. 20080187464, Instrument
16-25 No. 2008187481, Instrument No. 2008187459, Instrument No.
16-26 20080317748, Instrument No. 20080187477, Deed Records, Dallas
16-27 County, Texas the following Twelve Courses:
16-28 1) North 88 Degrees 55 Minutes 36 Seconds East, 95.64 feet;
16-29 2) South No Degrees 42 Minutes 05 Seconds East, 187.63 feet;
16-30 3) North 88 Degrees 43 Minutes 09 Seconds East, 291.43 feet;
16-31 4) North No Degrees 42 Minutes 05 Seconds West, 137.97 feet;
16-32 5) South 88 Degrees 39 Minutes 17 Seconds West, 51.90 feet;
16-33 6) North No Degrees 05 Minutes 29 Seconds East, 49.90 feet;
16-34 7) North 88 Degrees 36 Minutes 56 Seconds East, 51.70 feet;
16-35 8) North No Degrees 05 Minutes 52 Seconds West, 89.63 feet;
16-36 9) North 89 Degrees 33 Minutes 13 Seconds East, 47.52 feet;
16-37 10) North No Degrees 09 Minutes 10 Seconds West, 99.79 feet;
16-38 11) South 89 Degrees 25 Minutes 38 Seconds West, 435.39
16-39 feet;
16-40 12) South 00 Degrees 14 Minutes 16 Seconds East, 59.81 feet;
16-41 THENCE North 86 Degrees 10 Minutes 19 Seconds West, 46.54 feet to a
16-42 point in the West line of said Mary Cliff Road;
16-43 THENCE with the West line of said Mary Cliff Road the following
16-44 courses:
16-45 South 01 Degrees 40 Minutes 15 Seconds West, 150.35 feet to an
16-46 angle point;
16-47 South 01 Degrees 00 Minutes 38 Seconds West, 29.28 feet to an
16-48 angle point;
16-49 South 00 Degrees 22 Minutes 47 Seconds West, 587.32 feet to an
16-50 angle point;
16-51 South 01 Degrees 57 Minutes 07 Seconds East, 215.51 feet to
16-52 the intersection of the west line of said Mary Cliff Road and the
16-53 North line said Stevens Forest Drive;
16-54 THENCE with the North line of said Stevens Forest Drive the
16-55 following courses:
16-56 South 88 Degrees 30 Minutes 48 Seconds West, 141.62 feet to an
16-57 angle point;
16-58 North 79 Degrees 28 Minutes 10 Seconds West, 40.21 feet to an
16-59 angle point;
16-60 South 89 Degrees 18 Minutes 22 Seconds West, 303.39 feet to an
16-61 angle point;
16-62 South 89 Degrees 44 Minutes 06 Seconds West, 198.57 feet to an
16-63 angle point;
16-64 North 86 Degrees 59 Minutes 23 Seconds East, 52.47 feet to the
16-65 beginning of a curve to the left having a radius 239.53 feet, a
16-66 central angle of 45 Degrees 09 Minutes 54 Seconds, a Chord bearing
16-67 South 77 Degrees 00 Minutes 57 Seconds East and distance of 183.97;
16-68 South 58 Degrees 00 Minutes 57 Seconds West, 33.39 feet to the
16-69 beginning of a curve to the right having a radius 252.72 feet, a

17-1 central angle of 24 Degrees 45 Minutes 51 Seconds, a Chord bearing
 17-2 South 77 Degrees 20 Minutes 16 Seconds West and distance of 108.38;
 17-3 South 86 Degrees 46 Minutes 16 Seconds West, 205.95 feet to
 17-4 the intersection of the North line of said Stevens Forest Drive and
 17-5 the East line said Stevens Village;
 17-6 THENCE North 83 Degrees 30 Minutes 20 Seconds West, 34.91 feet;
 17-7 THENCE with the meanders of the tracts of land described in the
 17-8 following deeds: Acorn Tree Development LLC, deed recorded in
 17-9 Instrument No. 20070067562 and Instrument No. 20070067734, Deed
 17-10 Records, Dallas County, Texas the following Seven Courses:
 17-11 1) North No Degrees 29 Minutes 12 Seconds West, 207.35 feet;
 17-12 2) South 89 Degrees 31 Minutes 27 Seconds West, 348.85 feet;
 17-13 3) South 00 Degrees 44 Minutes 25 Seconds East, 134.09 feet;
 17-14 4) South 88 Degrees 44 Minutes 33 Seconds West, 25.00 feet;
 17-15 5) South No Degrees 23 Minutes 28 Seconds East, 592.98 feet;
 17-16 6) South 89 Degrees 40 Minutes 11 Seconds West, 240.21 feet;
 17-17 7) South No Degrees 01 Minutes 25 Seconds West, 209.50 feet;
 17-18 THENCE with the North line of said Davis Street the following
 17-19 courses:
 17-20 North 77 Degrees 39 Minutes 56 Seconds West, 56.81 feet to an
 17-21 angle point;
 17-22 South 88 Degrees 11 Minutes 52 Seconds West, 591.97 feet to an
 17-23 angle point;
 17-24 South 89 Degrees 10 Minutes 23 Seconds West, 430.85 feet to an
 17-25 angle point;
 17-26 South 75 Degrees 09 Minutes 11 Seconds West, 50.97 feet to an
 17-27 angle point;
 17-28 South 87 Degrees 38 Minutes 45 Seconds West, 441.78 feet to an
 17-29 angle point;
 17-30 North 89 Degrees 46 Minutes 55 Seconds West, 145.98 feet;
 17-31 North 43 Degrees 59 Minutes 55 Seconds West, 17.09 feet;
 17-32 THENCE with the meanders of the tracts of land described in the
 17-33 following deeds: Plymouth Hills Development LLC, deed recorded in
 17-34 Instrument No. 20080165209 and Instrument No. 20070447589 and
 17-35 Instrument No. 20070447588, Deed Records, Dallas County, Texas the
 17-36 following Eleven Courses:
 17-37 1) North No Degrees 30 Minutes 57 Seconds West, 185.00 feet;
 17-38 2) North 45 Degrees 24 Minutes 00 Seconds West, 21.26 feet;
 17-39 3) South 89 Degrees 43 Minutes 00 Seconds West, 276.76 feet;
 17-40 4) North 01 Degrees 39 Minutes 27 Seconds East, 277.76 feet;
 17-41 5) North 89 Degrees 50 Minutes 00 Seconds East, 145.00 feet;
 17-42 6) North 10 Degrees 16 Minutes 36 Seconds West, 268.16 feet;
 17-43 7) North 46 Degrees 42 Minutes 49 Seconds West, 141.88 feet;
 17-44 8) South 25 Degrees 50 Minutes 00 Seconds West, 201.50 feet;
 17-45 9) South 55 Degrees 20 Minutes 00 Seconds West, 160.00 feet;
 17-46 10) South 66 Degrees 50 Minutes 00 Seconds West, 90.00 feet;
 17-47 11) South 38 Degrees 51 Minutes 44 Seconds West, 100.33 feet
 17-48 to the beginning of a curve to the right having a radius 490.24
 17-49 feet;
 17-50 THENCE Along the East line of E. Plymouth Road (100' Right-of-way),
 17-51 Continuing along said Curve to the right having a central angle of
 17-52 47 Degrees 40 Minutes 50 Seconds, a Chord bearing North 14 Degrees
 17-53 43 Minutes 29 Seconds East and distance of 396.30;
 17-54 THENCE with the South and East line of said Plymouth Road Street the
 17-55 following courses:
 17-56 The beginning of a curve to the right having a radius 349.50
 17-57 feet having a central angle of 25 Degrees 40 Minutes 56 Seconds, a
 17-58 Chord bearing North 29 Degrees 47 Minutes 06 Seconds East and
 17-59 distance of 155.35;
 17-60 The beginning of a curve to the right having a radius 159.57
 17-61 feet having a central angle of 41 Degrees 11 Minutes 44 Seconds, a
 17-62 Chord bearing North 51 Degrees 34 Minutes 21 Seconds East and
 17-63 distance of 112.27;
 17-64 THENCE with the meanders of a tract of land conveyed to Brenda K.
 17-65 Kennedy by deed recorded in Volume 83069, Page 1999, Deed Records,
 17-66 Dallas County, Texas the following Two Courses:
 17-67 South 87 Degrees 03 Minutes 55 Seconds East, 829.26 feet to an
 17-68 angle point;
 17-69 North 01 Degrees 28 Minutes 54 Seconds East, 358.36 feet to

18-1 the beginning of a curve to the left having a radius 242.44 feet;
 18-2 THENCE Along the East line of said E. Plymouth Road, Continuing
 18-3 along said Curve to the left having a central angle of 35 Degrees 24
 18-4 Minutes 07 Seconds, a Chord bearing North 20 Degrees 41 Minutes 40
 18-5 Seconds East and distance of 147.43;
 18-6 THENCE North 01 Degrees 33 Minutes 04 Seconds East, 37.95 feet;
 18-7 THENCE with the approximate meanders of Stevens Park Golf Course
 18-8 Block 4/4734, Dallas County, Texas the following Fifty-three
 18-9 Courses:
 18-10 1) North 89 Degrees 31 Minutes 44 Seconds East, 496.22 feet;
 18-11 2) North 61 Degrees 48 Minutes 44 Seconds East, 54.47 feet;
 18-12 3) North 88 Degrees 46 Minutes 06 Seconds East, 606.42 feet;
 18-13 4) North No Degrees 24 Minutes 48 Seconds West, 335.41 feet;
 18-14 5) North 88 Degrees 54 Minutes 57 Seconds East, 63.72 feet;
 18-15 6) North 88 Degrees 59 Minutes 33 Seconds East, 646.08 feet;
 18-16 7) North No Degrees 16 Minutes 50 Seconds West, 329.12 feet;
 18-17 8) North 89 Degrees 39 Minutes 26 Seconds East, 1282.85
 18-18 feet;
 18-19 9) South No Degrees 00 Minutes 15 Seconds East, 124.57 feet;
 18-20 10) North 89 Degrees 35 Minutes 13 Seconds East, 521.79
 18-21 feet;
 18-22 11) North No Degrees 38 Minutes 16 Seconds West, 275.99 feet
 18-23 to the beginning of a curve to the left having a radius 823.79 feet,
 18-24 a central angle of 13 Degrees 08 Minutes 21 Seconds, a Chord bearing
 18-25 North 14 Degrees 44 Minutes 58 Seconds West and distance of 188.50
 18-26 to the beginning of a reverse curve to the right having a radius
 18-27 773.31;
 18-28 12) Continuing along said curve to the right having a
 18-29 central angle of 13 Degrees 59 Minutes 45 Seconds, a Chord bearing
 18-30 North 16 Degrees 07 Minutes 53 Seconds West and distance of 188.43;
 18-31 13) North 66 Degrees 33 Minutes 20 Seconds West, 443.12
 18-32 feet;
 18-33 14) North No Degrees 37 Minutes 50 Seconds West, 393.46
 18-34 feet;
 18-35 15) North No Degrees 55 Minutes 50 Seconds West, 137.42 feet
 18-36 to the beginning of a curve to the left having a radius 169.83 feet,
 18-37 a central angle of 28 Degrees 59 Minutes 42 Seconds, a Chord bearing
 18-38 North 17 Degrees 15 Minutes 43 Seconds West and distance of 85.03 to
 18-39 the beginning of a non-tangent curve to the left having a radius
 18-40 456.38;
 18-41 16) Continuing along said curve to the left having a central
 18-42 angle of 15 Degrees 46 Minutes 27 Seconds, a Chord bearing North 52
 18-43 Degrees 32 Minutes 05 Seconds East and distance of 125.25;
 18-44 17) North 39 Degrees 47 Minutes 11 Seconds East, 234.31 feet
 18-45 to the beginning of a curve to the left having a radius 3690.76
 18-46 feet, a central angle of 07 Degrees 42 Minutes 18 Seconds, a Chord
 18-47 bearing North 33 Degrees 41 Minutes 20 Seconds East and distance of
 18-48 495.95;
 18-49 18) North 26 Degrees 31 Minutes 47 Seconds East, 405.73 feet
 18-50 to the beginning of a non-tangent curve to the right having a radius
 18-51 393.78 feet, a central angle of 60 Degrees 38 Minutes 56 Seconds, a
 18-52 Chord bearing North 68 Degrees 38 Minutes 06 Seconds East and
 18-53 distance of 397.63 to the beginning of a non-tangent curve to the
 18-54 left having a radius 483.75;
 18-55 19) Continuing along said curve to the left having a central
 18-56 angle of 23 Degrees 24 Minutes 43 Seconds, a Chord bearing South 88
 18-57 Degrees 28 Minutes 06 Seconds East and distance of 196.30 to the
 18-58 beginning of a non-tangent curve to the left having a radius 437.44;
 18-59 20) Continuing along said curve to the left having a central
 18-60 angle of 39 Degrees 53 Minutes 22 Seconds, a Chord bearing North 78
 18-61 Degrees 54 Minutes 57 Seconds East and distance of 298.43;
 18-62 21) North 02 Degrees 59 Minutes 05 Seconds West, 33.20 feet;
 18-63 22) North 02 Degrees 29 Minutes 58 Seconds East, 74.80 feet
 18-64 to the beginning of a curve to the right having a radius 719.84
 18-65 feet, a central angle of 23 Degrees 19 Minutes 27 Seconds, a Chord
 18-66 bearing South 89 Degrees 33 Minutes 26 Seconds West and distance of
 18-67 291.02 to the beginning of a curve to the left having a
 18-68 radius 1083.08;
 18-69 23) Continuing along said curve to the left having a central

19-1 angle of 13 Degrees 50 Minutes 07 Seconds, a Chord bearing North 79
19-2 Degrees 38 Minutes 36 Seconds West and distance of 260.90 to the
19-3 beginning of a curve to the right having a radius 2728.05;
19-4 24) Continuing along said curve to the right having a
19-5 central angle of 02 Degrees 56 Minutes 23 Seconds, a Chord bearing
19-6 South 88 Degrees 17 Minutes 07 Seconds West and distance of 139.95
19-7 to the beginning of a curve to the left having a radius 1058.70;
19-8 25) Continuing along said curve to the right having a
19-9 central angle of 22 Degrees 11 Minutes 52 Seconds, a Chord bearing
19-10 South 73 Degrees 40 Minutes 25 Seconds West and distance of 407.61
19-11 to the beginning of a curve to the right having a radius 1016.72;
19-12 26) Continuing along said curve to the right having a
19-13 central angle of 17 Degrees 58 Minutes 36 Seconds, a Chord bearing
19-14 South 69 Degrees 06 Minutes 41 Seconds West and distance of 317.69
19-15 feet;
19-16 27) South 85 Degrees 54 Minutes 50 Seconds West, 142.94
19-17 feet;
19-18 28) North 89 Degrees 58 Minutes 00 Seconds West, 708.79
19-19 feet;
19-20 29) South 25 Degrees 26 Minutes 24 Seconds East, 469.33
19-21 feet;
19-22 30) South 65 Degrees 09 Minutes 58 Seconds West, 162.83
19-23 feet;
19-24 31) South 06 Degrees 07 Minutes 12 Seconds East, 270.28
19-25 feet;
19-26 32) North 80 Degrees 00 Minutes 23 Seconds West, 76.20 feet
19-27 to the beginning of a curve to the right having a radius 98.50;
19-28 33) Continuing along said curve to the right having a
19-29 central angle of 90 Degrees 25 Minutes 33 Seconds, a Chord bearing
19-30 South 44 Degrees 55 Minutes 48 Seconds East and distance of 139.81
19-31 feet;
19-32 34) South 04 Degrees 26 Minutes 53 Seconds West, 89.91 feet
19-33 to the beginning of a curve to the left having a radius 54.42;
19-34 33) Continuing along said curve to the left having a central
19-35 angle of 111 Degrees 48 Minutes 11 Seconds, a Chord bearing South 80
19-36 Degrees 54 Minutes 58 Seconds West and distance of 90.13 feet to the
19-37 beginning of a curve to the right having a radius 1087.42;
19-38 34) Continuing along said curve to the left having a central
19-39 angle of 16 Degrees 23 Minutes 13 Seconds, a Chord bearing South 15
19-40 Degrees 42 Minutes 34 Seconds West and distance of 309.95 feet to
19-41 the beginning of a curve to the right having a radius 7590.69;
19-42 35) Continuing along said curve to the right having a
19-43 central angle of 01 Degrees 37 Minutes 54 Seconds, a Chord bearing
19-44 South 30 Degrees 47 Minutes 06 Seconds West and distance of 216.16
19-45 feet to the beginning of a curve to the right having a radius
19-46 3039.46;
19-47 36) Continuing along said curve to the right having a
19-48 central angle of 10 Degrees 13 Minutes 38 Seconds, a Chord bearing
19-49 South 46 Degrees 29 Minutes 58 Seconds West and distance of 541.83
19-50 feet to the beginning of a curve to the right having a radius
19-51 4853.43;
19-52 37) Continuing along said curve to the right having a
19-53 central angle of 04 Degrees 52 Minutes 43 Seconds, a Chord bearing
19-54 South 51 Degrees 16 Minutes 45 Seconds West and distance of 413.14
19-55 feet to the beginning of a curve to the right having a radius
19-56 2151.29;
19-57 38) Continuing along said curve to the left having a central
19-58 angle of 03 Degrees 46 Minutes 26 Seconds, a Chord bearing South 57
19-59 Degrees 04 Minutes 48 Seconds West and distance of 141.67 feet;
19-60 39) North 68 Degrees 00 Minutes 13 Seconds West, 72.79 feet
19-61 to the beginning of a curve to the left having a radius 84.50;
19-62 40) Continuing along said curve to the left having a central
19-63 angle of 99 Degrees 14 Minutes 00 Seconds, a Chord bearing North 11
19-64 Degrees 17 Minutes 19 Seconds East and distance of 128.73 feet;
19-65 41) North 34 Degrees 39 Minutes 37 Seconds West, 72.99 feet
19-66 to the beginning of a curve to the left having a radius 112.32;
19-67 40) Continuing along said curve to the left having a central
19-68 angle of 24 Degrees 37 Minutes 25 Seconds, a Chord bearing North 56
19-69 Degrees 53 Minutes 02 Seconds West and distance of 47.90 feet;

20-1 42) South 89 Degrees 13 Minutes 57 Seconds West, 713.06 feet
 20-2 to the beginning of a curve to the left having a radius 60.99;
 20-3 43) Continuing along said curve to the left having a central
 20-4 angle of 77 Degrees 40 Minutes 54 Seconds, a Chord bearing South 39
 20-5 Degrees 22 Minutes 26 Seconds West and distance of 76.51 feet;
 20-6 44) North 87 Degrees 36 Minutes 44 Seconds West, 90.35 feet;
 20-7 45) North No Degrees 34 Minutes 39 Seconds West, 390.42
 20-8 feet;
 20-9 46) West, 25.91 feet;
 20-10 47) North No Degrees 14 Minutes 55 Seconds East, 553.78
 20-11 feet;
 20-12 48) North 89 Degrees 04 Minutes 04 Seconds West, 497.80
 20-13 feet;
 20-14 49) South No Degrees 51 Minutes 14 Seconds East, 544.32
 20-15 feet;
 20-16 50) South No Degrees 58 Minutes 56 Seconds East, 227.84
 20-17 feet;
 20-18 51) South No Degrees 55 Minutes 28 Seconds East, 364.47
 20-19 feet;
 20-20 52) South No Degrees 43 Minutes 36 Seconds East, 677.38
 20-21 feet;
 20-22 53) South 02 Degrees 16 Minutes 35 Seconds East, 146.30 feet
 20-23 to the beginning of a curve to the left having a radius 486.86;
 20-24 THENCE with the north and west line of Plymouth Road the following
 20-25 eleven courses and distances:
 20-26 1) Continuing along said curve to the left having a central
 20-27 angle of 15 Degrees 55 Minutes 06 Seconds, a Chord bearing South 18
 20-28 Degrees 17 Minutes 03 Seconds West and distance of 134.83 feet;
 20-29 2) South 20 Degrees 04 Minutes 34 Seconds West, 150.05 feet
 20-30 to the beginning of a curve to the right having a radius 433.59;
 20-31 3) Continuing along said curve to the right having a central
 20-32 angle of 76 Degrees 29 Minutes 19 Seconds, a Chord bearing South 49
 20-33 Degrees 01 Minutes 54 Seconds West and distance of 536.80 feet;
 20-34 4) North 89 Degrees 03 Minutes 40 Seconds West, 260.71 feet
 20-35 to the beginning of a curve to the left having a radius 239.95;
 20-36 5) Continuing along said curve to the left having a central
 20-37 angle of 68 Degrees 37 Minutes 32 Seconds, a Chord bearing South 62
 20-38 Degrees 29 Minutes 30 Seconds West and distance of 270.52 feet;
 20-39 6) South 31 Degrees 55 Minutes 20 Seconds West, 224.13 feet
 20-40 to the beginning of a curve to the left, having a radius of 776.66;
 20-41 7) Continuing along said curve to the left, having a delta
 20-42 angle of 27 Degrees 22 Minutes 33 Seconds, a Chord bearing South 16
 20-43 Degrees 11 Minutes 34 Seconds West and a distance of 367.57 feet;
 20-44 8) South 10 Degrees 00 Minutes 58 Seconds East, 50.49 feet;
 20-45 9) South 02 Degrees 26 Minutes 38 Seconds West, 401.40 feet
 20-46 to the intersection of the west line of Plymouth Road and the north
 20-47 line of Davis Street;
 20-48 THENCE South 89 Degrees 47 Minutes 40 Seconds West, a distance of
 20-49 3498.61 feet to the intersection of the north line of Davis Street
 20-50 and the east line of Westmoreland Road;
 20-51 THENCE in a northerly direction along the east line of Westmoreland
 20-52 Road, the following courses and distances;
 20-53 North 00 Degrees 50 Minutes 38 Seconds West, a distance of
 20-54 1495.20 feet;
 20-55 North 00 Degrees 53 Minutes 40 Seconds West, a distance of
 20-56 537.47 feet;
 20-57 THENCE departing the east line of Westmoreland Road, South 88
 20-58 Degrees 31 Minutes 29 Seconds West, a distance of 92.29 feet, to a
 20-59 point in the west line of Westmoreland Road;
 20-60 THENCE with the meanders of the tracts of land described in the
 20-61 following deeds: SLF III/INCAP L.P. recorded in Instrument Number
 20-62 20080313895 and 20080313879, Adbitrain Realty, LLC recorded in
 20-63 Instrument Number 20030311829, Fred C. Nagle, Jr. recorded in
 20-64 Volume 89217, Page 4038, Connie M. Nagle recorded in Volume 92212,
 20-65 Page 0233 and Richard A. Patten, Joseph McElroy, III, Mike Marshall
 20-66 and Janus Assoc. LTD. Recorded in Volume 2002070, Page 8927, Deed
 20-67 Records, Dallas County, Texas, the following Fifty-seven courses
 20-68 and distances:
 20-69 1) North 00 Degrees 25 Minutes 22 Seconds West, a distance

21-1 of 1008.88 feet to the beginning of a curve to the right, having a
 21-2 radius of 623.69 and a delta angle of 26 Degrees 56 Minutes 51
 21-3 Seconds;
 21-4 2) Continuing along said curve to the right a distance of
 21-5 293.33 feet, Chord bears North 12 Degrees 32 Minutes 44 Seconds
 21-6 East, a distance of 290.64 feet;
 21-7 3) North 00 Degrees 39 Minutes 45 Seconds West, a distance
 21-8 of 36.81 feet to the beginning of a curve to the right, having a
 21-9 radius of 306.48 feet and a delta angle of 38 Degrees 34 Minutes 26
 21-10 Seconds;
 21-11 4) Continuing along said curve to the right for a distance
 21-12 of 206.33 feet, Chord bears North 39 Degrees 31 Minutes 39 Seconds
 21-13 East, a distance of 202.46 feet;
 21-14 5) North 58 Degrees 48 Minutes 23 Seconds East, a distance
 21-15 of 44.70 feet;
 21-16 6) North 43 Degrees 22 Minutes 34 Seconds East, a distance
 21-17 of 49.00 feet;
 21-18 7) North 43 Degrees 22 Minutes 34 Seconds East, a distance
 21-19 of 28.30 feet;
 21-20 8) North 00 Degrees 58 Minutes 46 Seconds West, a distance
 21-21 of 30.42 feet;
 21-22 9) South 89 Degrees 23 Minutes 16 Seconds West, a distance
 21-23 of 226.39 feet
 21-24 10) North 03 Degrees 27 Minutes 44 Seconds West, a distance
 21-25 of 179.42 feet;
 21-26 11) South 87 Degrees 34 Minutes 00 Seconds East, a distance
 21-27 of 98.56 feet;
 21-28 12) North 02 Degrees 51 Minutes 31 Seconds East, a distance
 21-29 of 122.25 feet;
 21-30 13) North 89 Degrees 36 Minutes 33 Seconds East, a distance
 21-31 of 93.41 feet;
 21-32 14) North 02 Degrees 00 Minutes 04 Seconds East, a distance
 21-33 of 120.55 feet;
 21-34 15) North 89 Degrees 56 Minutes 26 Seconds East, a distance
 21-35 of 136.90 feet;
 21-36 16) North 17 Degrees 30 Minutes 57 Seconds East, a distance
 21-37 of 103.63 feet;
 21-38 17) North 89 Degrees 27 Minutes 29 Seconds East, a distance
 21-39 of 357.56 feet;
 21-40 18) North 00 Degrees 19 Minutes 16 Seconds East, a distance
 21-41 of 166.00 feet;
 21-42 19) South 89 Degrees 52 Minutes 44 Seconds East, a distance
 21-43 of 266.51 feet;
 21-44 20) South 00 Degrees 38 Minutes 56 Seconds West, a distance
 21-45 of 116.08 feet;
 21-46 21) South 89 Degrees 51 Minutes 31 Seconds East, a distance
 21-47 of 96.31 feet;
 21-48 22) North 02 Degrees 27 Minutes 58 Seconds East, a distance
 21-49 of 116.21 feet;
 21-50 23) North 02 Degrees 41 Minutes 15 Seconds East, a distance
 21-51 of 666.54 feet;
 21-52 24) North 02 Degrees 20 Minutes 59 Seconds East, a distance
 21-53 of 146.95 feet;
 21-54 25) South 89 Degrees 46 Minutes 01 Seconds West, a distance
 21-55 of 399.19 feet;
 21-56 26) South 88 Degrees 59 Minutes 27 Seconds West, a distance
 21-57 of 258.93 feet;
 21-58 27) North 00 Degrees 10 Minutes 44 Seconds West, a distance
 21-59 of 335.96 feet;
 21-60 28) South 88 Degrees 56 Minutes 08 Seconds West, a distance
 21-61 of 331.24 feet;
 21-62 29) North 00 Degrees 52 Minutes 18 Seconds West, a distance
 21-63 of 363.82 feet;
 21-64 30) North 89 Degrees 11 Minutes 22 Seconds East, a distance
 21-65 of 562.19 feet;
 21-66 31) North 00 Degrees 23 Minutes 34 Seconds West, a distance
 21-67 of 56.18 feet;
 21-68 32) South 89 Degrees 08 Minutes 52 Seconds West, a distance
 21-69 of 10.46 feet;

22-1 33) North 00 Degrees 37 Minutes 02 Seconds West, a distance
 22-2 of 475.19 feet;
 22-3 34) North 68 Degrees 20 Minutes 23 Seconds West, a distance
 22-4 of 353.92 feet;
 22-5 35) South 89 Degrees 56 Minutes 26 Seconds West, a distance
 22-6 of 962.75 feet;
 22-7 36) North 88 Degrees 58 Minutes 00 Seconds West, a distance
 22-8 of 845.36 feet;
 22-9 37) South 27 Degrees 00 Minutes 04 Seconds West, a distance
 22-10 of 138.66 feet;
 22-11 38) South 62 Degrees 59 Minutes 56 Seconds East, a distance
 22-12 of 27.50 feet;
 22-13 39) South 27 Degrees 00 Minutes 04 Seconds West, a distance
 22-14 of 282.40 feet to the beginning of a curve to the right, having a
 22-15 radius of 2028.17 feet and a delta angle of 07 Degrees 05 Minutes 26
 22-16 Seconds;
 22-17 40) Continuing along said curve to the right, a distance of
 22-18 250.99 feet, Chord bears South 30 Degrees 36 Minutes 04 Seconds
 22-19 West, a distance of 250.83 feet to the beginning of a curve to the
 22-20 right, having a radius of 1042.38 feet and a delta angle of 13
 22-21 Degrees 20 Minutes 33 Seconds;
 22-22 41) Continuing along said curve to the right, a distance of
 22-23 242.74 feet, Chord bears South 40 Degrees 52 Minutes 21 Seconds
 22-24 West, a distance of 242.19 feet;
 22-25 42) South 01 Degrees 02 Minutes 21 Seconds East, a distance
 22-26 of 285.07 feet;
 22-27 43) South 00 Degrees 53 Minutes 34 Seconds East, a distance
 22-28 of 250.77 feet;
 22-29 44) South 45 Degrees 02 Minutes 22 Seconds East, a distance
 22-30 of 1323.99 feet;
 22-31 45) South 00 Degrees 09 Minutes 40 Seconds East, a distance
 22-32 of 924.15 feet;
 22-33 46) South 88 Degrees 46 Minutes 00 Seconds West, a distance
 22-34 of 70.05 feet to the beginning of a curve to the left, having a
 22-35 radius of 918.00 feet and a delta angle of 30 Degrees 53 Minutes 54
 22-36 Seconds;
 22-37 47) Continuing along said curve to the left, a distance of
 22-38 495.06 feet, Chord bears South 32 Degrees 00 Minutes 41 Seconds
 22-39 East, a distance of 489.08 feet;
 22-40 48) South 49 Degrees 19 Minutes 45 Seconds East, a distance
 22-41 of 131.71 feet;
 22-42 49) South 49 Degrees 19 Minutes 45 Seconds East, a distance
 22-43 of 113.68 feet;
 22-44 50) South 47 Degrees 27 Minutes 39 Seconds East, a distance
 22-45 of 877.46 feet to the beginning of a curve to the right, having a
 22-46 radius of 524.17 feet and a delta angle of 69 Degrees 51 Minutes 51
 22-47 Seconds;
 22-48 51) Continuing along said curve to the right, a distance of
 22-49 639.16 feet, Chord bears South 14 Degrees 13 Minutes 44 Seconds
 22-50 East, a distance of 600.29 feet, to the beginning of a curve to the
 22-51 left, having a radius of 368.00 feet and a delta angle of 58 Degrees
 22-52 57 Minutes 10 Seconds;
 22-53 52) Continuing along said curve to the left, a distance of
 22-54 378.64 feet, Chord bears South 07 Degrees 51 Minutes 31 Seconds
 22-55 East, a distance of 362.16 feet;
 22-56 53) South 88 Degrees 43 Minutes 04 Seconds East, a distance
 22-57 of 12.69 feet;
 22-58 54) North 40 Degrees 38 Minutes 54 Seconds East, a distance
 22-59 of 19.87 feet;
 22-60 55) North 00 Degrees 27 Minutes 31 Seconds West, a distance
 22-61 of 581.42 feet;
 22-62 56) North 89 Degrees 46 Minutes 56 Seconds East, a distance
 22-63 of 185.67 feet;
 22-64 57) North 89 Degrees 46 Minutes 56 Seconds West, a distance
 22-65 of 226.22 feet to the west line of Westmoreland Road;
 22-66 THENCE South 03 Degrees 41 Minutes 12 Seconds East, a distance of
 22-67 84.08 feet;
 22-68 THENCE South 00 Degrees 33 Minutes 20 Seconds East, a distance of
 22-69 100.00 feet, along the west line of Westmoreland Road, to the

23-1 intersection of the west line of Westmoreland Road and the north
 23-2 line of Fort Worth Avenue;
 23-3 THENCE along the west line of Westmoreland Road, the following five
 23-4 courses and distances:
 23-5 1) South 00Degrees 33 Minutes 20 Seconds East, a distance of
 23-6 155.36 feet;
 23-7 2) South 04 Degrees 59 Minutes 09 Seconds East, a distance
 23-8 of 116.15 feet;
 23-9 3) South 00 Degrees 21 Minutes 55 Seconds East, a distance
 23-10 of 82.98 feet;
 23-11 4) South 00 Degrees 43 Minutes 59 Seconds East, a distance
 23-12 of 937.30 feet;
 23-13 5) South 02 Degrees 32 Minutes 41 Seconds East, a distance
 23-14 of 184.19 feet, to the south line of Davis Street;
 23-15 THENCE along the south line of Davis Street, the following eleven
 23-16 courses and distance:
 23-17 1) North 89 Degrees 44 Minutes 01 Seconds East, a distance
 23-18 of 2451.54 feet;
 23-19 2) North 89 Degrees 46 Minutes 12 Seconds East, a distance
 23-20 of 1378.47 feet;
 23-21 3) North 89 Degrees 00 Minutes 53 Seconds East, a distance
 23-22 of 349.69 feet;
 23-23 4) North 84 Degrees 34 Minutes 31 Seconds East, a distance
 23-24 of 143.53 feet;
 23-25 5) North 88 Degrees 55 Minutes 26 Seconds East, a distance
 23-26 of 688.40 feet;
 23-27 6) South 89 Degrees 27 Minutes 07 Seconds East, a distance
 23-28 of 316.15 feet;
 23-29 7) North 88 Degrees 25 Minutes 46 Seconds East, a distance
 23-30 of 1262.57 feet;
 23-31 8) North 88 Degrees 27 Minutes 23 Seconds East, a distance
 23-32 of 399.02 feet;
 23-33 9) North 88 Degrees 51 Minutes 18 Seconds East, a distance
 23-34 of 53.61 feet;
 23-35 10) South 88 Degrees 46 Minutes 53 Seconds East, a distance
 23-36 of 138.62 feet;
 23-37 11) South 65 Degrees 26 Minutes 30 Seconds East, a distance
 23-38 of 11.71 feet;
 23-39 THENCE with the meanders of the tract of land conveyed to Cliffwood
 23-40 Development LLC recorded in Instrument Number 20070042742 of the
 23-41 Deed Records of Dallas County, Texas, the following seven courses
 23-42 and distances:
 23-43 1) South 00 Degrees 35 Minutes 08 Seconds East, a distance
 23-44 of 249.44 feet;
 23-45 2) South 87 Degrees 54 Minutes 17 Seconds East, a distance
 23-46 of 174.21 feet;
 23-47 3) North 41 Degrees 57 Minutes 58 Seconds East, a distance
 23-48 of 27.63 feet;
 23-49 4) North 89 Degrees 10 Minutes 58 Seconds East, a distance
 23-50 of 486.63 feet;
 23-51 5) South 00 Degrees 40 Minutes 58 Seconds West, a distance
 23-52 of 35.49 feet;
 23-53 6) North 89 Degrees 50 Minutes 58 Seconds East, a distance
 23-54 of 227.76 feet;
 23-55 7) North 00 Degrees 09 Minutes 02 Seconds West, a distance
 23-56 of 250.00 feet;
 23-57 THENCE North 72 Degrees 12 Minutes 17 Seconds East, a distance of
 23-58 130.39 feet, to the south line of Davis Street;
 23-59 THENCE along the south line of Davis Street, the following six
 23-60 courses and distances:
 23-61 1) North 89 Degrees 29 Minutes 55 Seconds East, a distance
 23-62 of 2221.81 feet;
 23-63 2) North 88 Degrees 44 Minutes 16 Seconds East, a distance
 23-64 of 800.75 feet;
 23-65 3) North 89 Degrees 23 Minutes 13 Seconds East, a distance
 23-66 of 1891.87 feet;
 23-67 4) North 88 Degrees 59 Minutes 05 Seconds East, a distance
 23-68 of 959.05 feet;
 23-69 5) South 89 Degrees 45 Minutes 19 Seconds East, a distance

24-1 of 1108.73 feet;
24-2 6) North 89 Degrees 54 Minutes 57 Seconds East, a distance
24-3 of 267.08 feet, to the POINT OF BEGINNING and containing 455.938
24-4 acres of land, more or less.

24-5 (b) The following separately described land is also
24-6 included as a part of and within the district:

24-7 A 1.781 acre tract of land situated in the Thackery Griffin
24-8 Survey Abstract No. 511, and being part of the City of Dallas Block
24-9 Numbers 7217 in the City of Dallas, Dallas County, Texas and being
24-10 all of Tract 2 of Exhibit "A-5" Described in a deed to SLF III/
24-11 INCAP, LP, recorded in Instrument Number 20080313895, Deed Records
24-12 of Dallas County, Texas and being more particularly described by
24-13 metes and bounds as follows:

24-14 BEGINNING at a point in the South right-of way (Variable width) line
24-15 of Interstate Highway No.30 and the Northwest corner of said INCAP
24-16 tract;

24-17 THENCE with the meanders of the said INCAP tract of land, the
24-18 following Seven courses and distances:

24-19 58) South 88 Degrees 56 Minutes 33 Seconds East, a distance
24-20 of 316.21 feet;

24-21 59) South 26 Degrees 54 Minutes 38 Seconds West, a distance
24-22 of 47.15 feet;

24-23 60) North 63 Degrees 05 Minutes 22 Seconds West, a distance
24-24 of 27.51 feet;

24-25 61) South 26 Degrees 54 Minutes 38 Seconds West, a distance
24-26 of 282.40 feet to the beginning of a curve to the right, having a
24-27 radius of 1817.36 feet and a delta angle of 06 Degrees 50 Minutes 42
24-28 Seconds;

24-29 62) Continuing along said curve to the right, a distance of
24-30 217.12 feet, Chord bears North 30 Degrees 19 Minutes 59 Seconds
24-31 East, a distance of 216.99 feet;

24-32 63) South 35 Degrees 29 Minutes 25 Seconds West, a distance
24-33 of 41.56 feet;

24-34 North 00 Degrees 59 Minutes 13 Seconds West, a distance of
24-35 508.45 feet, to the POINT OF BEGINNING and containing 1.781 acres of
24-36 land, more or less.

24-37 SECTION 3. The legislature finds that:

24-38 (1) proper and legal notice of the intention to
24-39 introduce this Act, setting forth the general substance of this
24-40 Act, has been published as provided by law, and the notice and a
24-41 copy of this Act have been furnished to all persons, agencies,
24-42 officials, or entities to which they are required to be furnished by
24-43 the constitution and laws of this state, including the governor,
24-44 who has submitted the notice and Act to the Texas Commission on
24-45 Environmental Quality;

24-46 (2) the Texas Commission on Environmental Quality has
24-47 filed its recommendations relating to this Act with the governor,
24-48 lieutenant governor, and speaker of the house of representatives
24-49 within the required time;

24-50 (3) the general law relating to consent by political
24-51 subdivisions to the creation of districts with conservation,
24-52 reclamation, and road powers and the inclusion of land in those
24-53 districts has been complied with; and

24-54 (4) all requirements of the constitution and laws of
24-55 this state and the rules and procedures of the legislature with
24-56 respect to the notice, introduction, and passage of this Act have
24-57 been fulfilled and accomplished.

24-58 SECTION 4. This Act takes effect immediately if it receives
24-59 a vote of two-thirds of all the members elected to each house, as
24-60 provided by Section 39, Article III, Texas Constitution. If this
24-61 Act does not receive the vote necessary for immediate effect, this
24-62 Act takes effect September 1, 2009.

24-63 * * * * *