

1-1 By: Hegar S.B. No. 660
1-2 (In the Senate - Filed February 3, 2009; February 23, 2009,
1-3 read first time and referred to Committee on Intergovernmental
1-4 Relations; April 17, 2009, reported favorably by the following
1-5 vote: Yeas 3, Nays 0; April 17, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the creation of the Caldwell County Municipal Utility
1-9 District No. 1; providing authority to impose a tax and issue bonds;
1-10 granting a limited power of eminent domain.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subtitle F, Title 6, Special District Local Laws
1-13 Code, is amended by adding Chapter 8307 to read as follows:

1-14 CHAPTER 8307. CALDWELL COUNTY MUNICIPAL UTILITY DISTRICT NO. 1

1-15 SUBCHAPTER A. GENERAL PROVISIONS

1-16 Sec. 8307.001. DEFINITIONS. In this chapter:

1-17 (1) "Board" means the district's board of directors.

1-18 (2) "Director" means a board member.

1-19 (3) "District" means the Caldwell County Municipal
1-20 Utility District No. 1.

1-21 Sec. 8307.002. NATURE OF DISTRICT. The district is a
1-22 municipal utility district created under Section 59, Article XVI,
1-23 Texas Constitution.

1-24 Sec. 8307.003. CONFIRMATION AND DIRECTORS' ELECTION
1-25 REQUIRED. The temporary directors shall hold an election to
1-26 confirm the creation of the district and to elect five permanent
1-27 directors as provided by Section 49.102, Water Code.

1-28 Sec. 8307.004. CONSENT OF MUNICIPALITY REQUIRED. The
1-29 temporary directors may not hold an election under Section 8307.003
1-30 until each municipality in whose corporate limits or
1-31 extraterritorial jurisdiction the district is located has
1-32 consented by ordinance or resolution to the creation of the
1-33 district and to the inclusion of land in the district.

1-34 Sec. 8307.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

1-35 (a) The district is created to serve a public purpose and benefit.

1-36 (b) The district is created to accomplish the purposes of:

1-37 (1) a municipal utility district as provided by
1-38 general law and Section 59, Article XVI, Texas Constitution; and

1-39 (2) Section 52, Article III, Texas Constitution, that
1-40 relate to the construction, acquisition, improvement, operation,
1-41 or maintenance of macadamized, graveled, or paved roads, or
1-42 improvements, including storm drainage, in aid of those roads.

1-43 Sec. 8307.006. INITIAL DISTRICT TERRITORY. (a) The
1-44 district is initially composed of the territory described by
1-45 Section 2 of the Act creating this chapter.

1-46 (b) The boundaries and field notes contained in Section 2 of
1-47 the Act creating this chapter form a closure. A mistake made in the
1-48 field notes or in copying the field notes in the legislative process
1-49 does not affect the district's:

1-50 (1) organization, existence, or validity;

1-51 (2) right to issue any type of bond for the purposes
1-52 for which the district is created or to pay the principal of and
1-53 interest on a bond;

1-54 (3) right to impose a tax; or

1-55 (4) legality or operation.

1-56 [Sections 8307.007-8307.050 reserved for expansion]

1-57 SUBCHAPTER B. BOARD OF DIRECTORS

1-58 Sec. 8307.051. GOVERNING BODY; TERMS. (a) The district is
1-59 governed by a board of five elected directors.

1-60 (b) Except as provided by Section 8307.052, directors serve
1-61 staggered four-year terms.

1-62 Sec. 8307.052. TEMPORARY DIRECTORS. (a) The temporary
1-63 board consists of:

1-64 (1) Joseph John Mazzola III;

- 2-1 (2) Hunter Wallace Dehn;
 2-2 (3) Seth Thatcher;
 2-3 (4) Scott Guesner; and
 2-4 (5) Mark Solomon.

2-5 (b) Temporary directors serve until the earlier of:

- 2-6 (1) the date permanent directors are elected under
 2-7 Section 8307.003; or
 2-8 (2) the fourth anniversary of the effective date of
 2-9 the Act creating this chapter.

2-10 (c) If permanent directors have not been elected under
 2-11 Section 8307.003 and the terms of the temporary directors have
 2-12 expired, successor temporary directors shall be appointed or
 2-13 reappointed as provided by Subsection (d) to serve terms that
 2-14 expire on the earlier of:

- 2-15 (1) the date permanent directors are elected under
 2-16 Section 8307.003; or
 2-17 (2) the fourth anniversary of the date of the
 2-18 appointment or reappointment.

2-19 (d) If Subsection (c) applies, the owner or owners of a
 2-20 majority of the assessed value of the real property in the district
 2-21 may submit a petition to the Texas Commission on Environmental
 2-22 Quality requesting that the commission appoint as successor
 2-23 temporary directors the five persons named in the petition. The
 2-24 commission shall appoint as successor temporary directors the five
 2-25 persons named in the petition.

2-26 [Sections 8307.053-8307.100 reserved for expansion]

2-27 SUBCHAPTER C. POWERS AND DUTIES

2-28 Sec. 8307.101. GENERAL POWERS AND DUTIES. The district has
 2-29 the powers and duties necessary to accomplish the purposes for
 2-30 which the district is created.

2-31 Sec. 8307.102. MUNICIPAL UTILITY DISTRICT POWERS AND
 2-32 DUTIES. The district has the powers and duties provided by the
 2-33 general law of this state, including Chapters 49 and 54, Water Code,
 2-34 applicable to municipal utility districts created under Section 59,
 2-35 Article XVI, Texas Constitution.

2-36 Sec. 8307.103. AUTHORITY FOR ROAD PROJECTS. Under Section
 2-37 52, Article III, Texas Constitution, the district may design,
 2-38 acquire, construct, finance, issue bonds for, improve, operate,
 2-39 maintain, and convey to this state, a county, or a municipality for
 2-40 operation and maintenance macadamized, graveled, or paved roads, or
 2-41 improvements, including storm drainage, in aid of those roads.

2-42 Sec. 8307.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
 2-43 road project must meet all applicable construction standards,
 2-44 zoning and subdivision requirements, and regulations of each
 2-45 municipality in whose corporate limits or extraterritorial
 2-46 jurisdiction the road project is located.

2-47 (b) If a road project is not located in the corporate limits
 2-48 or extraterritorial jurisdiction of a municipality, the road
 2-49 project must meet all applicable construction standards,
 2-50 subdivision requirements, and regulations of each county in which
 2-51 the road project is located.

2-52 (c) If the state will maintain and operate the road, the
 2-53 Texas Transportation Commission must approve the plans and
 2-54 specifications of the road project.

2-55 Sec. 8307.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
 2-56 OR RESOLUTION. The district shall comply with all applicable
 2-57 requirements of any ordinance or resolution that is adopted under
 2-58 Section 54.016 or 54.0165, Water Code, and that consents to the
 2-59 creation of the district or to the inclusion of land in the
 2-60 district.

2-61 Sec. 8307.106. LIMITATION ON USE OF EMINENT DOMAIN. The
 2-62 district may not exercise the power of eminent domain outside the
 2-63 district to acquire a site or easement for:

- 2-64 (1) a road project authorized by Section 8307.103; or
 2-65 (2) a recreational facility as defined by Section
 2-66 49.462, Water Code.

2-67 Sec. 8307.107. DIVISION OF DISTRICT. (a) The district may
 2-68 be divided into two or more new districts only if the district:

- 2-69 (1) has no outstanding bonded debt; and

3-1 (2) is not imposing ad valorem taxes.

3-2 (b) This chapter applies to any new district created by the
3-3 division of the district, and a new district has all the powers and
3-4 duties of the district.

3-5 (c) Any new district created by the division of the district
3-6 may not, at the time the new district is created:

3-7 (1) contain any land outside the area described by
3-8 Section 2 of the Act creating this chapter; or

3-9 (2) contain less than 100 acres.

3-10 (d) The board, on its own motion or on receipt of a petition
3-11 signed by the owner or owners of a majority of the assessed value of
3-12 the real property in the district according to the most recent
3-13 certified appraisal roll for each county in which the district is
3-14 located, may adopt an order dividing the district.

3-15 (e) The board may adopt an order dividing the district
3-16 before or after the date the board holds an election under Section
3-17 8307.003 to confirm the district's creation.

3-18 (f) An order dividing the district shall:

3-19 (1) name each new district;

3-20 (2) include the metes and bounds description of the
3-21 territory of each new district;

3-22 (3) appoint temporary directors for each new district;

3-23 and

3-24 (4) provide for the division of assets and liabilities
3-25 between or among the new districts.

3-26 (g) On or before the 30th day after the date of adoption of
3-27 an order dividing the district, the district shall file the order
3-28 with the Texas Commission on Environmental Quality and record the
3-29 order in the real property records of each county in which the
3-30 district is located.

3-31 (h) Any new district created by the division of the district
3-32 shall hold a confirmation and directors' election as required by
3-33 Section 8307.003.

3-34 (i) Any new district created by the division of the district
3-35 must hold an election as required by this chapter to obtain voter
3-36 approval before the district may impose a maintenance tax or issue
3-37 bonds payable wholly or partly from ad valorem taxes.

3-38 (j) Any new district created by the division of the district
3-39 may divide into two or more districts as provided by this section.

3-40 [Sections 8307.108-8307.150 reserved for expansion]

3-41 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

3-42 Sec. 8307.151. ELECTIONS REGARDING TAXES OR BONDS.

3-43 (a) The district may issue, without an election, bonds and other
3-44 obligations secured by:

3-45 (1) revenue other than ad valorem taxes; or

3-46 (2) contract payments described by Section 8307.153.

3-47 (b) The district must hold an election in the manner
3-48 provided by Chapters 49 and 54, Water Code, to obtain voter approval
3-49 before the district may impose an ad valorem tax or issue bonds
3-50 payable from ad valorem taxes.

3-51 (c) The district may not issue bonds payable from ad valorem
3-52 taxes to finance a road project unless the issuance is approved by a
3-53 vote of a two-thirds majority of the district voters voting at an
3-54 election held for that purpose.

3-55 Sec. 8307.152. OPERATION AND MAINTENANCE TAX. (a) If
3-56 authorized at an election held under Section 8307.151, the district
3-57 may impose an operation and maintenance tax on taxable property in
3-58 the district in accordance with Section 49.107, Water Code.

3-59 (b) The board shall determine the tax rate. The rate may not
3-60 exceed the rate approved at the election.

3-61 Sec. 8307.153. CONTRACT TAXES. (a) In accordance with
3-62 Section 49.108, Water Code, the district may impose a tax other than
3-63 an operation and maintenance tax and use the revenue derived from
3-64 the tax to make payments under a contract after the provisions of
3-65 the contract have been approved by a majority of the district voters
3-66 voting at an election held for that purpose.

3-67 (b) A contract approved by the district voters may contain a
3-68 provision stating that the contract may be modified or amended by
3-69 the board without further voter approval.

4-1 [Sections 8307.154-8307.200 reserved for expansion]

4-2 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

4-3 Sec. 8307.201. AUTHORITY TO ISSUE BONDS AND OTHER
 4-4 OBLIGATIONS. The district may issue bonds or other obligations
 4-5 payable wholly or partly from ad valorem taxes, impact fees,
 4-6 revenue, contract payments, grants, or other district money, or any
 4-7 combination of those sources, to pay for any authorized district
 4-8 purpose.

4-9 Sec. 8307.202. TAXES FOR BONDS. At the time the district
 4-10 issues bonds payable wholly or partly from ad valorem taxes, the
 4-11 board shall provide for the annual imposition of a continuing
 4-12 direct ad valorem tax, without limit as to rate or amount, while all
 4-13 or part of the bonds are outstanding as required and in the manner
 4-14 provided by Sections 54.601 and 54.602, Water Code.

4-15 Sec. 8307.203. BONDS FOR ROAD PROJECTS. At the time of
 4-16 issuance, the total principal amount of bonds or other obligations
 4-17 issued or incurred to finance road projects and payable from ad
 4-18 valorem taxes may not exceed one-fourth of the assessed value of the
 4-19 real property in the district.

4-20 SECTION 2. The Caldwell County Municipal Utility District
 4-21 No. 1 initially includes all the territory contained in the
 4-22 following area:

4-23 TRACT 1 - 3473.37 ACRES

4-24 All that certain tract or parcel of land situated in Caldwell
 4-25 County, Texas out of the Eason Tyson Survey, Abstract No. 291 and
 4-26 the Almerion Dickinson Survey, Abstract No. 5, Caldwell County,
 4-27 Texas and being those tracts described as 256.38 acres in a Special
 4-28 Warranty Deed granted to Don Ray George, et ux, and recorded in
 4-29 Volume 81, Page 50, Official Public Records of Caldwell County,
 4-30 Texas, and 339.33 acres in a Special Warranty Deed with Vendor's
 4-31 Lien granted to Don Ray George, et ux, and recorded in Volume 81,
 4-32 Page 558, of said official public records and 1638.30 acres in a
 4-33 Special Warranty Deed granted to Don Ray George, et ux, and recorded
 4-34 in Volume 80, Page 901, of said official public records and 384-1/4
 4-35 acres (First Tract), 157 acres (Tract One of Second Tract), 200
 4-36 acres (Tract Two of Second Tract), Tract Four of Second Tract, 100
 4-37 acres (Tract Two of Third Tract), 100 acres (Tract One of Third
 4-38 Tract), 100 acres (Tract Three of Second Tract), and 200 acres
 4-39 (Seventh Tract) in a Deed granted to Sidney Camille Brewster Young,
 4-40 and recorded in Volume 342, Page 454, Deed Records of Caldwell
 4-41 County, Texas, and further described by metes and bounds as
 4-42 follows:

4-43 BEGINNING at a 1/2" iron pin found at the intersection of the
 4-44 northeast line of Highway 80, a.k.a. San Marcos Highway,
 4-45 right-of-way varies, and the northwest line of County Road 110,
 4-46 a.k.a. Long Road, right-of-way varies, for the southwest corner of
 4-47 said Don Ray George, et ux tract (81/50) and this tract;

4-48 THENCE, with the northeast line of said Highway 80 and the southwest
 4-49 line of said Don Ray George, et ux tracts (81/50), (81/558), and
 4-50 (80/901) and this tract in the following twenty one (21) courses;

- 4-51 1. N 25°59'34" W 115.79 feet to a 1/2" iron pin with a yellow plastic
- 4-52 cap inscribed "CS, LTD." set,
- 4-53 2. N 61°10'25" E 15.80 feet to a 1/2" iron pin with a yellow plastic
- 4-54 cap inscribed "CS, LTD." set,
- 4-55 3. N 25°58'07" W 597.09 feet to a concrete monument found,
- 4-56 4. S 70°49'29" W 15.15 feet to a 1/2" iron pin found,
- 4-57 5. N 25°56'19" W 997.88 feet to a concrete monument,
- 4-58 6. N 66°58'22" E 5.66 feet to a concrete monument,
- 4-59 7. N 25°59'32" W 399.21 feet to a concrete monument,
- 4-60 8. S 77°04'13" W 6.02 feet to a concrete monument,
- 4-61 9. N 25°53'15" W at 1298.67 feet and 0.17 feet to the left passing a
- 4-62 concrete monument found, in all 1364.69 feet to a 1/2" iron
- 4-63 pin found for the northwest corner of said Don Ray George, et
- 4-64 ux tract (81/50) and the southwest corner of said Don Ray
- 4-65 George, et ux tract (81/558),
- 4-66 10. N 25°51'03" W 1331.32 feet to a concrete monument,
- 4-67 11. N 63°37'33" E 9.12 feet to a 1/2" iron pin with a yellow plastic
- 4-68 cap inscribed "CS, LTD." set,
- 4-69 12. N 26°05'30" W 200.05 feet to a concrete monument found,

- 5-1 13. S 70°24'55" W 10.36 feet to a concrete monument with a 60d nail
5-2 found in it,
5-3 14. N 25°52'07" W 999.81 feet to a 1/2" pipe found,
5-4 15. N 64°06'49" E 139.42 feet to a 1/2" iron pin found,
5-5 16. N 26°06'10" W 128.89 feet to a 1/2" pipe found for the northwest
5-6 corner of said Don Ray George, et ux tract (81/558) and an
5-7 angle point of said Don Ray George, et ux tract (80/901),
5-8 17. N 25°48'08" W 221.34 feet to a 1/2" iron pin found,
5-9 18. S 63°52'16" W 130.00 feet to a calculated point inundated by
5-10 Dickerson Creek,
5-11 19. N 25°55'54" W 749.61 feet to a concrete monument,
5-12 20. S 68°37'09" W 9.87 feet to a concrete monument,
5-13 21. N 25°55'39" W at 1400.02 feet and 0.40 feet to the left passing
5-14 a right-of-way monument found, in all 1907.70 feet to a 1/2"
5-15 iron pin found at the intersection of the northeast line of
5-16 said Highway 80 and the southeast line of County Road 107,
5-17 a.k.a. Dickerson Road, right-of-way varies, for the
5-18 northwest corner of said Don Ray George, et ux tract (80/901)
5-19 and this tract;
5-20 THENCE, with the southeast line of said County Road 107 and the
5-21 northwest line of said Don Ray George, et ux tract (80/901), said
5-22 Sidney Camille Brewster Young tracts (First Tract), (Tract One of
5-23 Second Tract), and (Tract Two of Second Tract) and this tract in the
5-24 following twenty one (21) courses,
5-25 1. N 27°50'19" E 99.49 feet to a 1/2" iron pin found,
5-26 2. N 48°30'05" E 1090.68 feet to a 1/2" iron pin found,
5-27 3. N 48°30'04" E 1359.07 feet to a 1/2" iron pin found,
5-28 4. N 48°38'19" E 1936.21 feet to a 1/2" iron pin found,
5-29 5. N 48°35'39" E 1168.70 feet to a 1/2" iron pin with a yellow
5-30 plastic cap inscribed "CS, LTD." set,
5-31 6. N 49°05'39" E 540.52 feet to a 1/2" iron pin with a yellow plastic
5-32 cap inscribed "CS, LTD." set,
5-33 7. N 73°35'13" E 43.60 feet to a 1/2" iron pin with a yellow plastic
5-34 cap inscribed "CS, LTD." set,
5-35 8. S 84°27'23" E 365.52 feet to a 1/2" iron pin with a yellow plastic
5-36 cap inscribed "CS, LTD." set in the southwest line of that
5-37 tract described as 607.42 acres in a Special Warranty Deed
5-38 granted to The Revocable Living Trust of Arthur Don Purswell
5-39 and Marian Young Purswell and recorded in Volume 177, Page
5-40 133, of said official public records and leaving said County
5-41 Road 107,
5-42 9. S 41°29'30" E 275.84 feet to a 1/2" iron pin found for the
5-43 southwest corner of said Arthur Don Purswell and Marian Young
5-44 Purswell tract and an interior ell corner of said Don Ray
5-45 George, et ux tract and this tract,
5-46 10. N 48°41'10" E 316.93 feet with the southeast line of said Arthur
5-47 Don Purswell and Marian Young Purswell tract to a 1/2" iron
5-48 pin with a yellow plastic cap inscribed "CS, LTD." set in the
5-49 southeast line of said County Road 107,
5-50 11. N 48°18'17" E 510.35 feet continuing with the southeast line of
5-51 said Arthur Don Purswell and Marian Young Purswell tract to a
5-52 1/2" iron pin found,
5-53 12. N 48°39'36" E 615.14 feet to a 1/2" iron pin with a yellow
5-54 plastic cap inscribed "CS, LTD." set,
5-55 13. N 48°47'27" E 244.10 feet to a 1/2" iron pin with a yellow
5-56 plastic cap inscribed "CS, LTD." set,
5-57 14. N 52°42'18" E 172.20 feet to a 1/2" iron pin found,
5-58 15. N 61°58'35" E 114.42 feet to a 1/2" iron pin with a yellow
5-59 plastic cap inscribed "CS, LTD." set,
5-60 16. N 48°18'51" E 689.17 feet to a 1/2" iron pin found,
5-61 17. N 48°16'14" E 456.03 feet to a 1/2" iron pin found,
5-62 18. N 48°54'32" E 642.45 feet to a 5/8" iron pin found for the
5-63 northwest corner of said Sidney Camille Brewster Young tract
5-64 (First Tract) and the northeast corner of said Don Ray
5-65 George, et ux tract (80/901),
5-66 19. N 48°49'02" E 2107.30 feet to a nail found at the top of a post
5-67 for the northwest corner of said Sidney Camille Brewster
5-68 Young tract (Tract One of Second Tract) and the northeast of
5-69 said Sidney Camille Brewster Young tract (First Tract),

6-1 20. N 48°24'33" E 844.46 feet to a 1/2" iron pin with a yellow
6-2 plastic cap inscribed "CS, LTD." set for the northwest corner
6-3 of said Sidney Camille Brewster Young tract (Tract Two of
6-4 Second Tract) and the northeast corner of said Sidney Camille
6-5 Brewster Young tract (Tract One of Second Tract),
6-6 21. N 47°54'42" E 1089.86 feet to a 5/8" iron pin found for the
6-7 northwest corner of that tract described as 5.41 acres (First
6-8 Tract) in a Warranty Deed granted to Nazario Reyna, et al, and
6-9 recorded in Volume 109, Page 311, of said official public
6-10 records and the northeast corner of said Sidney Camille
6-11 Brewster Young tract (Tract Two of Second Tract) and the most
6-12 westerly northeast corner of this tract,
6-13 THENCE, with the southwest line of said Nazario Reyna, et al tract
6-14 (First Tract) and that tract described as 7.67 acres (Second Tract)
6-15 in said Nazario Reyna, et al, Warranty Deed and those tracts
6-16 described as 6.04 acres (Tract One), 6.05 acres (Tract Two), 7.55
6-17 acres (Tract Three), and 7.55 acres (Tract Four) in a Warranty Deed
6-18 with Vendor's Lien granted to Michael Henry and recorded in Volume
6-19 66, Page 504, of said official public records and that tract
6-20 described as 10.29 acres in a Warranty Deed granted to Thomas J.
6-21 Chrystal, et al, and recorded in Volume 496, Page 677, of said deed
6-22 records and the northeast line of said Sidney Camille Brewster
6-23 Young tract (Tract Two of Second Tract) and continuing with the
6-24 northwest line of this tract in the following seven (7) courses,
6-25 1. S 41°22'58" E 700.00 feet to a 1/2" iron pin found for the
6-26 northwest corner of said Nazario Reyna, et al tract (Second
6-27 Tract) and the southwest corner of said Nazario Reyna, et al
6-28 tract (First Tract),
6-29 2. S 41°30'13" E 337.71 feet to a 1/2" iron pin found for the
6-30 northwest corner of said Michael Henry tract (Tract Four) and
6-31 the southwest corner of said Nazario Reyna, et al tract
6-32 (Second Tract),
6-33 3. S 41°48'01" E 326.67 feet to a 1/2" iron pin found for the
6-34 northwest corner of said Michael Henry tract (Tract Three)
6-35 and the southwest corner of said Michael Henry tract (Tract
6-36 Four),
6-37 4. S 42°06'52" E 326.93 feet to a 1/2" iron pin found for the
6-38 northwest corner of said Michael Henry tract (Tract Two) and
6-39 the southwest corner of said Michael Henry tract (Tract
6-40 Three),
6-41 5. S 42°11'00" E 262.18 feet to a 1/2" iron pin found for the
6-42 northwest corner of said Michael Henry tract (Tract One) and
6-43 the southwest corner of said Michael Henry tract (Tract Two),
6-44 6. S 42°21'52" E 261.98 feet to a 1/2" iron pin found for the
6-45 northwest corner of said Thomas J. Chrystal, et al tract and
6-46 the southwest corner of said Michael Henry tract (Tract One),
6-47 7. S 42°28'15" E 448.18 feet to a 1/2" iron pin found for the
6-48 northwest corner of said Sidney Camille Brewster Young tract
6-49 (Tract Two of Third Tract) and the southwest corner of said
6-50 Thomas J. Chrystal, et al tract and an interior ell corner of
6-51 this tract;
6-52 THENCE, with the southeast line of said Thomas J. Chrystal, et al
6-53 tract and that tract described as 10.20 acres in a Warranty Deed
6-54 granted to Anna Lowe, et al, and recorded in Volume 120, Page 785,
6-55 of said official public records and that tract described as 25.00
6-56 acres in a Contract For Deed granted to Wayne Carlton Latham, et ux,
6-57 and recorded in Volume 75, Page 46, of said official public records
6-58 and that tract described as 35.31 acres in a General Warranty Deed
6-59 granted to Wayne Carlton Latham, et ux, and recorded in Volume 318,
6-60 Page 900, of said official public records and the northwest line of
6-61 said Sidney Camille Brewster Young tract (Tract Two of Third Tract)
6-62 and continuing with the northwest line of this tract in the
6-63 following nine (9) courses,
6-64 1. N 47°59'47" E 399.12 feet to a 1/2" iron pin with a yellow plastic
6-65 cap inscribed "CS, LTD." set,
6-66 2. N 47°59'47" E 399.62 feet to a 1/2" iron pin with a yellow plastic
6-67 cap inscribed "CS, LTD." set,
6-68 3. N 47°51'49" E at 176.33 feet passing a 1/2" iron pin with a yellow
6-69 plastic cap inscribed "CS, LTD." set for the southwest corner

7-1 of an unimproved 50 foot roadway, in all 201.32 feet to a 1/2"
7-2 iron pin with a red cap inscribed "Hinkle Surveyor" found for
7-3 the southwest corner of said Anna Lowe, et al tract and the
7-4 southeast corner of said Thomas J. Chrystal, et al tract,
7-5 4. N 48°33'39" E at 25.04 feet passing a 60d nail found at the base
7-6 of a 20" Elm Tree for the southeast corner of said roadway, in
7-7 all 199.14 feet to a 5/8" iron pin found,
7-8 5. N 47°26'44" E 398.26 feet to a 5/8" iron pin found at a 12" Twin
7-9 Elm Tree,
7-10 6. N 47°48'57" E 400.42 feet to a 1/2" iron pin with an aluminum cap
7-11 inscribed "Burn & Assoc. Surveying" found for the southwest
7-12 corner of said Wayne Carlton Latham, et ux tract (75/46) and
7-13 the southeast corner of said Anna Lowe, et al tract,
7-14 7. N 48°21'48" E 318.40 feet to a 1/2" iron pin with a yellow plastic
7-15 cap inscribed "CS, LTD." set,
7-16 8. N 48°02'21" E 515.92 feet to a 12" treated fence post found for
7-17 the southwest corner of said Wayne Carlton Latham, et ux
7-18 tract (318/900) and the southeast corner of said Wayne
7-19 Carlton Latham, et ux tract (75/46),
7-20 9. N 48°06'50" E 1165.61 feet to a 5/8" iron pin found in the
7-21 southwest line of that tract described as 433.16 acres in a
7-22 Deed granted to Everett F. Johnson, et al, and recorded in
7-23 Volume 320, Page 3, of said deed records for the southeast
7-24 corner of said Wayne Carlton Latham, et ux tract (318/900)
7-25 and the northeast corner of said Sidney Camille Brewster
7-26 Young tract (Tract Two of Third Tract) and the most easterly
7-27 northeast corner of this tract;
7-28 THENCE, with the southwest line of said Everett F. Johnson, et al
7-29 tract as fenced and that tract described as 97.20 acres in an
7-30 Extension Agreement granted to Jo Ann Simmons, and recorded in
7-31 Volume 127, Page 303, of said deed records and the northeast line of
7-32 said Sidney Camille Brewster Young tracts (Tract Two of Third
7-33 Tract), (Tract One of Third Tract), (Tract Three of Second Tract),
7-34 and (Seventh Tract) and this tract as fenced in the following nine
7-35 (9) courses,
7-36 1. S 41°20'59" E 1086.22 feet to a 1/2" iron pin with a yellow
7-37 plastic cap inscribed "CS, LTD." set for the northeast corner
7-38 of said Sidney Camille Brewster Young tract (Tract One of
7-39 Third Tract) and the southeast corner of said Sidney Camille
7-40 Brewster Young tract (Tract Two of Third Tract),
7-41 2. S 41°47'44" E 476.92 feet to a 1/2" iron pin with a yellow plastic
7-42 cap inscribed "CS, LTD." set at a fence corner,
7-43 3. S 41°55'29" E 609.13 feet to a 1/2" iron pin with a yellow plastic
7-44 cap inscribed "CS, LTD." set for the northeast corner of said
7-45 Sidney Camille Brewster Young tract (Tract Three of Second
7-46 Tract) and the southeast corner of said Sidney Camille
7-47 Brewster Young tract (Tract One of Third Tract),
7-48 4. S 41°10'50" E 1091.49 feet to a 1/2" iron pin found for the
7-49 northwest corner of said Jo Ann Simmons tract and the
7-50 northeast corner of said Sidney Camille Brewster Young tract
7-51 (Seventh Tract) and the southeast corner of said Sidney
7-52 Camille Brewster Young tract (Tract Three of Second Tract),
7-53 5. S 41°33'35" E 500.01 feet to a 1/2" iron pin with a yellow plastic
7-54 cap inscribed "CS, LTD." set,
7-55 6. S 41°55'23" E 500.01 feet to a 1/2" iron pin with a yellow plastic
7-56 cap inscribed "CS, LTD." set,
7-57 7. S 41°16'46" E 652.96 feet to a 1/2" iron pin with a yellow plastic
7-58 cap inscribed "CS, LTD." set,
7-59 8. S 42°36'00" E 270.74 feet to a 1/2" iron pin found for the most
7-60 westerly southwest corner of said Jo Ann Simmons tract,
7-61 9. S 41°33'20" E 213.33 feet to a 1/2" iron pin with a yellow plastic
7-62 cap inscribed "CS, LTD."
7-63 set in the fenced northwest line of said County Road 110 for
7-64 the southeast corner of said Sidney Camille Brewster Young
7-65 tract (Seventh Tract) and this tract;
7-66 THENCE, with the northwest line of said County Road 110 as occupied
7-67 and the southeast line of said Sidney Camille Brewster Young tracts
7-68 (Seventh Tract), (Tract Two of Second Tract), (Tract One of Second
7-69 Tract), and (First Tract) and said Don Ray George, et ux tracts

- 8-1 (80/901) and (81/50) as occupied and this tract in the following
8-2 thirty (30) courses,
8-3 1. S 48°25'35" W 3998.39 feet to a 1/2" iron pin with a yellow
8-4 plastic cap inscribed "CS, LTD." set at a fence corner post
8-5 for the southeast corner of said Sidney Camille Brewster
8-6 Young tract (Tract Two of Second Tract) and the southwest
8-7 corner of said Sidney Camille Brewster Young tract (Seventh
8-8 Tract),
8-9 2. S 47°59'23" W 1101.35 feet to a 1/2" iron pin with a yellow
8-10 plastic cap inscribed "CS, LTD." set for the southeast corner
8-11 of said Sidney Camille Brewster Young tract (Tract One of
8-12 Second Tract) and the southwest corner of said Sidney Camille
8-13 Brewster Young tract (Tract Two of Second Tract),
8-14 3. S 48°14'02" W 846.20 feet to a 1/2" iron pin with a yellow plastic
8-15 cap inscribed "CS, LTD." set at a fence corner post for the
8-16 southeast corner of said Sidney Camille Brewster Young tract
8-17 (First Tract) and the southwest corner of said Sidney Camille
8-18 Brewster Young tract (Tract One of Second Tract),
8-19 4. S 48°55'00" W 2089.02 feet to a 1/2" iron pin found for the
8-20 southeast corner of said Don Ray George, et ux tract (80/901)
8-21 and the southwest corner of said Sidney Camille Brewster
8-22 Young tract (First Tract),
8-23 5. S 47°15'53" W 828.29 feet to a 1/2" iron pin found,
8-24 6. S 48°14'38" W 1800.54 feet to a 1/2" iron pin found,
8-25 7. S 45°53'08" W 29.28 feet to a 1/2" iron pin found,
8-26 8. S 47°42'12" W 1192.83 feet to a concrete monument,
8-27 9. S 55°48'36" W 86.13 feet to a 1/2" iron pin found,
8-28 10. S 44°50'37" W 86.74 feet to a 1/2" iron pin found,
8-29 11. S 46°59'47" W 1025.64 feet to a 1/2" iron pin with a yellow
8-30 plastic cap inscribed "CS, LTD." set,
8-31 12. S 51°14'20" W 63.03 feet to a 1/2" iron pin found,
8-32 13. S 48°31'46" W 323.13 feet to a 1/2" iron pin found,
8-33 14. S 48°10'15" W 419.02 feet to a 1/2" iron pin found,
8-34 15. S 52°57'23" W 267.70 feet leaving said fence to a 1/2" iron pin
8-35 with a yellow plastic cap inscribed "CS, LTD." set,
8-36 16. S 49°27'07" W 266.78 feet to a 1/2" iron pin found,
8-37 17. S 41°16'15" E 29.52 feet back to said fence and to a 1/2" iron
8-38 pin found,
8-39 18. S 48°19'28" W 383.14 feet to a 1/2" iron pin found,
8-40 19. S 48°20'59" W 761.56 feet to a 1/2" iron pin found,
8-41 20. S 48°44'26" W 698.20 feet to a 1/2" iron pin with a yellow
8-42 plastic cap inscribed "CS, LTD." set,
8-43 21. S 48°09'58" W 530.04 feet to a 1/2" iron pin found,
8-44 22. S 48°39'32" W 124.20 feet to a 1/2" iron pin found for the
8-45 southeast corner of said Don Ray George, et ux tract (81/50)
8-46 and the southwest corner of said Don Ray George, et ux tract
8-47 (80/901),
8-48 23. S 48°27'11" W 825.07 feet to a 1/2" iron pin found,
8-49 24. S 52°37'55" W 62.98 feet to a 1/2" iron pin with a yellow plastic
8-50 cap inscribed "CS, LTD." set,
8-51 25. S 48°49'11" W 50.25 feet to a 1/2" iron pin with a yellow plastic
8-52 cap inscribed "CS, LTD." set,
8-53 26. S 41°28'02" W 18.93 feet to a 1/2" iron pin found,
8-54 27. S 48°16'14" W 843.13 feet to a 1/2" iron pin with a yellow
8-55 plastic cap inscribed "CS, LTD." set,
8-56 28. S 48°23'56" W 434.47 feet to a 1/2" iron pin found,
8-57 29. S 48°28'12" W 1554.39 feet to a 1/2" iron pin with a yellow
8-58 plastic cap inscribed "CS, LTD." set,
8-59 30. S 58°27'42" W 11.24 feet to the Point of Beginning and
8-60 containing 3473.37 acres of land within this metes and bounds
8-61 description.
8-62 Bearings cited hereon based on Grid North, Texas State Plane
8-63 Coordinate System (Central Zone) NAD83.
8-64 SECTION 3. (a) The legal notice of the intention to
8-65 introduce this Act, setting forth the general substance of this
8-66 Act, has been published as provided by law, and the notice and a
8-67 copy of this Act have been furnished to all persons, agencies,
8-68 officials, or entities to which they are required to be furnished
8-69 under Section 59, Article XVI, Texas Constitution, and Chapter 313,

9-1 Government Code.

9-2 (b) The governor, one of the required recipients, has
9-3 submitted the notice and Act to the Texas Commission on
9-4 Environmental Quality.

9-5 (c) The Texas Commission on Environmental Quality has filed
9-6 its recommendations relating to this Act with the governor, the
9-7 lieutenant governor, and the speaker of the house of
9-8 representatives within the required time.

9-9 (d) All requirements of the constitution and laws of this
9-10 state and the rules and procedures of the legislature with respect
9-11 to the notice, introduction, and passage of this Act are fulfilled
9-12 and accomplished.

9-13 SECTION 4. This Act takes effect immediately if it receives
9-14 a vote of two-thirds of all the members elected to each house, as
9-15 provided by Section 39, Article III, Texas Constitution. If this
9-16 Act does not receive the vote necessary for immediate effect, this
9-17 Act takes effect September 1, 2009.

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