

CORRECTED

SENATE AMENDMENTS

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By: Anchia

H.B. No. 4720

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the Trinity River West Municipal
3 Management District; providing the authority to impose an
4 assessment, impose a tax, and issue bonds.

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

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws
7 Code, is amended by adding Chapter 3871 to read as follows:

8 CHAPTER 3871. TRINITY RIVER WEST MUNICIPAL MANAGEMENT DISTRICT

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3871.001. DEFINITIONS. In this chapter:

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

12 (2) "City" means the City of Dallas.

13 (3) "District" means the Trinity River West Municipal
14 Management District.

15 (4) "Improvement project" means a project authorized
16 by Section 3871.102:

17 (A) inside the boundaries of the district; and

18 (B) in areas outside but adjacent to the
19 boundaries of the district if the project is for the purpose of
20 extending public infrastructure improvements beyond the district's
21 boundaries to a logical terminus.

22 Sec. 3871.002. CREATION AND NATURE OF DISTRICT. The
23 district is a special district created under Section 59, Article
24 XVI, Texas Constitution.

1 Sec. 3871.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The
2 creation of the district is essential to accomplish the purposes of
3 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
4 Texas Constitution, and other public purposes stated in this
5 chapter. By creating the district and in authorizing the city and
6 other political subdivisions to contract with the district, the
7 legislature has established a program to accomplish the public
8 purposes set out in Section 52-a, Article III, Texas Constitution.

9 (b) The creation of the district is necessary to promote,
10 develop, encourage, and maintain employment, commerce,
11 transportation, housing, tourism, recreation, the arts,
12 entertainment, economic development, safety, and the public
13 welfare in the district.

14 (c) The district is created to supplement and not to
15 supplant city services provided in the district.

16 Sec. 3871.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
17 The district is created to serve a public use and benefit.

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

23 (c) The creation of the district is in the public interest
24 and is essential to further the public purposes of:

25 (1) developing and diversifying the economy of the
26 state;

27 (2) eliminating unemployment and underemployment;

1 (3) developing or expanding transportation and
2 commerce; and

3 (4) providing quality residential housing.

4 (d) The district will:

5 (1) promote the health, safety, and general welfare of
6 residents, employers, potential employees, employees, visitors,
7 and consumers in the district, and of the public;

8 (2) provide needed funding for the district to
9 preserve, maintain, and enhance the economic health and vitality of
10 the district territory as a residential community and business
11 center; and

12 (3) promote the health, safety, welfare, and enjoyment
13 of the public by providing pedestrian ways and by landscaping and
14 developing certain areas in the district, which are necessary for
15 the restoration, preservation, and enhancement of scenic beauty.

16 (e) Pedestrian ways along or across a street, whether at
17 grade or above or below the surface, and street lighting, street
18 landscaping, vehicle parking, and street art objects are parts of
19 and necessary components of a street and are considered to be an
20 improvement project that includes a street or road improvement.

21 (f) The district will not act as the agent or
22 instrumentality of any private interest even though the district
23 will benefit many private interests as well as the public.

24 Sec. 3871.005. DISTRICT TERRITORY. (a) The district is
25 composed of the territory described by Section 2 of the Act enacting
26 this chapter, as that territory may have been modified under:

27 (1) Section 3871.106; or

1 (2) other law.

2 (b) A mistake in the field notes of the district contained
3 in Section 2 of the Act enacting this chapter or in copying the
4 field notes in the legislative process does not in any way affect:

5 (1) the district's organization, existence, or
6 validity;

7 (2) the district's right to contract, including the
8 right to issue any type of bond or other obligation for a purpose
9 for which the district is created;

10 (3) the district's right to impose or collect an
11 assessment, tax, or any other revenue; or

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

13 Sec. 3871.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

14 (a) All or any part of the area of the district is eligible to be
15 included in:

16 (1) a tax increment reinvestment zone created by the
17 city under Chapter 311, Tax Code;

18 (2) a tax abatement reinvestment zone created by the
19 city under Chapter 312, Tax Code; or

20 (3) an enterprise zone created by the city under
21 Chapter 2303, Government Code.

22 (b) If the city creates a tax increment reinvestment zone
23 described by Subsection (a), the city and the board of directors of
24 the zone, by contract with the district, may grant money deposited
25 in the tax increment fund to the district to be used by the district
26 for the purposes permitted for money granted to a corporation under
27 Section 380.002(b), Local Government Code, including the right to

1 pledge the money as security for any bonds issued by the district
2 for an improvement project. A project may not receive public funds
3 under Section 380.002(b), Local Government Code, unless the project
4 has been approved by the governing body of the city by the adoption
5 of a resolution.

6 (c) A tax increment reinvestment zone created by the city in
7 the district is not subject to the limitations provided by Section
8 311.006(b), Tax Code.

9 [Sections 3871.007-3871.050 reserved for expansion]

10 SUBCHAPTER B. BOARD OF DIRECTORS

11 Sec. 3871.051. GOVERNING BODY; TERMS. (a) The district is
12 governed by a board of nine directors composed of:

13 (1) six directors appointed by the governing body of
14 the city; and

15 (2) three city employees appointed by the governing
16 body of the city.

17 (b) Directors serve staggered terms of four years, with four
18 or five directors' terms expiring July 1 of each odd-numbered year.

19 Sec. 3871.052. APPOINTMENT OF DIRECTORS: BOARD MEETINGS.

20 (a) Directors appointed under Section 3871.051(a)(1) must meet at
21 least one of the qualifications prescribed by Section 3871.053.

22 (b) A person may not be appointed to the board if the
23 appointment of that person would result in fewer than:

24 (1) four of the directors being residents of the city
25 and meeting the qualifications prescribed by Section
26 3871.053(a)(2), (3), (4), or (5); and

27 (2) two of the directors meeting the qualifications

1 prescribed by Section 3871.053(a)(1).

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

4 (d) The board shall hold meetings at a place accessible to
5 the public. The board shall file a copy of the notice of a meeting
6 with the city's secretary. The city's secretary shall post the
7 notice at Dallas City Hall.

8 (e) The board may not create an executive committee to
9 exercise the powers of the board.

10 Sec. 3871.053. QUALIFICATIONS OF DIRECTORS. (a) To be
11 qualified to serve as a director appointed under Section
12 3871.051(a)(1), a person must be at least 18 years old and must be:

13 (1) a resident of the district who is also a registered
14 voter of the district or a registered voter who lives within a
15 two-mile radius of the district;

16 (2) an owner of property in the district;

17 (3) an owner of stock, whether beneficial or
18 otherwise, of a corporate owner of property in the district;

19 (4) an owner of a beneficial interest in a trust that
20 owns property in the district; or

21 (5) an agent, employee, or tenant of a person covered
22 by Subdivision (2), (3), or (4).

23 (b) Section 49.052, Water Code, does not apply to the
24 district.

25 Sec. 3871.054. VACANCY. The governing body of the city
26 shall fill a vacancy on the board by appointing a person who meets
27 the qualifications prescribed by Section 3871.051(a) or 3871.053 to

1 serve for the remainder of the unexpired term.

2 Sec. 3871.055. DIRECTOR'S OATH OR AFFIRMATION. A
3 director's oath or affirmation of office shall be filed with the
4 district and the district shall retain the oath or affirmation in
5 the district records. A copy of each director's oath or affirmation
6 of office shall be filed with the city's secretary.

7 Sec. 3871.056. OFFICERS. The board shall elect from among
8 the directors a chair, a vice chair, and a secretary. The offices
9 of chair and secretary may not be held by the same person
10 concurrently.

11 Sec. 3871.057. COMPENSATION; EXPENSES; LIABILITY INSURANCE
12 FOR DIRECTORS. (a) The district may compensate each director in an
13 amount not to exceed \$50 for each board meeting. The total amount
14 of compensation for each director in one year may not exceed \$2,000.

15 (b) Directors are entitled to reimbursement for necessary
16 and reasonable expenses incurred in carrying out the duties and
17 responsibilities of the board.

18 (c) The district may obtain and pay for comprehensive
19 general liability insurance coverage from a commercial insurance
20 company or other source that protects and insures a director
21 against personal liability and from any and all claims relating to:

22 (1) actions taken by the director in the director's
23 capacity as a member of the board;

24 (2) actions and activities taken by the district; or

25 (3) the actions of others acting on behalf of the
26 district.

27 Sec. 3871.058. CONFLICTS OF INTEREST. (a) A director,

1 including a director who qualifies under Section 3871.053(a)(2),
2 (3), (4), or (5), may participate in all board votes and decisions
3 if the director complies with the requirements of Subsection (b).

4 (b) A director shall comply with Section 171.004, Local
5 Government Code, including the disclosure and abstention
6 requirements of that section. A director must file a copy of the
7 director's disclosure affidavit required by Section 171.004, Local
8 Government Code, with the city's secretary before participating in
9 a board discussion or vote.

10 Sec. 3871.059. INITIAL DIRECTORS. (a) The initial board
11 consists of the following directors:

12 (1) Place 1: a director who qualifies under Section
13 3871.053(a)(2), (3), (4), or (5);

14 (2) Place 2: a director who qualifies under Section
15 3871.053(a)(2), (3), (4), or (5);

16 (3) Place 3: a director who qualifies under Section
17 3871.053(a)(2), (3), (4), or (5);

18 (4) Place 4: a director who qualifies under Section
19 3871.053(a)(1);

20 (5) Place 5: a director who qualifies under Section
21 3871.053(a)(1);

22 (6) Place 6: a director who qualifies under Section
23 3871.053(a)(2), (3), (4), or (5);

24 (7) Place 7: a city employee;

25 (8) Place 8: a city employee; and

26 (9) Place 9: a city employee.

27 (b) Not later than September 1, 2009, the owner or owners of

1 a majority of the appraised value of the real property in the
2 district, or the majority of the record owners of real property in
3 the district subject to taxation, may submit a petition to the
4 governing body of the city requesting that the governing body
5 appoint as initial directors the persons named in the petition to
6 serve in Places 1-6. If the persons named in the petition meet the
7 qualifications prescribed by Sections 3871.052 and 3871.053, the
8 governing body shall appoint those persons as initial directors
9 under Subsection (a) to serve in Places 1-6.

10 (c) If a petition is not submitted under Subsection (b), the
11 governing body of the city shall appoint as initial directors six
12 persons who meet the qualifications prescribed by Sections 3871.052
13 and 3871.053 to serve in Places 1-6.

14 (d) Of the initial directors, the terms of directors
15 appointed for Places 1, 2, 3, and 4 expire July 1, 2011, and the
16 terms of directors appointed for Places 5, 6, 7, 8, and 9 expire
17 July 1, 2013.

18 (e) This section expires September 1, 2013.

19 [Sections 3871.060-3871.100 reserved for expansion]

20 SUBCHAPTER C. POWERS AND DUTIES

21 Sec. 3871.101. GENERAL POWERS AND DUTIES. The district has
22 the powers and duties provided by this chapter and by:

23 (1) the general laws relating to conservation and
24 reclamation districts created under Section 59, Article XVI, Texas
25 Constitution, including Chapters 49 and 54, Water Code, except that
26 the district's bonds and other securities are not subject to the
27 jurisdiction or supervision of the Texas Commission on

1 Environmental Quality under Chapter 49, Water Code, or other law;

2 (2) the general laws relating to road districts and
3 road utility districts created under Section 52(b), Article III,
4 Texas Constitution, including Chapter 441, Transportation Code,
5 except that the district may exercise any power granted by this
6 chapter without regard to any provision or requirement of or
7 procedure prescribed by Chapter 441, Transportation Code;

8 (3) Subchapter A, Chapter 372, Local Government Code,
9 in the same manner as a municipality or a county;

10 (4) Chapter 1371, Government Code;

11 (5) Chapter 375, Local Government Code; and

12 (6) Chapter 311, Tax Code.

13 Sec. 3871.102. IMPROVEMENT PROJECTS. (a) The district may
14 provide, or it may enter into contracts with a governmental or
15 private entity to provide, the following types of improvement
16 projects located in the district or activities in support of or
17 incidental to those projects:

18 (1) a supply and distribution facility or system to
19 provide potable and nonpotable water to the residents and
20 businesses of the district, including a wastewater collection
21 facility;

22 (2) a paved, macadamized, or graveled road, street, or
23 turnpike, inside and outside the district, to the full extent
24 authorized by Section 52, Article III, Texas Constitution;

25 (3) the planning, design, construction, improvement,
26 and maintenance of:

27 (A) landscaping;

1 (B) highway right-of-way or transit corridor
2 beautification and improvement;

3 (C) lighting, banners, and signs;

4 (D) a street or sidewalk;

5 (E) a hiking and cycling path or trail;

6 (F) a pedestrian walkway, skywalk, crosswalk, or
7 tunnel;

8 (G) a park, lake, garden, recreational facility,
9 community activities center, dock, wharf, sports facility, open
10 space, scenic area, or related exhibit or preserve;

11 (H) a fountain, plaza, or pedestrian mall; or

12 (I) a drainage or storm-water detention
13 improvement;

14 (4) protection and improvement of the quality of storm
15 water that flows through the district;

16 (5) the planning, design, construction, improvement,
17 maintenance, and operation of:

18 (A) a water or sewer facility; or

19 (B) an off-street parking facility or heliport;

20 (6) the planning and acquisition of:

21 (A) public art and sculpture and related exhibits
22 and facilities; or

23 (B) an educational facility, and a cultural
24 exhibit or facility;

25 (7) the planning, design, construction, acquisition,
26 lease, rental, improvement, maintenance, installation, and
27 management of and provision of furnishings for a facility for:

1 (A) a conference, convention, or exhibition;

2 (B) a manufacturer, consumer, or trade show;

3 (C) a civic, community, or institutional event;

4 or

5 (D) an exhibit, display, attraction, special
6 event, or seasonal or cultural celebration or holiday;

7 (8) the removal, razing, demolition, or clearing of
8 land or improvements in connection with improvement projects;

9 (9) the acquisition and improvement of land or other
10 property for the mitigation of the environmental effects of an
11 improvement project if those costs are incurred in accordance with
12 a development agreement and reimbursement of those costs is
13 conditioned on the completion of substantial vertical development,
14 or the costs are related to a transit or mobility project;

15 (10) the acquisition of property or an interest in
16 property in connection with one or more authorized improvement
17 projects, including a project authorized by Subchapter A, Chapter
18 372, Local Government Code;

19 (11) a special or supplemental service for the
20 improvement and promotion of the district or an area adjacent to the
21 district or for the protection of public health and safety in or
22 adjacent to the district, including:

23 (A) advertising;

24 (B) promotion;

25 (C) tourism;

26 (D) health and sanitation;

27 (E) public safety;

- 1 (F) security;
- 2 (G) fire protection or emergency medical
- 3 services;
- 4 (H) business recruitment;
- 5 (I) elimination of traffic congestion, including
- 6 by use of rail services; and
- 7 (J) recreational, educational, or cultural
- 8 improvements, enhancements, and services; or
- 9 (12) any similar public improvement, facility, or
- 10 service.

11 (b) The district may not undertake an improvement project
12 under this section unless the board determines the project to be
13 necessary to accomplish a public purpose of the district and has
14 received the approval of the city under Section 3871.160.

15 (c) An improvement project must comply with any applicable
16 codes and ordinances of the city.

17 (d) The district may not provide, conduct, or authorize an
18 improvement project on the city streets, highways, rights-of-way,
19 or easements without the consent of the governing body of the city.

20 (e) Subject to an agreement between the district and the
21 city, the city may:

22 (1) by ordinance, order, or resolution require that
23 title to all or any portion of an improvement project vest in the
24 city; or

25 (2) unless prohibited by Subsection (h), by ordinance,
26 order, resolution, or other directive, authorize the district to
27 own, encumber, maintain, and operate an improvement project,

1 subject to the right of the city to order a conveyance of the
2 improvement project to the city on a date determined by the city.

3 (f) The district shall immediately comply with any city
4 ordinance, order, or resolution adopted under Subsection (e).

5 (g) For the purposes of this section, planning, design,
6 construction, improvement, and maintenance of a lake includes work
7 done for drainage, reclamation, or recreation.

8 (h) Waterworks and sanitary sewer improvements may be
9 undertaken by the district inside or outside the boundaries of the
10 district, subject to the following conditions:

11 (1) the city shall request that waterworks or sanitary
12 sewer improvements be funded by the district;

13 (2) the city shall construct, own, operate, and
14 maintain the improvements; and

15 (3) the district shall comply with Sections 3871.152,
16 3871.157, and 3871.160 as a condition for the district to fund the
17 improvements.

18 Sec. 3871.103. GENERAL POWERS REGARDING CONTRACTS. (a)
19 The district may:

20 (1) contract with any person to accomplish any
21 district purpose, including a contract for:

22 (A) the payment, repayment, or reimbursement of
23 costs incurred by that person on behalf of the district, including
24 all or part of the costs of any improvement project and interest on
25 the reimbursed cost; or

26 (B) the use, occupancy, lease, rental,
27 operation, maintenance, or management of all or part of a proposed

1 or existing improvement project; and

2 (2) apply for and contract with any person to receive,
3 administer, and perform a duty or obligation of the district under a
4 federal, state, local, or private gift, grant, loan, conveyance,
5 transfer, bequest, or other financial assistance arrangement
6 relating to the investigation, planning, analysis, study, design,
7 acquisition, construction, improvement, completion,
8 implementation, or operation by the district or others of a
9 proposed or existing improvement project.

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

14 (c) Any person may contract with the district to carry out
15 the purposes of this chapter without further statutory or other
16 authorization.

17 Sec. 3871.104. RULES; ENFORCEMENT. (a) The district may
18 adopt rules:

19 (1) to administer or operate the district;

20 (2) for the use, enjoyment, availability, protection,
21 security, and maintenance of the district's property and
22 facilities; or

23 (3) to provide for public safety and security in the
24 district.

25 (b) The district may enforce its rules by injunctive relief.

26 (c) To the extent a district rule conflicts with a city
27 rule, order, or regulation, the city rule, order, or regulation

1 controls.

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

9 Sec. 3871.105. NAME CHANGE. The board by resolution may
10 change the district's name. The board shall give written notice of
11 the change to the city.

12 Sec. 3871.106. ADDING OR REMOVING TERRITORY. The board may
13 add or remove territory under Subchapter J, Chapter 49, Water Code,
14 and Section 54.016, Water Code, except that:

15 (1) the addition or removal of the territory must be
16 approved by:

17 (A) the governing body of the city by ordinance,
18 order, or resolution; and

19 (B) the owners of the territory being added or
20 removed;

21 (2) a reference to a tax in Subchapter J, Chapter 49,
22 Water Code, or Section 54.016, Water Code, means an ad valorem tax;
23 and

24 (3) territory may not be removed from the district if
25 bonds or other obligations of the district payable wholly or partly
26 from ad valorem taxes or assessments levied or assessed on the
27 territory are outstanding.

1 Sec. 3871.107. ECONOMIC DEVELOPMENT. (a) The district may
2 create economic development and other programs under Section 52-a,
3 Article III, Texas Constitution, and may impose and collect ad
4 valorem taxes for those purposes. The district has the economic
5 development powers that Chapter 380, Local Government Code,
6 provides to a municipality with a population of more than 100,000.
7 Each economic development program and each project that will
8 receive public funds under an economic development program must be
9 approved by the governing body of the city by ordinance, order, or
10 resolution.

11 (b) The district shall provide the city written notice not
12 later than the 30th day before the date of a meeting at which the
13 board will adopt terms of an economic development program. The
14 district may not adopt an economic development program or
15 improvement project to be funded under an economic development
16 program unless the governing body of the city has approved the
17 program or improvement project by ordinance, order, or resolution.

18 Sec. 3871.108. NO EMINENT DOMAIN POWER. The district may
19 not exercise the power of eminent domain.

20 Sec. 3871.109. TERMS OF EMPLOYMENT; COMPENSATION. The
21 board may employ and establish the terms of employment and
22 compensation of an executive director or general manager and any
23 other district employees the board considers necessary. An
24 employee may not receive annual compensation of more than \$150,000
25 from public funds of the district.

26 Sec. 3871.110. NOTICE TO PROPERTY OWNERS. (a) The board
27 shall annually provide owners of real property in the district

1 written notice that specifies the tax of the district for the
2 district's next fiscal year in sufficient clarity to describe the
3 tax rate for the operation and maintenance of the district and the
4 tax rate for the payment of debt service of obligations issued or
5 incurred by the district. The written notice must be sent by first
6 class United States mail, postage prepaid, to the current address
7 of the property owner as reflected on the tax rolls of the appraisal
8 district.

9 (b) The notice must clearly state that the tax rates on real
10 property imposed in the district are in addition to the ad valorem
11 taxes imposed by other taxing units that tax real property in the
12 boundaries of the district.

13 (c) The district shall generate and implement a program to
14 provide notification to a prospective purchaser of property in the
15 district of the rates of tax and assessments that have been approved
16 and are imposed by the district.

17 [Sections 3871.111-3871.150 reserved for expansion]

18 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

19 Sec. 3871.151. GENERAL POWERS REGARDING FINANCIAL MATTERS.

20 (a) Except as provided by Section 3871.160, the district may:

21 (1) impose an ad valorem tax on all taxable industrial
22 and commercial property in the district to pay for any improvement
23 projects of the types authorized by Section 52(b), Article III, and
24 Section 59, Article XVI, Texas Constitution, and to secure the
25 payment of bonds issued for those purposes;

26 (2) impose an assessment on property in the district
27 to pay the cost of any authorized improvement project and the cost

1 of the maintenance of the project in the manner provided for:

2 (A) a district under Subchapters A, E, and F,
3 Chapter 375, Local Government Code; or

4 (B) a municipality or county under Subchapter A,
5 Chapter 372, Local Government Code;

6 (3) provide or secure the payment or repayment of any
7 bond, note, or other temporary or permanent obligation or
8 reimbursement or other contract with any person, the costs and
9 expenses of the establishment, administration, and operation of the
10 district, and the district's costs or share of the costs or revenue
11 of an improvement project or district contractual obligation or
12 indebtedness by or through:

13 (A) the imposition of an ad valorem tax,
14 assessment, user fee, concession fee, or rental charge; and

15 (B) any other revenue or resources of the
16 district, or other revenue authorized by the city, including
17 revenue from a tax increment reinvestment zone created by the city
18 under applicable law;

19 (4) establish user charges related to the operation of
20 storm-water facilities, including the regulation of storm water for
21 the protection of water quality in the district;

22 (5) establish user charges for the use of nonpotable
23 water for irrigation purposes, subject to the approval of the
24 governing body of the city;

25 (6) undertake separately or jointly with other
26 persons, including the city or Dallas County, all or part of the
27 cost of any improvement project, including an improvement project:

1 (A) for improving, enhancing, and supporting
2 public safety and security, fire protection and emergency medical
3 services, and law enforcement in and adjacent to the district; or

4 (B) that confers a general benefit on the entire
5 district or a special benefit on a definable part of the district;
6 and

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

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

17 (A) more than 65 percent of the record owners of
18 real property in the district subject to taxation; or

19 (B) owners representing more than 65 percent of
20 the appraised value of real property in the district subject to
21 taxation, as determined by the tax rolls of the appraisal district.

22 Sec. 3871.152. BORROWING MONEY. (a) The district may
23 borrow money for a district purpose by issuing or executing bonds,
24 notes, credit agreements, or other obligations of any kind found by
25 the board to be necessary or appropriate for any district purpose.
26 The bond, note, credit agreement, or other obligation may be
27 secured by and payable from ad valorem taxes, assessments, a

1 combination of ad valorem taxes and assessments, or other district
2 revenue. The governing body of the city must approve the issuance
3 of bonds, notes, credit agreements, or other obligations of the
4 district, in general terms before the preparation of preliminary
5 official statements or loan closing documents, as provided by the
6 development and operating agreement approved by the city in
7 accordance with Section 3871.160, or by separate action.

8 (b) The governing body of the city must approve the final
9 terms of the bond issuance, note, or credit facility, including the
10 principal amount, note amount, interest rate or rates, redemption
11 provisions, and other terms and conditions relating to the
12 issuance.

13 (c) The district shall file annual audited financial
14 statements with the city's secretary.

15 Sec. 3871.153. ASSESSMENTS; EXEMPTION. (a) The district
16 may impose an assessment on property in the district, including an
17 assessment on commercial, industrial, or office property, only in
18 the manner provided by Subchapter A, Chapter 372, Local Government
19 Code, or Subchapter F, Chapter 375, Local Government Code, for a
20 municipality, county, or public improvement district, according to
21 the benefit received by the property.

22 (b) An assessment on property must be for the limited
23 purpose of providing capital funding for:

24 (1) public water and wastewater facilities;

25 (2) drainage and storm-water facilities;

26 (3) streets and alleys; and

27 (4) any authorized purpose under Chapter 372, Local

1 Government Code.

2 (c) An assessment, a reassessment, or an assessment
3 resulting from an addition to or correction of the assessment roll
4 by the district, penalties and interest on an assessment or
5 reassessment, an expense of collection, and reasonable attorney's
6 fees incurred by the district:

7 (1) are a first and prior lien against the property
8 assessed; and

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

12 (d) A lien of an assessment against property under this
13 chapter runs with the land, and the portion of an assessment payment
14 obligation that has not yet come due is not eliminated by the
15 foreclosure of an ad valorem tax lien. Any purchaser of property in
16 a foreclosure of an ad valorem tax lien takes the property subject
17 to the assessment payment obligations that have not yet come due and
18 to the lien and terms of payment under the applicable assessment
19 ordinance or order.

20 (e) The board may make a correction to or deletion from the
21 assessment roll that does not increase the amount of assessment of
22 any parcel of land without providing notice and holding a hearing in
23 the manner required for additional assessments.

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

27 Sec. 3871.154. RESIDENTIAL PROPERTY EXEMPT. The district

1 may not impose taxes, assessments, fees, or any other requirement
2 for payment, construction, alteration, or dedication on
3 single-family detached residential property, residential
4 condominiums, duplexes, triplexes, and quadruplexes.

5 Sec. 3871.155. MAINTENANCE AND OPERATION TAX; ELECTION.

6 (a) The district may impose a tax for maintenance and operation
7 purposes, including for:

8 (1) planning, constructing, acquiring, maintaining,
9 repairing, and operating all improvement projects, including land,
10 plants, works, facilities, improvements, appliances, and equipment
11 of the district; and

12 (2) paying costs of services, engineering and legal
13 fees, and organization and administrative expenses, including
14 expenses of the city payable under the terms of the project
15 development agreement described by Section 3871.160.

16 (b) The district may not impose a maintenance and operation
17 tax for improvement projects under this chapter unless the
18 imposition of the tax is approved by the voters of the district
19 voting at an election held for that purpose. An election may be
20 called only on receipt of a petition as provided by Section
21 3871.151(b).

22 (c) A maintenance and operation tax election may be held at
23 the same time and in conjunction with any other district election.
24 The election may be called by a separate election order or as part
25 of any other election order.

26 Sec. 3871.156. USE OF SURPLUS MAINTENANCE AND OPERATION
27 MONEY. If the district has surplus maintenance and operation tax

1 money that is not needed for the purposes for which it was
2 collected, the money may be used for any authorized purpose.

3 Sec. 3871.157. BONDS AND OTHER OBLIGATIONS. (a) Subject to
4 the requirements of Sections 3871.159 and 3871.160, the district
5 may issue by public or private sale bonds, notes, or other
6 obligations payable wholly or partly from ad valorem taxes, or by
7 assessments in the manner provided by Subchapter A, Chapter 372,
8 Local Government Code, or Subchapter J, Chapter 375, Local
9 Government Code.

10 (b) In exercising the district's borrowing power, the
11 district may issue a bond or other obligation in the form of a bond,
12 note, certificate of participation or other instrument evidencing a
13 proportionate interest in payments to be made by the district, or
14 any other type of obligation.

15 (c) In addition to the sources of money described by
16 Subchapter A, Chapter 372, Local Government Code, and Subchapter J,
17 Chapter 375, Local Government Code, district bonds may be secured
18 and made payable wholly or partly by a pledge of any part of the
19 money the district receives from system or improvement project
20 revenue or from any other source.

21 Sec. 3871.158. BOND MATURITY. Bonds may mature not more
22 than 40 years from their date of issue.

23 Sec. 3871.159. TAXES FOR BONDS AND OTHER OBLIGATIONS. At
24 the time bonds or other obligations payable wholly or partly from ad
25 valorem taxes are issued:

26 (1) the board shall impose a continuing direct annual
27 ad valorem tax for each year that all or part of the bonds are

1 outstanding; and

2 (2) the district annually shall impose an ad valorem
3 tax on all taxable property in the district in an amount sufficient
4 to:

5 (A) pay the interest on the bonds or other
6 obligations as the interest becomes due; and

7 (B) create a sinking fund for the payment of the
8 principal of the bonds or other obligations when due or the
9 redemption price at any earlier required redemption date.

10 Sec. 3871.160. DEVELOPMENT AND OPERATING AGREEMENT
11 REQUIRED. (a) After the district's board is organized, but before
12 the district may undertake any improvement project, issue bonds,
13 impose taxes, levy assessments or fees, or borrow money, the
14 district and the city must negotiate and execute a mutually
15 approved and accepted development and operating agreement,
16 including any limitations imposed by the city, regarding the plans
17 and rules for:

18 (1) the exercise of the powers granted to the district
19 under this chapter, including the organization, development, and
20 operation of the district;

21 (2) the selection and description of improvement
22 projects that may be undertaken and financed by the district and the
23 ownership, operation, and maintenance of those projects;

24 (3) the terms, conditions, methods, means, and amounts
25 of financing authorized by this chapter that the district may use in
26 providing improvement projects; and

27 (4) the amounts, methods, and times of reimbursement

1 to the city for costs and expenses, if any, incurred by the city
2 with respect to the development and operation of the district and
3 the financing of improvement projects by the district.

4 (b) An agreement authorized by this section is not effective
5 until its terms and execution are approved by the board and the
6 governing body of the city by resolution.

7 [Sections 3871.161-3871.250 reserved for expansion]

8 SUBCHAPTER E. DISSOLUTION

9 Sec. 3871.251. DISSOLUTION BY CITY ORDINANCE. (a) The city
10 by ordinance may dissolve the district.

11 (b) The city may not dissolve the district until the
12 district's outstanding indebtedness or contractual obligations
13 that are payable from ad valorem taxes have been repaid or
14 discharged, or the city has affirmatively assumed the obligation to
15 pay the outstanding indebtedness from the city's lawfully available
16 revenue.

17 (c) The city may not dissolve the district until the
18 agreement under Section 3871.160 has been executed and the
19 district's performance under the agreement has been fulfilled,
20 including any right or obligation the district has to reimburse a
21 developer or owner for the costs of improvement projects.

22 Sec. 3871.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

23 (a) If the dissolved district has bonds or other obligations
24 outstanding secured by and payable from assessments or other
25 revenue, other than ad valorem taxes, the city shall succeed to the
26 rights and obligations of the district regarding enforcement and
27 collection of the assessments or other revenue.

1 (b) The city shall have and exercise all district powers to
2 enforce and collect the assessments or other revenue to pay:

3 (1) the bonds or other obligations when due and
4 payable according to their terms; or

5 (2) special revenue or assessment bonds or other
6 obligations issued by the city to refund the outstanding bonds or
7 obligations.

8 Sec. 3871.253. CONCURRENCE ON ADDITIONAL POWERS. If the
9 legislature grants the district a power that is in addition to the
10 powers approved by the initial resolution of the governing body of
11 the city consenting to the creation of the district, the district
12 may not exercise that power unless the governing body of the city
13 consents to that change by resolution.

14 Sec. 3871.254. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
15 After the city dissolves the district, the city assumes, subject to
16 the appropriation and availability of funds, the obligations of the
17 district, including any bonds or other indebtedness payable from
18 assessments or other district revenue.

19 (b) If the city dissolves the district, the board shall
20 transfer ownership of all district property to the city.

21 SECTION 2. The district shall include the land described in
22 subsections (a) and (b), below:

23 (a) A 192 acre tract of land situated west of the Dallas
24 Central Business District along the western bank of the Trinity
25 River Floodway in Dallas County, Texas, with said tract of land
26 being more particularly described (in a clockwise manner around the
27 boundary) by the following:

1 The POINT OF BEGINNING being the northernmost point of the
2 District on the northern right of way of Continental Avenue,
3 eastern bank of the Trinity River Floodway and the Union Pacific
4 Rail Corridor;

5 THEN in a southeast direction to the southern right-of-way of
6 Continental Avenue;

7 THEN in a southwest direction along the southern right-of-way
8 of Continental Avenue / Singleton Boulevard across the Trinity
9 River to the intersection with the Continental Via Connector;

10 THEN in a south by west direction along the eastern
11 right-of-way of the Continental Via Connector;

12 THEN in a south southeast direction along the eastern
13 right-of-way of the Continental Via Connector;

14 THEN in a south southeast direction along the eastern
15 right-of-way of the Continental Via Connector, N. Beckley
16 Boulevard;

17 THEN in a south southeast direction along the eastern
18 right-of-way of N. Beckley Boulevard across the Union Pacific Rail
19 Corridor to the northwest corner of 0.38 acre parcel (Block 6824,
20 Lot 1, Account: 00000633508000000);

21 THEN in an easterly direction along the northern edge (to the
22 northeast corner) of 0.38 acre parcel (Block 6824, Lot 1, Account:
23 00000633508000000);

24 THEN in a south southeast direction along the eastern edge
25 (to the southeast corner) of 0.38 acre parcel (Block 6824, Lot 1,
26 Account: 00000633508000000);

27 THEN in a southeast direction along the eastern edge (to the

1 southeast corner) of 0.63 acre parcel (Lot 2, Account:
2 00000633511000000);

3 THEN in a southerly direction along the eastern edge (to the
4 southeast corner) of 0.23 acre parcel (Block 6824, Tract 3,
5 Account: 00000633514000000);

6 THEN in a south southwest direction to the southern
7 right-of-way of Commerce Street;

8 THEN in a west southwest direction along the southern
9 right-of-way of West Commerce Street to the intersection of Fort
10 Worth Avenue;

11 THEN in a due west direction for along the southern
12 right-of-way of West Commerce Street to the western right-of-way of
13 Sylvan Avenue;

14 THEN in a northerly direction along the western right-of-way
15 of Sylvan Avenue across Singleton Boulevard to the southwest corner
16 of 0.15 acre parcel (Tiptons No 3, Block 3/71701 Lot 1, Account:
17 00000673591000000);

18 THEN in a due east direction along the northern right-of-way
19 of Pueblo Street to the eastern right-of-way of Topeka Avenue;

20 THEN in a due south direction along the eastern right-of-way
21 of Topeka Avenue to the northern right-of-way of Singleton
22 Boulevard;

23 THEN in a due east direction along the northern right-of-way
24 of Singleton Boulevard to the western right-of-way of Bataan
25 Street;

26 THEN in a due north direction approximately 529 feet along
27 the western right-of-way of Bataan Street to the southeast corner

1 of 0.13 acre parcel (7093, N Pt of Lots 54-58, Account:
2 00000672568000000);

3 THEN in a due north direction for approximately 13 feet along
4 the western right-of-way of Bataan Street and the eastern edge of
5 0.13 acre parcel (7093, N Pt of Lots 54-58, Account:
6 00000672568000000);

7 THEN in a due east direction across the right-of-way of
8 Bataan Street to the northwest corner of 0.13 acre parcel (7093, S
9 Pt Lots 49-52, Account: 00000672565000000);

10 THEN in a due east direction for approximately 90 feet along
11 the northern edge (to the northeast corner) of 0.13 acre parcel
12 (7093, S Pt Lots 49-52, Account: 00000672565000000);

13 THEN in an east by north direction for approximately 29 feet
14 across the right-of-way of Pueblo alley way to the southwest corner
15 of 4.59 acre parcel (7092, Block 3, Tr 4, S Pt Account:
16 00000672316000000);

17 THEN in a due east direction along the northern right-of-way
18 of Pueblo alley way and Pueblo Street to the eastern right-of-way of
19 Gulden Avenue;

20 THEN in a due south direction along the eastern right-of-way
21 of Gulden Avenue to the intersection with the north access road from
22 Singleton Boulevard;

23 THEN in a southeast direction along the northern right-of-way
24 of the north access road from Singleton Boulevard to the
25 intersection with Singleton Boulevard;

26 THEN in a northeasterly direction along the northern
27 right-of-way of Singleton Boulevard / Continental Avenue to the

1 point of beginning;
2 Save and except CITY BLOCK 4004 100X125 W COMMERCE & TOPEKA LT
3 14 ;
4 Save and except CITY BLOCK 4004 50X125 W COMMERCE 64FR
5 EVANSTON LT 13 ;
6 Save and except BLK 4004 TR 1 & PT BLK 6818 & BLK 6819 LTS
7 27-32 ACS 1.6806 INT20080175384 DD05212008 CO-DC;
8 Save and except BLK 4004 LOT 12 64X125 W COMMERCE & EVANSTON
9 VOL98002/6015 DD123197 CO-DALLAS;
10 Save and except BLK 4004 N 36FT LT 2 TOPEKA VOL2002092/7333
11 DD05092002 CO-DC;
12 Save and except BLK 4004 S 29FT LOT 3 & N 6FT LOT 4
13 VOL2003255/3697 DD12162003 CO-DC;
14 Save and except J W STONEHAMS SUBD BLK 4004 S 14FT 2 & N 20FT 3
15 21FT LOT 3 VOL2003254/7651 DD12182003 CO-DA;
16 Save and except J W STONEHAMS ADDN BLK 4004 S 36FT LT 4
17 VOL94249/2739 DD120594 CO-DALLAS;
18 Save and except BLK 4004 LTS 5 & 6 TOPEKA VOL83222 PG2749
19 CO-DALLAS;
20 Save and except BLK 4004 S 37.5' LOT 7 VOL93070/1997 EX040793
21 CO-DALLAS;
22 Save and except BLK 4004 N 25 FT 8 & S 13 FT 9 EVANSTON
23 VOL86222/5346 VOL2004177/12448 DD09072004 CO-DC;
24 Save and except 7 & 25 FT LT 8 04004 N 12.5FT7 AND 25FT8
25 EVANSTON VOL2004059/8111 DD03082004 CO-DC;
26 Save and except BLK 4004 37' LOT 9 & 1' LOT 10 INT20070370953
27 DD10181997 CO-DC;

1 Save and except 04004 N 38FT 10 EVANSTON VOL2002023/2452
2 CO-DC;

3 Save and except BLK 4005 LOT 10 ACS 0.1435 50X125 COMMERCE
4 & EVANSTON VOL2003255/3832 DD12152003 CO-DC;

5 Save and except BLK 4005 LT 7 50X100X5.82X51.99X72.1
6 EVANSTON 125FR COMMERCE VOL2003255/3832 DD12152003 CO-DC;

7 Save and except BLK 4005 LT 6 50X42.86X56.94X72.1 EVANSTON
8 175FR COMMERCE VOL2003255/3832 DD12152003 CO-DC;

9 Save and except BLK 4005 LT 5 50X42.86X53.68X22.86 EVANSTON
10 225FR W COMMERCE VOL2003255/3832 DD12152003 CO-DC;

11 Save and except BLK 4005 LT 9 50X125 W COMMERCE 50FR EVANSTON
12 VOL2003255/3832 DD12152003 CO-DC;

13 Save and except BLK 4005 LT 8 44.9X131.93X3.12X125 W
14 COMMERCE 100FR EVANSTON VOL2003255/3832 DD12152003 CO-DC;

15 Save and except BLK 4005 LT 4 50X10.66X51.36X22.86 EVANSTON
16 325FR COMMERCE VOL2003255/3785 DD12182003 CO-DC;

17 Save and except BLK 6818 TR 6 ACS 0.1338 CO-DALLAS;

18 Save and except BLK 6818 TR 6.1 ACS 0.0949 VOL98247/5660
19 DD093098 CO-DALLAS;

20 Save and except LOT 5 50X188X53X119X103X307 COMMERCE TO
21 TOPEKA ;

22 Save and except BLK 6818 TR 3 50X103 TOPEKA AND ALLEY TOPEKA
23 & ALLEY VOL97100/0344 DD051497 CO-DALLAS;

24 Save and except BLK 6818 TR 4 50X103 TOPEKA 50FR ALLEY
25 VOL97100/0344 DD051497 CO-DALLAS;

26 Save and except BLK 6819 TR 33A 40X100 W MAIN CO-DALLAS;

27 Save and except BLK 6819 LOT 1 ACS 0.033 INT20070136081

1 DD03292007 CO-DC;
2 Save and except BLK 6819 LOTS 2 3 & S 5FT4 ACS 0.209
3 INT20070136081 DD03292007 CO-DC;
4 Save and except BLK 6819 N PT 4 45X100 CO-DALLAS;
5 Save and except BLK 6819 LOT 5 GUEST INT20070136081
6 DD03302007 CO-DC;
7 Save and except BLK 6819 LT 6 GUEST ACS 0.118
8 INT20070136081 DD03292007 CO-DC;
9 Save and except BLK 6819 LT 7 GUEST ACS 0.1172
10 INT20070136081 DD03292007 CO-DC;
11 Save and except BLK 6819 LT 8 GUEST ACS 0.112
12 INT20070136081 DD03292007 CO-DC;
13 Save and except BLK 6819 BLK 6819 TR 33D 50X100 W MAIN
14 INT20070274154 DD07312007 CO-DC;
15 Save and except BLK 6819 TR 33E 50X100 W MAIN CO-DALLAS;
16 Save and except GUESTS WEST DALLAS BLK 6819 TR 33B 50X100
17 PROB SE04247-P/2 DD10182004 CO-DC;
18 Save and except BLK 6819 TR 33C 50X100 MAIN VOL79172/0982
19 DD082879 CO-DALLAS;
20 Save and except BLK 6819 LOT 34B 50X100 W MAIN CO-DALLAS;
21 Save and except BLK 6819 LTS 43 & 44 COMMERCE & YUMA
22 VOL98247/5630 CO-DALLAS;
23 Save and except BLK 6819 N 1/2 LT 45-50X50 YUMA ;
24 Save and except S PT 45-50X50 YUMA VOL85245 PG3602;
25 Save and except BLK 6819 LT 46 YUMA & ALLEY VOL97100/0344
26 DD051497 CO-DALLAS;
27 Save and except BLK B/6820 LT 1 COMMERCE & BEAVER

1 INT200600195865 DD05222006 CO-DC;
2 Save and except ROBERTS & WRIGHT-WEST DALLAS LOT 2 COMMERCE
3 PROB94-1974-P2 CO-DC;
4 Save and except ROBERTS & WRIGHT-WEST DALLAS LOT 3 COMMERCE
5 PROB94-1974-P2 CO-DC;
6 Save and except ROBERTS & WRIGHT-WEST DALLAS E PT LOT
7 4-33X170X25.4X170 COMMERCE ;
8 Save and except ROBERTS & WRIGHTS BLK B/6820 LOT 8 ACS 0.1951
9 VOL91096/3159 EX040991 CO-DALLAS;
10 Save and except ROBERTS & WRIGHT BLK B/6820 W PT LOT 9 ACS
11 0.1718 VOL91096/3159 EX040991 CO-DALLAS;
12 Save and except ROBERTS & WRIGHT-WEST DALLAS E PT 9 ALL
13 10-53.5X170X58.3X170 BLK B/6820 INT20070303241 DD06282007 CO-DC;
14 Save and except ROBERTS & WRIGHT-WEST DALLAS BLK B/6820 LOT
15 11 INT20070303241 DD06282007 CO-DC;
16 Save and except BLK B/6820 LOT 12 YUMA CTS PROB94-1974-P2
17 CO-DC;
18 Save and except ROBERTS & WRIGHT-WEST DALLAS LOTS 13 AND 14
19 YUMA CTS AND BEAVER PROB94-1974-P2 CO-DC;
20 Save and except BLK 6821 LTS 43 THRU 46 ACS 0.275 W COMMERCE &
21 PITTMAN INT20070136081 DD03292007 CO-DC;
22 Save and except BLK 6821 LT 47 PITTMAN VOL87234 PG4061
23 CO-DALLAS;
24 Save and except BLK 6821 LT 62 PITTMAN VOL87234 PG4061
25 CO-DALLAS;
26 Save and except BLK 6821 LOT 63 ACS 0.110 PITTMAN & GC & SF RR
27 CO-DALLAS;

1 Save and except BOMARS WEST COMMERCE BLK E/6823 LOT 4 & BLK
2 6821 PT LOT 72 ACS 3.1632 INT20070304216 DD08062007 CO-DC;
3 Save and except BOMARS WEST COMMERCE BLK 6819 LOT 4.1 ACS
4 1.8255 INT20070304216 DD08062007 CO-DC;
5 Save and except BLK 6822 LT 1 W MAIN VOL2005024/1424
6 DD01312005 CO-DC;
7 Save and except BLK 6822 LTS 2 & 3 W MAIN VOL2005024/1424
8 DD01312005 CO-DC;
9 Save and except 06822 LOT 7 W MAIN ;
10 Save and except WEST WE GO BLK 6822 ALL LT 8 & LT 9 LESS 3.5FT
11 TRI ADJ LOT 10 VOL2005042/2535 DD02222005 CO-DC;
12 Save and except WEST WE GO BLK 6822 LOTS 10 & 11 & W3.5'TRI
13 LOT 9 VOL83069 PG0717 CO-DALLAS;
14 Save and except BLK 6822 LTS 12 13 & 14 W MAIN INT20070083883
15 DD03052007 CO-DC;
16 Save and except BLK 6822 LTS 15 AND 16 MAIN INT20070083883
17 DD03052007 CO-DC;
18 Save and except BLK 6822 LOTS 17 & 18 W MAIN INT20070083884
19 DD03062007 CO-DC;
20 Save and except 06822 LOTS 19 AND 20 W MAIN VOL2005070/3341
21 DD03292005 CO-DC;
22 Save and except BLK 6822 LTS 23 24 & PT LTS 22 & 25 W MAIN
23 CO-DALLAS;
24 Save and except BLK 6822 PT LOT 25 AND ALL 26 W MAIN ;
25 Save and except BLK 6822 LT 27 VOL98226/2670 DD102695
26 CO-DALLAS;
27 Save and except BLK 6822 LOT 33 CO-DALLAS;

1 Save and except WEST WE GO ADDITION BLK 6822 LT 32 VOL84173
2 PG1525 CO-DALLAS;
3 Save and except 06822 LT 34 BLK 6822 VOL2003255/3697
4 DD12162003 CO-DC;
5 Save and except 06822 LT 35 BLK 6822 VOL2003255/3697
6 DD12162003 CO-DC;
7 Save and except BLK 6822 LTS 36 THRU 39 W MAIN
8 VOL2000148/2996 DD08012000 CO-DA;
9 Save and except 06822 LOTS 40 AND 41 W MAIN VOL2005069/8115
10 DD03092005 CO-DC;
11 Save and except WEST WE GO BLK 6822 LT 46 INT20080047274
12 DD02052008 CO-DC;
13 Save and except BLK 6822 LOT 49 W MAIN VOL2003224/1305
14 DD10312003 CO-DC;
15 Save and except BLK 6822 LOTS 50 & 51 W MAIN VOL2003224/1305
16 DD10312003 CO-DC;
17 Save and except BLK 6822 LOTS 52 & 53 W MAIN CO-DALLAS;
18 Save and except BLK 6822 LOT 54 W MAIN CO-DALLAS;
19 Save and except BLK 6822 LOTS 55 & 56 W MAIN VOL2004139/1159
20 DD07011993 CO-DA;
21 Save and except LOTS 57 & 58 W MAIN ;
22 Save and except BLK 6822 LTS 59 & 60 W MAIN CO-DALLAS;
23 Save and except 06822 LOTS 64 AND 65 W MAIN ;
24 Save and except BLK 6822 LOT 66 W MAIN VOL88097/3298
25 CO-DALLAS;
26 Save and except 06822 LOTS 80 & 81 W MAIN VOL2003255/3832
27 DD12242003 CO-DC;

1 Save and except 06822 LT 82 BLK 6822 VOL2003255/3832
2 DD12152003 CO-DC;
3 Save and except BLK 6822 LOTS 83 & 84 W MAIN INT20080147440
4 DD11012007 CO-DC;
5 Save and except BLK 6822 LOT 85 W MAIN INT200600470194
6 DD01032006 CO-DC;
7 Save and except BLK 6822 PT LT 86 69.3X17X71 VOL86251/2660
8 DD123086 CO-DALLAS;
9 Save and except WEST WE GO BLK 6822 LOTS 103 & 104 CO-DALLAS;
10 Save and except BLK 6822 LOTS 105 & 106 W MAIN CO-DALLAS;
11 Save and except WEST WE GO BLK 6822 LTS 107-109 ACS 0.213
12 VOL2000153/1706 DD11261985 CO-DC;
13 Save and except BLK 6822 LOTS 110 & 111 W MAIN CO-DALLAS;
14 Save and except BLK 6822 LTS 112 & 113 CO-DALLAS;
15 Save and except BLK 6822 LOT 114 W MAIN VOL2003224/1305
16 DD10312003 CO-DC;
17 Save and except WEST WE GO BLK 6822 LOTS 115 & 116
18 VOL2003224/1305 DD10312003 CO-DA;
19 Save and except BLK 6822 LOTS 117 AND 118 W MAIN CO-DALLAS;
20 Save and except BLK 6822 LOTS 119 & 120 W MAIN
21 VOL2005091/3746 DD04282005 CO-DC;
22 Save and except BLK 6822 LOTS 121 & 122 WEST MAIN
23 VOL2003057/3971 CO-DALLAS;
24 Save and except BLK 6822 LOT 123 WEST MAIN VOL2003057/3974
25 CO-DALLAS;
26 Save and except BLK 6822 LOT 124 W MAIN VOL2003057/3974
27 CO-DALLAS;

1 Save and except BLK 6822 LOTS 125 & 126 VOL93037/5813
2 EX021493 CO-DALLAS;
3 Save and except WEST WE GO ADDN BLK 6822 LOTS 127 & LOT 128 W
4 MAIN ST VOL91228/3099 EX112191 CO-DALLAS;
5 Save and except BLK 6822 LOT 129 AND 7FT LT 13 W MAIN
6 PROB06-146-P DD01012006 CO-DC;
7 Save and except LOT 131 AND 18FT130 W MAIN ;
8 Save and except BLK 6822 LOTS 132 & 133 VOL99076/2723
9 DD041499 CO-DALLAS;
10 Save and except BLK 6822 LOT 134 W MAIN VOL98252/5553
11 DD122398 CO-DALLAS;
12 Save and except BLK 6822 LOT 135 W MAIN ;
13 Save and except BLK 6822 LOT 136 W MAIN ;
14 Save and except BLK 6822 LOTS 137 AND 138 W MAIN ;
15 Save and except BLK 6822 LOT 139 W MAIN ;
16 Save and except 50X137 AVG. LOTS 140 & 141 W MAIN CITY BLOCK
17 6822 CO-DALLAS;
18 Save and except 50X137.4 AVG. LOTS 142 & 143 W MAIN CITY BLOCK
19 6822 ;
20 Save and except 50X137.5 AVG. LOTS 144 & 145 W MAIN ;
21 Save and except BLK 6822 LOTS 146 & 147 W MAIN ;
22 Save and except BLK 6822 LOT 148 AND W18 FT 149 W MAIN ;
23 Save and except BLK 6822 E 7FT LOT 149 W MAIN ;
24 Save and except BLK 6822 LOTS 150 AND 151 W MAIN ;
25 Save and except WEST WE GO BLK 6822 LOTS 152 & 153
26 VOL91138/0509 EX071291 CO-DALLAS;
27 Save and except 50X139.9 LOTS 154 & 155 W MAIN ;

1 Save and except BLK 6822 LOT 156 CO-DALLAS;
2 Save and except BLK 6822 S PT LTS 157 & 158 VOL84052 PG0284
3 CO-DALLAS;
4 Save and except BLK 6822 N PT LTS 157.1 & 158.1 WEST WE GO ADDN
5 VOL 84052/0284 CO-DALLAS;
6 Save and except BLK 6822 PT LTS 159 & 160 ACS 0.0568 ;
7 Save and except BLK 6822 PT LTS 159 & 160 ACS 0.1096
8 INT20080047275 DD02052008 CO-DC;
9 Save and except BLK 6822 LTS 161 & 162 W MAIN ;
10 Save and except BLK 6822 LOTS 163 AND 164 W MAIN CO-DALLAS;
11 Save and except WEST WE GO BLK 6822 LOTS 165 & 166 CO-DALLAS;
12 Save and except 50X102.5 AVG. LOTS 167 & 168 W MAIN ;
13 Save and except BLK 6822 LTS 169 & 170 W MAIN ;
14 Save and except 62X105.5X103X115.5 LOTS 171 & 172 W MAIN ;
15 Save and except PT LOTS 174 AND 175 BECKLEY ;
16 Save and except LOTS 176 & 177 BECKLEY & W MAIN ;
17 Save and except LOTS 180 181 & 182 BECKLEY AVE
18 VOL2005024/1424 DD01312005 CO-DC;
19 Save and except TRACT 1 2.6 ACRES N BECKLEY TO END OF BLK E
20 6823 ;
21 Save and except LOT 2 50X453 N BECKLEY ADJ BLK 6822 ;
22 Save and except BOMARS L H BLK C/6823 LTS 1,2 & E 25FT LT 3 ACS
23 0.331 VOL99033/2664 DD021599 CO-DC;
24 Save and except BOMARS L H BLK C/6823 LOT 4 & 37-1/2' LOT 3 W
25 COMMERCE & WALES INT20070241282 DD06272007 CO-DC;
26 Save and except BOMARS L H BLK C/6823 LTS 5-8 ACS 1.1139
27 VOL99033/2664 DD02151999 CO-DC;

1 Save and except BLK D/6823 LOT 1 COMMERCE & WALES
2 VOL2005131/10121 DD06292005 CO-DC;
3 Save and except BLK D/6823 LOT 2 COMMERCE VOL2005131/10121
4 DD06292005 CO-DC;
5 Save and except BOMARS L H LOTS 3 4 & 5 COMMERCE & HARDWICK
6 VOL2005131/10121 DD06292005 CO-DC;
7 Save and except BOMARS L H LOT 6 HARDWICK VOL2005131/10121
8 DD06292005 CO-DC;
9 Save and except BLK D/6823 LOT 7 WALES VOL2005131/10121
10 DD06292005 CO-DC;
11 Save and except BLK D/6823 LOT 8 WALES VOL2005131/10121
12 DD06292005 CO-DC;
13 Save and except L H BOMARS WEST COMMERCE BLK E/6823 LOT 1
14 99.25X62.5X99.09X62.5 VOL89179/0883 EX080189 CO-DALLAS;
15 Save and except LK H BOMARS WEST COMMERCE BLK E/6823 LT 2
16 99.25X62.5X99.25X62.5 VOL2005045/10126 DD03042005 CO-DC;
17 Save and except LOT 2 345.9X138.7X232.4X95 N BECKLEY
18 VOL2000246/1241 CO-DALLAS;
19 Save and except BLK 6824 TR 3 ACS 0.2234 VOL96210/0364
20 DD040596 CO-DALLAS;
21 Save and except BLK 7084 LOT 1 SINGLETON & AMONETTE
22 CO-DALLAS;
23 Save and except MCNEIL W PT LOT 2-47X110 MCPHERSON 60FR AKRON
24 ;
25 Save and except MCNEIL LOT 3 MCPHERSON INT200503577263
26 DD06102005 CO-DC;
27 Save and except BLK A/7085 LOT 4 INT20080027122 DOD05162006

1 CO-DC;
2 Save and except MCNEIL LOT 5 POE PROB06-3257-P;
3 Save and except MCNEIL BLK A/7085 LT 6 PROB 02-2756-P2
4 CO-DC;
5 Save and except MCNEIL BLK A/7085 LOT 7 VOL93182/2226
6 DD09181993 CO-DC;
7 Save and except MCNEIL BLK B/7085 LOT 2 VOL93105/2124
8 EX052793 CO-DLALAS;
9 Save and except BLK B/7085 LOT 3 CO-DALLAS;
10 Save and except MCNEIL LOT 4 POE VOL75210/0017 DD05131973
11 CO-DC;
12 Save and except MCNEIL BLK B/7085 LOT 5 VOL2002230/10785
13 DD11062002 CO-DC;
14 Save and except MCNEIL LOT 6 POE ;
15 Save and except MCNEIL LOTS 1 2 AND 3 MCPERSON
16 VOL2002154/5575 DD07112002 CO-DC;
17 Save and except BLK C/7085 LOT 4 VOL2002154/5575 DD07112002
18 CO-DC;
19 Save and except BLK C/7085 LOT 5 VOL2002154/5575 DD07112002
20 CO-DC;
21 Save and except TR 3 100X100 AKRON 332.8FR BEEVILLE
22 INT20080180513 DD05292008 CO-DC;
23 Save and except BLK 7087 LOT 1A BEDFORD & AMONETTE CO-DALLAS;
24 Save and except 07087 EPT3-42X115 BEDFORD VOL86020 PG2269
25 CO-DALLAS;
26 Save and except BLK 7087 NWPT 3 AND 4 58X65 BEDFORD ST
27 VOL2000109/5762 DD06022000 CO-DC;

1 Save and except 07087 LOT 13 BEDFORD & HERBERT
2 INT20070360634 DD09282007 CO-DC;
3 Save and except 07087 LOT 16 BEDFORD ST ;
4 Save and except BLK 7087 LOT 17 CO-DALLAS;
5 Save and except REEVES & KIRKPATRICK CEDAR GLADE BLK 7087 PT
6 LT 48 ACS 0.1169 VOL83114/3104 CO-DALLAS;
7 Save and except BLK 7087 LTS 50-53; ABND ALLEY & LT 49 LESS
8 ROW ACS 0.6369 VOL2002232/0058 DD09302002 CO-DC;
9 Save and except WELLINGTONS BLK A/7091 PT LTS 6-8 ACS 0.2968
10 INT20070206569 DD06042007 CO-DC;
11 Save and except BLK B/7091 LOT 8 TORONTO VOL02083/0594
12 DD072338 CO-DALLAS;
13 Save and except WELLINGTONS BLK B/7091 LT 9 7500 SF
14 VOL99184/4416 DD092199 CO-DALLAS;
15 Save and except WELLINGTONS LOT 2 TORONTO ;
16 Save and except WELLINGTONS BLK C/7091 LT 4 VOL2005074/03650
17 DD04082005 CO-DC;
18 Save and except WELLINGTONS BLK C/7091 LOT 5 CO-DALLAS;
19 Save and except WELLINGTONS BLK C/7091 LT 6 VOL2005074/03650
20 DD04082005 CO-DC;
21 Save and except WELLINGTONS BLK C/7091 LT 7 VOL2005074/03650
22 DD04082005 CO-DC;
23 Save and except WELLINGTONS LOT 2 TORONTO ;
24 Save and except WELLINGTONS BLK D/7091 LT 7 VOL96237/6844
25 DD120396 CO-DALLAS;
26 Save and except VALLEY PARK BLK 7093 LTS 3 & 4 50X106 VOL
27 82114 PG 0309;

1 Save and except VALLEY PARK BLK 7093 S PT LTS 21 & 22 & 14'
2 ABDN ALLEY ACS 0.0769 CALC VOL95117/0357 DD061295 CO-DALLAS;
3 Save and except BLK 7093 LOTS 25 THRU 28 BATAAN & TORONTO
4 VO99113/4611 DD06101999 CO-DC;
5 Save and except VALLEY PARK BLK 7093 LOT 45 INST200503556093
6 DD09292005 CO-DC;
7 Save and except VALLEY PARK BLK 7093 LOT 46 INST200503556093
8 DD09292005 CO-DC;
9 Save and except VALLEY PARK BLK 7093 LOT 47 INST200503556093
10 DD09292005 CO-DC;
11 Save and except VALLEY PARK BLK 7093 LOT 48 INST200503556093
12 DD09292005 CO-DC;
13 Save and except THRU 52 53.33X100 07093 S PT 49 THRU 52
14 53.33X100 TURTLE CREEK & FAIRFIELD VOL85155 PG3105 CO-DALLAS;
15 Save and except CLOSE IN BLK 7094 LT 14 LESS ROW
16 VOL2001177/05892 DD09072001 CO-DC;
17 Save and except CLOSE IN BLK 7094 LTS 15,16 & 17
18 VOL2001177/5892 DD09072001 CO-DC;
19 Save and except CLOSE IN BLK 7094 LT 18 VOL2001177/5892
20 DD09072001 CO-DC;
21 Save and except BLK 7094 LTS 19 THRU 26 PROB#10-050-
22 VOL2004097/10681 DD05182004 CO-DC;
23 Save and except TIPTON LOT 6 SYLVAN VOL2002160/2621
24 CO-DC;
25 Save and except TIPTON LOT 7 SYLVAN 7560 SF VOL2002160/2621
26 CO-DC;
27 Save and except TIPTON BLK 4/7101 LOT 8 VOL90043/2762

1 EX021490 CO-DALLAS;
2 Save and except TIPTON LOTS 11 & 12 SYLVAN VOL2002119/2177
3 CO-DALLAS;
4 Save and except BLK 7266 TR 2 ACS 0.3371 VOL95037/1963
5 DD123194 CO-DALLAS;
6 Save and except BLK 7266 TR 3 125X150 SEC SINGLETON @TOPEKA ;
7 Save and except BLK 7266 TR 1 ACS 0.4523 VOL95037/1958
8 DD123194 CO-DALLAS;
9 Save and except BLK 7266 TR 5 & 7 ACS 2.006 VOL93166/4300
10 EX082393 CO-DALLAS;
11 Save and except BLK 7266 TR 4 ACS 0.7496 VOL99194/1601
12 DD092999 CO-DALLAS;
13 Save and except CANAL BLK 1/7267 LT 1 FABRICATION & SYLVAN
14 VOL99230/4227 DD111699 CO-DALLAS;
15 Save and except CANAL BLK 1/7267 LT 2 VOL99230/4227 DD111699
16 CO-DALLAS;
17 Save and except CANAL LOT 3 FABRICATION ;
18 Save and except CANAL LOT 4 FABRICATION CO-DALLAS;
19 Save and except CANAL BLK 1/7267 LT 5 INT200600292324
20 DD08042006 CO-DC;
21 Save and except CANAL LOT 6 FABRICATION ;
22 Save and except CANAL LOT 7 FABRICATION & TOPEKA ;
23 Save and except CANAL LOT 1 SYLVAN AND FABRICATION
24 VOL2001183/3502 D09042001 CO-DC;
25 Save and except CANAL LOT 2 SYLVAN VOL2001183/3502 D09042001
26 CO-DC;
27 Save and except CANAL LOT 3 SYLVAN ;

1 Save and except CANAL BLK 2/7267 LT 4 VOL72213/1782
2 DD10301972 CO-DC;
3 Save and except CANAL BLK 2/7267 LOT 5 INT20070042002
4 DD01262007 CO-DC;
5 Save and except CANAL LOT 6 SYLVAN & MUNCIE INT200600157597
6 DD04242006 CO-DC;
7 Save and except CANAL LOT 7 GILMER & MUNCIE ;
8 Save and except CANAL LOT 8 GILMER ;
9 Save and except CANAL BLK 2/7267 LOT 9 INT200600399981
10 DD10202006 CO-DC;
11 Save and except CANAL BLK 2/7267 LOT 10 GILMER
12 INT20070311860 DD08132007 CO-DC;
13 Save and except CANAL LOT 11 GILMER VOL2001183/3502
14 D09042001 CO-DC;
15 Save and except CANAL BLK 2/7267 LOT 12 GILMER & FABRICATION
16 VOL95031/1515 DD020995 CO-DALLAS;
17 Save and except CANAL BLK 3/7267 LOTS 1,2,3,4 & 5 GILMER &
18 FABRICATION TO TOPEKA VOL2002048/5489 EX011492 CO-DC;
19 Save and except CANAL BLK 4/7267 LOTS 1-5 TOPEKA &
20 FABRICATION TO YUMA VOL91074/1876 EX041191 CO-DALLAS;
21 Save and except CANAL N PT LOT 1 42.5X86 YUMA & FABRICATION
22 INT200600117279 DD03011993 CO-DC;
23 Save and except CANAL S PT LOT 1 42.5X86 YUMA ;
24 Save and except CANAL BLK 5/7267 LOTS 2-3 & 4 INT200600117278
25 DD03011993 CO-DC;
26 Save and except CANAL BLK 5/7267 LOT 5 PARVIA AVE
27 VOL90074/3060 EX041390 CO-DALLAS;

1 Save and except CANAL BLK 5/7267 LOT 8 VOL90067/3068
2 EX032390 CO-DALLAS;
3 Save and except ADDISON PARK BLK 1/7268 PT LTS 2 & 3 LESS ROW
4 VOL86097 PG4052 CO-DALLAS;
5 Save and except ADDISON PARK BLK 1/7268 PT LTS 3 & 4 LESS ROW
6 VOL86106 PG5575 CO-DALLAS;
7 Save and except ADDISON PARK BLK 2/7268 PT LOT 10 & PT ABND
8 ALLEY ACS 0.0758 CO-DALLAS;
9 Save and except ADDISON PARK BLK 3/7268 PT LT 1 LESS ROW
10 VOL2000070/1607 DD03232000 CO-DA;
11 Save and except ADDISON PARK BLK 3/7268 LT 3 ACS 0.055
12 VOL2002014/5008 DD12202001 CO-DC;
13 Save and except ADDISON PARK BLK 3/7268 LT 5 VOL2004154/9641
14 DD08042004 CO-DC;
15 Save and except ADDISON PARK BLK 3/7268 LTS 6 & 7 ACS 0.3144
16 INT20070321764 CO-DC;
17 Save and except ADDISON PARK BLK 3/7268 LT 8 INT20070321764
18 CO-DC;
19 Save and except ADDISON PARK BLK 3/7268 LT 9 INT20070321764
20 CO-DC;
21 Save and except ADDISON PARK BLK 3/7268 LT 10
22 VOL2001141/8301 DD07112001 CO-DC;
23 Save and except ADDISON PARK BLK 3/7268 LT 11
24 VOL2001141/8301 DD07112001 CO-DC;
25 Save and except ADDISON PARK BLK 3/7268 LT 12
26 VOL2001141/8301 DD07112001 CO-DC;
27 Save and except ADDISON PARK BLK 3/7268 LT 13

1 VOL2001141/8301 DD07112001 CO-DC;
2 Save and except ADDISON PARK BLK 3/7268 LT 14 S 1/2
3 VOL2000093/5568 DD05052000 CO-DC;
4 Save and except ADDISON PARK BLK 5/7268 LTS 4 & 5 BEDFORD &
5 PARVIA VOL96252/5842 DD122396 CO-DALLAS;
6 Save and except TR 2 230X274.2 FABRICATION 141FR TOPEKA
7 VOL98197/0863 DD09011998 CO-DC;
8 Save and except BLK 7269 TR 29K BEEVILLE & FABRICATION
9 CO-DALLAS;
10 Save and except BLK 7269 TR 29-I LESS N 2.5FT BATAAN ;
11 Save and except TR 29 G BATAAN VOL88013/3721 EX011888
12 CO-DALLAS;
13 Save and except BLK 7269 TR 29-L 0.158 AC VOL95218/3609
14 DD110395 CO-DALLAS;
15 Save and except ABST 290 PG 265 BLK 7269 LOT 29H
16 VOL87050/3226 DD030687 CO-DALLAS;
17 Save and except BLK 7269 TR 29 PROB00-3032-P CO-DC;
18 Save and except BLK 7269 TR 29F BATAAN & FABRICATION
19 VOL2004033/1146 DD02062004 CO-DC;
20 Save and except BLK 7269 TR 29N BEEVILLE CO-DALLAS;
21 Save and except BLK 7270 TR 1.1 ACS 0.0711 FABRICATION
22 181.2FR BATAAN ST CO-DALLAS;
23 Save and except BLK 2/7270 PT BLK - 45X150 FABRICATION 85.8FR
24 BATAAN VOL93151/7047 EX080493 CO-DALLAS;
25 Save and except C H BROOKS W DALLAS BLK 2/7270 PT LTS 2 & 3 ACS
26 0.32 VOL2004074/00502 DD03222004 CO-DC;
27 Save and except CH BROOKS WEST DALLAS BLK 2/7270 PT LTS 2&3

1 ACS 0.1021 37FT FROM BATAAN VOL93151/7053 DDD08041993 CO-DC;
2 Save and except CH BROOKS WEST DALLAS BLK 2/7270 PT LT 3 ACS
3 0.1679 VOL2004005/6618 DD11242003 CO-DC;
4 Save and except BLK 7270 PT LTS 5-10-11 & 12 VOL99105/0813
5 DD05201999 CO-DC;
6 Save and except C H BROOKS BLK 7270 LT 6 VOL99105/0813
7 DD05271999 CO-DC;
8 Save and except JACK SCOTT HOMESTEAD BLK 7270 LT 7 AT BURR
9 VOL95087/1323 DD042595 CO-DALLAS;
10 Save and except JACK SCOTT HOMESTEAD BLK 2/7270 LOT 8
11 INT200600163089 DD04272006 CO-DC;
12 Save and except JACK SCOTT HOMESTEAD BLK 2/7270 LOT 9
13 FABRICATION & PARVIA INT200600163089 DD04272006 CO-DC;
14 Save and except JACK SCOTT HOMESTEAD BLK 2/7270 LOT 13 BURR TO
15 PARVIA INT20060016089 DD04272006 CO-DC;
16 Save and except ROBERTS & WRIGHTS BLK B/6820 LT 5 & PT LTS 4,6
17 & 7 ACS 0.6270 INT 200600445344 DD10172006 CO-DC;
18 Save and except ROBERTS & WRIGHT BLK B/6820 LT 7 & PT LT 6 ACS
19 0.1315 INT20080187701 DD06032008 CO-DC;
20 Save and except WESTCOM SUBDIVISION BLK 6821 LT 22A ACS
21 2.025 VOL85161 PG3409 CO-DALLAS;
22 Save and except WESTCOM SUBDIVISION BLK 6821 LT 23A ACS
23 1.837 VOL87145 PG1691 CO-DALLAS;
24 Save and except WEST WE GO BLK 6822 LTS 28-30 & PT 31
25 VOL94197/1276 DD100594 CO-DALLAS;
26 Save and except HUGHES BLK 6822 LT 61A ACS 0.1988
27 VOL2005091/1924 DD04072005 CO-DC;

1 Save and except MIRZAIE LT 87A ACS 1.023 VOL2000198/3103
2 DD09292000 CO-DC;

3 Save and except WEST LEVEE SUBSTATION BLK 7084 LOT 2 ACS
4 4.8904 ;

5 Save and except TIPTON ADDITION BLK 4/7101 LT 9A ACS 0.296
6 VOL2001177/5892 DD09072001 CO-DC;

7 Save and except HUERTA BLK 4/7268 LT 1A ACS 0.4038
8 VOL2000173/6749 DD08162000 CO-DC;

9 Save and except HUERTA BLK 4/7268 LT 2A ACS 0.7762
10 VOL2000173/6749 DD08162000 CO-DC;

11 Save and except 5.43 MILES OF CORRIDOR DALLAS CITY ONLY 5.43
12 MILES RR CORRIDOR DALLAS;

13 (b) The following separately described parcels are also
14 included as a part of and within the District:

15 ELHOGAR MEXICAN BLK 3/7089 W PT LT 3 40X74.8X48.5X44.3
16 INT20070296211 DD08082007 CO-DC;

17 ELHOGAR MEXICAN BLK 3/7089 W PT 4 40X103.2X48.5X74.8
18 INT20070296211 DD08082007 CO-DC;

19 ELHOGAR MEXICAN W PT 5 40X131X47.5X103.2 GULDEN
20 INT20070144477 DD04202007 CO-DC;

21 EL HOGAR-MEXICANA BLK 3/7089 W PT LOT 7 40X182X49X156 GULDEN
22 INT20070012261 DD01042007 CO-DC;

23 EL LUGAR MEXICNA LOT 11 PASTOR 11/70892 INT20080065923
24 DD02182008 CO-DC;

25 MAC ARTHUR HEIGHTS LOT 8 GUAM INT20080065904 DD02262008
26 CO-DC;

27 EL HAGAR MECICANA BLK 1/7089 LOT 16 INT20080065904

1 DD02262008 CO-DC;

2 BRANTLEY C M BLK A/7105 LOT 16 OBENCHAIN INT20070335018

3 DD09122007 CO-DC;

4 WEST END BY Z E COOMBS BLK 3/7265 LT 11 INT20080153903

5 DD05082008 CO-DC;

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

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

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

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

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section 39, Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

H.B. No. 4720

1 Act takes effect September 1, 2009.

ADOPTED

MAY 26 2009

Atty. Gen.
Secretary of the Senate

By: Roger W. N.

H.B. No. 4720

Substitute the following for H.B. No. 4720.

By: Roger W. N.

C.S. H.B. No. 4720

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Trinity River West Municipal Management District; providing the authority to impose an assessment, impose a tax, and issue bonds.

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

SECTION 1. Subtitle C, Title 4, Special District Local Laws Code, is amended by adding Chapter 3871 to read as follows:

CHAPTER 3871. TRINITY RIVER WEST MUNICIPAL MANAGEMENT DISTRICT

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3871.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Dallas.

(3) "District" means the Trinity River West Municipal Management District.

(4) "Improvement project" means a project authorized by Section 3871.102:

(A) inside the boundaries of the district; and

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

Sec. 3871.002. CREATION AND NATURE OF DISTRICT. The district

is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3871.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the city and other political subdivisions to contract with the district, the legislature has established a program to accomplish the public purposes set out in Section 52-a, Article III, Texas Constitution.

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

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

Sec. 3871.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

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

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

(1) developing and diversifying the economy of the state;

(2) eliminating unemployment and underemployment;

(3) developing or expanding transportation and commerce;

and

(4) providing quality residential housing.

(d) The district will:

(1) promote the health, safety, and general welfare of residents, employers, potential employees, employees, visitors, and consumers in the district, and of the public;

(2) provide needed funding for the district to preserve, maintain, and enhance the economic health and vitality of the district territory as a residential community and business center;

(3) promote the health, safety, welfare, and enjoyment of the public by providing pedestrian ways and by landscaping and developing certain areas in the district, which are necessary for the restoration, preservation, and enhancement of scenic beauty;

and

(4) provide educational scholarships for college-bound students residing in or out of the district.

(e) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, vehicle parking, and street art objects are parts of

and necessary components of a street and are considered to be an improvement project that includes a street or road improvement.

(f) The district will not act as the agent or instrumentality of any private interest even though the district will benefit many private interests as well as the public.

Sec. 3871.005. DISTRICT TERRITORY. (a) The district is composed of the territory described by Section 2 of the Act creating this chapter, as that territory may have been modified under Section 3871.106.

(b) A mistake in the field notes of the district contained in Section 2 of the Act creating this chapter or in copying the field notes in the legislative process does not in any way affect:

- (1) the district's organization, existence, or validity;
- (2) the district's right to contract, including the right to issue any type of bond or other obligation for a purpose for which the district is created;
- (3) the district's right to impose or collect an assessment, tax, or any other revenue; or
- (4) the legality or operation of the board.

Sec. 3871.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

(a) All or any part of the area of the district is eligible to be included in:

- (1) a tax increment reinvestment zone created by the city under Chapter 311, Tax Code;
- (2) a tax abatement reinvestment zone created by the

city under Chapter 312, Tax Code; or

(3) an enterprise zone created by the city under Chapter 2303, Government Code.

(b) If the city creates a tax increment reinvestment zone described by Subsection (a), the city and the board of directors of the zone, by contract with the district, may grant money deposited in the tax increment fund to the district to be used by the district for the purposes permitted for money granted to a corporation under Section 380.002(b), Local Government Code, including the right to pledge the money as security for any bonds issued by the district for an improvement project. A project may not receive public funds under Section 380.002(b), Local Government Code, unless the project has been approved by the governing body of the city by the adoption of a resolution.

(c) A tax increment reinvestment zone created by the city in the district is not subject to the limitations provided by Section 311.006(b), Tax Code.

[Sections 3871.007-3871.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3871.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of nine directors composed of:

(1) six directors appointed by the governing body of the city; and

(2) three city employees appointed by the governing body of the city.

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

Sec. 3871.052. APPOINTMENT OF DIRECTORS: BOARD MEETINGS. (a) Directors appointed under Section 3871.051(a)(1) must meet at least one of the qualifications prescribed by Section 3871.053.

(b) A person may not be appointed to the board if the appointment of that person would result in fewer than:

(1) four of the directors being residents of the city and meeting the qualifications prescribed by Section 3871.053(a)(2), (3), (4), or (5); and

(2) two of the directors meeting the qualifications prescribed by Section 3871.053(a)(1).

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

(d) The board shall hold meetings at a place accessible to the public. The board shall file a copy of the notice of a meeting with the city's secretary. The city's secretary shall post the notice at Dallas City Hall.

(e) The board may not create an executive committee to exercise the powers of the board.

Sec. 3871.053. QUALIFICATIONS OF DIRECTORS. (a) To be qualified to serve as a director appointed under Section 3871.051(a)(1), a person must be at least 18 years old and must be:

(1) a resident of the district who is also a registered voter of the district or a registered voter who lives within a two-

mile radius of the district;

(2) an owner of property in the district;

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

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

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

(b) Section 49.052, Water Code, does not apply to the district.

Sec. 3871.054. VACANCY. The governing body of the city shall fill a vacancy on the board by appointing a person who meets the qualifications prescribed by Section 3871.051(a) or 3871.053 to serve for the remainder of the unexpired term.

Sec. 3871.055. DIRECTOR'S OATH OR AFFIRMATION. A director's oath or affirmation of office shall be filed with the district and the district shall retain the oath or affirmation in the district records. A copy of each director's oath or affirmation of office shall be filed with the city's secretary.

Sec. 3871.056. OFFICERS. The board shall elect from among the directors a chair, a vice chair, and a secretary. The offices of chair and secretary may not be held by the same person concurrently.

Sec. 3871.057. COMPENSATION; EXPENSES; LIABILITY INSURANCE FOR DIRECTORS. (a) The district may compensate each director in

an amount not to exceed \$50 for each board meeting. The total amount of compensation for each director in one year may not exceed \$2,000.

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

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

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

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

(3) the actions of others acting on behalf of the district.

Sec. 3871.058. CONFLICTS OF INTEREST. (a) A director, including a director who qualifies under Section 3871.053(a)(2), (3), (4), or (5), may participate in all board votes and decisions if the director complies with the requirements of Subsection (b).

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

Sec. 3871.059. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

(1) Place 1: a director who qualifies under Section 3871.053(a)(2), (3), (4), or (5);

(2) Place 2: a director who qualifies under Section 3871.053(a)(2), (3), (4), or (5);

(3) Place 3: a director who qualifies under Section 3871.053(a)(2), (3), (4), or (5);

(4) Place 4: a director who qualifies under Section 3871.053(a)(1);

(5) Place 5: a director who qualifies under Section 3871.053(a)(1);

(6) Place 6: a director who qualifies under Section 3871.053(a)(2), (3), (4), or (5);

(7) Place 7: a city employee;

(8) Place 8: a city employee; and

(9) Place 9: a city employee.

(b) Not later than September 1, 2009, the owner or owners of a majority of the appraised value of the real property in the district, or the majority of the record owners of real property in the district subject to taxation, may submit a petition to the governing body of the city requesting that the governing body appoint as initial directors the persons named in the petition to serve in Places 1-6. If the persons named in the petition meet the qualifications prescribed by Sections 3871.052 and 3871.053, the

governing body may appoint those persons as initial directors under Subsection (a) to serve in Places 1-6.

(c) If a petition is not submitted under Subsection (b), the governing body of the city shall appoint as initial directors six persons who meet the qualifications prescribed by Sections 3871.052 and 3871.053 to serve in Places 1-6.

(d) Of the initial directors, the terms of directors appointed for Places 1, 2, 3, and 4 expire July 1, 2011, and the terms of directors appointed for Places 5, 6, 7, 8, and 9 expire July 1, 2013.

(e) This section expires September 1, 2013.

[Sections 3871.060-3871.100 reserved for expansion]

SUBCHAPTER C. POWERS AND DUTIES

Sec. 3871.101. GENERAL POWERS AND DUTIES. The district has the powers and duties provided by this chapter and by:

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

(2) Chapter 441, Transportation Code, except that:

(A) the district may exercise any power granted by this chapter without regard to any provision or requirement of or procedure prescribed by Chapter 441, Transportation Code; and

(B) the district may not build or operate a toll road;

(3) Subchapter A, Chapter 372, Local Government Code, in

the same manner as a municipality or a county;

(4) Chapter 1371, Government Code;

(5) Chapter 375, Local Government Code; and

(6) Chapter 311, Tax Code.

Sec. 3871.102. IMPROVEMENT PROJECTS. (a) The district may provide, or it may enter into contracts with a governmental or private entity to provide, the following types of improvement projects located in the district or activities in support of or incidental to those projects:

(1) a supply and distribution facility or system to provide potable and nonpotable water to the residents and businesses of the district, including a wastewater collection facility;

(2) a paved, macadamized, or graveled road or street, inside and outside the district, to the full extent authorized by Section 52, Article III, Texas Constitution;

(3) the planning, design, construction, improvement, and maintenance of:

(A) landscaping;

(B) highway right-of-way or transit corridor beautification and improvement;

(C) lighting, banners, and signs;

(D) a street or sidewalk;

(E) a hiking and cycling path or trail;

(F) a pedestrian walkway, skywalk, crosswalk, or

tunnel;

(G) a park, lake, garden, recreational facility, community activities center, dock, wharf, sports facility, open space, scenic area, or related exhibit or preserve;

(H) a fountain, plaza, or pedestrian mall; or

(I) a drainage or storm-water detention improvement;

(4) protection and improvement of the quality of storm water that flows through the district;

(5) the planning, design, construction, improvement, maintenance, and operation of:

(A) a water or sewer facility; or

(B) an off-street parking facility or heliport;

(6) the planning and acquisition of:

(A) public art and sculpture and related exhibits and facilities; or

(B) an educational facility, and a cultural exhibit or facility;

(7) the planning, design, construction, acquisition, lease, rental, improvement, maintenance, installation, and management of and provision of furnishings for a facility for:

(A) a conference, convention, or exhibition;

(B) a manufacturer, consumer, or trade show;

(C) a civic, community, or institutional event; or

(D) an exhibit, display, attraction, special event,

or seasonal or cultural celebration or holiday;

(8) the removal, razing, demolition, or clearing of land or improvements in connection with improvement projects;

(9) the acquisition and improvement of land or other property for the mitigation of the environmental effects of an improvement project if those costs are incurred in accordance with a development agreement and reimbursement of those costs is conditioned on the completion of substantial vertical development, or the costs are related to a transit or mobility project;

(10) the acquisition of property or an interest in property in connection with one or more authorized improvement projects, including a project authorized by Subchapter A, Chapter 372, Local Government Code;

(11) a special or supplemental service for the improvement and promotion of the district or an area adjacent to the district or for the protection of public health and safety in or adjacent to the district, including:

(A) advertising;

(B) promotion;

(C) tourism;

(D) health and sanitation;

(E) public safety;

(F) security;

(G) fire protection or emergency medical services;

(H) business recruitment;

(I) elimination of traffic congestion, including by use of rail services;

(J) recreational, educational, or cultural improvements, enhancements, and services; and

(K) creation and financing of a higher education scholarship fund for students attending Mountain View College or the University of North Texas (Dallas Campus); or

(12) any similar public improvement, facility, or service.

(b) The district may not undertake an improvement project under this section unless the board determines the project to be necessary to accomplish a public purpose of the district and has received the approval of the city under Section 3871.160.

(c) An improvement project must comply with any applicable codes and ordinances of the city.

(d) The district may not provide, conduct, or authorize an improvement project on the city streets, highways, rights-of-way, or easements without the consent of the governing body of the city.

(e) Subject to an agreement between the district and the city, the city may:

(1) by ordinance, order, or resolution require that title to all or any portion of an improvement project vest in the city; or

(2) unless prohibited by Subsection (h), by ordinance, order, resolution, or other directive, authorize the district to

own, encumber, maintain, and operate an improvement project, subject to the right of the city to order a conveyance of the improvement project to the city on a date determined by the city.

(f) The district shall immediately comply with any city ordinance, order, or resolution adopted under Subsection (e).

(g) For the purposes of this section, planning, design, construction, improvement, and maintenance of a lake includes work done for drainage, reclamation, or recreation.

(h) Waterworks and sanitary sewer improvements may be undertaken by the district inside or outside the boundaries of the district, subject to the following conditions:

(1) the city shall request that waterworks or sanitary sewer improvements be funded by the district;

(2) the city shall construct, own, operate, and maintain the improvements; and

(3) the district shall comply with Sections 3871.152, 3871.157, and 3871.160 as a condition for the district to fund the improvements.

Sec. 3871.103. GENERAL POWERS REGARDING CONTRACTS. (a) The district may:

(1) contract with any person to accomplish any district purpose, including a contract for:

(A) the payment, repayment, or reimbursement of costs incurred by that person on behalf of the district, including all or part of the costs of any improvement project and interest on

the reimbursed cost; or

(B) the use, occupancy, lease, rental, operation, maintenance, or management of all or part of a proposed or existing improvement project; and

(2) apply for and contract with any person to receive, administer, and perform a duty or obligation of the district under a federal, state, local, or private gift, grant, loan, conveyance, transfer, bequest, or other financial assistance arrangement relating to the investigation, planning, analysis, study, design, acquisition, construction, improvement, completion, implementation, or operation by the district or others of a proposed or existing improvement project.

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

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

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

Sec. 3871.104. RULES; ENFORCEMENT. (a) The district may

adopt rules:

(1) to administer or operate the district;

(2) for the use, enjoyment, availability, protection, security, and maintenance of the district's property and facilities; or

(3) to provide for public safety and security in the district.

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

(c) To the extent a district rule conflicts with a city rule, order, or regulation, the city rule, order, or regulation controls.

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

Sec. 3871.105. NAME CHANGE. The board by resolution may change the district's name. The board shall give written notice of the change to the city.

Sec. 3871.106. ADDING OR REMOVING TERRITORY. The board may add or remove territory under Subchapter J, Chapter 49, Water Code, and Section 54.016, Water Code, except that:

(1) the addition or removal of the territory must be approved by:

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

(B) the owners of the territory being added or removed;

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

(3) territory may not be removed from the district if bonds or other obligations of the district payable wholly or partly from ad valorem taxes or assessments levied or assessed on the territory are outstanding.

Sec. 3871.107. ECONOMIC DEVELOPMENT. (a) The district may create economic development and other programs under Section 52-a, Article III, Texas Constitution, and may impose and collect ad valorem taxes for those purposes. The district has the economic development powers that Chapter 380, Local Government Code, provides to a municipality with a population of more than 100,000.

Each economic development program and each project that will receive public funds under an economic development program must be approved by the governing body of the city by ordinance, order, or resolution.

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

improvement project to be funded under an economic development program unless the governing body of the city has approved the program or improvement project by ordinance, order, or resolution.

Sec. 3871.108. NO EMINENT DOMAIN POWER. The district may not exercise the power of eminent domain.

Sec. 3871.109. TERMS OF EMPLOYMENT; COMPENSATION. The board may employ and establish the terms of employment and compensation of an executive director or general manager and any other district employees the board considers necessary. An employee may not receive annual compensation of more than \$150,000 from public funds of the district.

Sec. 3871.110. NOTICE TO PROPERTY OWNERS. (a) The board shall annually provide owners of real property in the district written notice that specifies the tax of the district for the district's next fiscal year in sufficient clarity to describe the tax rate for the operation and maintenance of the district and the tax rate for the payment of debt service of obligations issued or incurred by the district. The written notice must be sent by first class United States mail, postage prepaid, to the current address of the property owner as reflected on the tax rolls of the appraisal district.

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

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

[Sections 3871.111-3871.150 reserved for expansion]

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 3871.151. GENERAL POWERS REGARDING FINANCIAL MATTERS.

(a) Except as provided by Section 3871.160, the district may:

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

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

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

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

(3) provide or secure the payment or repayment of any bond, note, or other temporary or permanent obligation or reimbursement or other contract with any person, the costs and expenses of the establishment, administration, and operation of the district, and the district's costs or share of the costs or revenue

of an improvement project or district contractual obligation or indebtedness by or through:

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

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

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

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

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

(A) for improving, enhancing, and supporting public safety and security, fire protection and emergency medical services, and law enforcement in and adjacent to the district; or

(B) that confers a general benefit on the entire district or a special benefit on a definable part of the district;

and

(7) enter into a tax abatement agreement in accordance with the general laws of this state authorizing and applicable to

tax abatement agreements by municipalities.

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

(1) more than 65 percent of the record owners of real property in the district subject to taxation; or

(2) owners representing more than 65 percent of the appraised value of real property in the district subject to taxation, as determined by the tax rolls of the appraisal district.

Sec. 3871.152. BORROWING MONEY. (a) The district may borrow money for a district purpose by issuing or executing bonds, notes, credit agreements, or other obligations of any kind found by the board to be necessary or appropriate for any district purpose. The bond, note, credit agreement, or other obligation may be secured by and payable from ad valorem taxes, assessments, a combination of ad valorem taxes and assessments, or other district revenue. The governing body of the city must approve the issuance of bonds, notes, credit agreements, or other obligations of the district, in general terms before the preparation of preliminary official statements or loan closing documents, as provided by the development and operating agreement approved by the city in

accordance with Section 3871.160, or by separate action.

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

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

Sec. 3871.153. ASSESSMENTS; EXEMPTION. (a) The district may impose an assessment on property in the district, including an assessment on commercial, industrial, or office property, only in the manner provided by Subchapter A, Chapter 372, Local Government Code, or Subchapter F, Chapter 375, Local Government Code, for a municipality, county, or public improvement district, according to the benefit received by the property.

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

(1) public water and wastewater facilities;

(2) drainage and storm-water facilities;

(3) streets and alleys; and

(4) any authorized purpose under Chapter 372, Local

Government Code.

(c) An assessment, a reassessment, or an assessment resulting from an addition to or correction of the assessment roll by the district, penalties and interest on an assessment or reassessment,

an expense of collection, and reasonable attorney's fees incurred by the district:

(1) are a first and prior lien against the property assessed; and

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

(d) A lien of an assessment against property under this chapter runs with the land, and the portion of an assessment payment obligation that has not yet come due is not eliminated by the foreclosure of an ad valorem tax lien. Any purchaser of property in a foreclosure of an ad valorem tax lien takes the property subject to the assessment payment obligations that have not yet come due and to the lien and terms of payment under the applicable assessment ordinance or order.

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

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

Sec. 3871.154. RESIDENTIAL PROPERTY EXEMPT. The district may not impose taxes, assessments, fees, or any other requirement for payment, construction, alteration, or dedication on single-family

detached residential property, residential condominiums, duplexes, triplexes, and quadruplexes.

Sec. 3871.155. MAINTENANCE AND OPERATION TAX; ELECTION. (a)

The district may impose a tax for maintenance and operation purposes, including for:

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

(2) paying costs of services, engineering and legal fees, and organization and administrative expenses, including expenses of the city payable under the terms of the project development agreement described by Section 3871.160.

(b) The district may not impose a maintenance and operation tax for improvement projects under this chapter unless the imposition of the tax is approved by the voters of the district voting at an election held for that purpose. An election may be called only on receipt of a petition as provided by Section 3871.151(b).

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

Sec. 3871.156. USE OF SURPLUS MAINTENANCE AND OPERATION MONEY. If the district has surplus maintenance and operation tax

money that is not needed for the purposes for which it was collected, the money may be used for any authorized purpose.

Sec. 3871.157. BONDS AND OTHER OBLIGATIONS. (a) Subject to the requirements of Sections 3871.159 and 3871.160, the district may issue by public or private sale bonds, notes, or other obligations payable wholly or partly from ad valorem taxes, or by assessments in the manner provided by Subchapter A, Chapter 372, Local Government Code, or Subchapter J, Chapter 375, Local Government Code.

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

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

Sec. 3871.158. BOND MATURITY. Bonds may mature not more than 40 years from their date of issue.

Sec. 3871.159. TAXES FOR BONDS AND OTHER OBLIGATIONS. At the time bonds or other obligations payable wholly or partly from ad valorem taxes are issued:

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

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

(A) pay the interest on the bonds or other obligations as the interest becomes due; and

(B) create a sinking fund for the payment of the principal of the bonds or other obligations when due or the redemption price at any earlier required redemption date.

Sec. 3871.160. DEVELOPMENT AND OPERATING AGREEMENT REQUIRED.

(a) After the district's board is organized, but before the district may undertake any improvement project, issue bonds, impose taxes, levy assessments or fees, or borrow money, the district and the city must negotiate and execute a mutually approved and accepted development and operating agreement, including any limitations imposed by the city, regarding the plans and rules for:

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

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

(3) the terms, conditions, methods, means, and amounts of financing authorized by this chapter that the district may use

in providing improvement projects; and

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

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

[Sections 3871.161-3871.250 reserved for expansion]

SUBCHAPTER E. DISSOLUTION

Sec. 3871.251. DISSOLUTION BY CITY ORDINANCE. (a) The city by ordinance may dissolve the district.

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

(c) The city may not dissolve the district until the agreement under Section 3871.160 has been executed and the district's performance under the agreement has been fulfilled, including any right or obligation the district has to reimburse a developer or owner for the costs of improvement projects.

Sec. 3871.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

(a) If the dissolved district has bonds or other obligations

outstanding secured by and payable from assessments or other revenue, other than ad valorem taxes, the city shall succeed to the rights and obligations of the district regarding enforcement and collection of the assessments or other revenue.

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

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

(2) special revenue or assessment bonds or other obligations issued by the city to refund the outstanding bonds or obligations.

Sec. 3871.253. CONCURRENCE ON ADDITIONAL POWERS. If the legislature grants the district a power that is in addition to the powers approved by the initial resolution of the governing body of the city consenting to the creation of the district, the district may not exercise that power unless the governing body of the city consents to that change by resolution.

Sec. 3871.254. ASSUMPTION OF ASSETS AND LIABILITIES. (a) After the city dissolves the district, the city assumes, subject to the appropriation and availability of funds, the obligations of the district, including any bonds or other indebtedness payable from assessments or other district revenue.

(b) If the city dissolves the district, the board shall transfer ownership of all district property to the city.

SECTION 2. The district shall include the land described in

Subsections (a) and (b), below:

(a) A 192 acre tract of land situated west of the Dallas Central Business District along the western bank of the Trinity River Floodway in Dallas County, Texas, with said tract of land being more particularly described (in a clockwise manner around the boundary) by the following:

The POINT OF BEGINNING being the northernmost point of the District on the northern right of way of Continental Avenue, eastern bank of the Trinity River Floodway and the Union Pacific Rail Corridor;

THEN in a southeast direction to the southern right-of-way of Continental Avenue;

THEN in a southwest direction along the southern right-of-way of Continental Avenue / Singleton Boulevard across the Trinity River to the intersection with the Continental Via Connector;

THEN in a south by west direction along the eastern right-of-way of the Continental Via Connector;

THEN in a south southeast direction along the eastern right-of-way of the Continental Via Connector;

THEN in a south southeast direction along the eastern right-of-way of the Continental Via Connector, N. Beckley Boulevard;

THEN in a south southeast direction along the eastern right-of-way of N. Beckley Boulevard across the Union Pacific Rail Corridor to the northwest corner of 0.38 acre parcel (Block 6824, Lot 1, Account: 00000633508000000);

THEN in an easterly direction along the northern edge (to the northeast corner) of 0.38 acre parcel (Block 6824, Lot 1, Account: 00000633508000000);

THEN in a south southeast direction along the eastern edge (to the southeast corner) of 0.38 acre parcel (Block 6824, Lot 1, Account: 00000633508000000);

THEN in a southeast direction along the eastern edge (to the southeast corner) of 0.63 acre parcel (Lot 2, Account: 00000633511000000);

THEN in a southerly direction along the eastern edge (to the southeast corner) of 0.23 acre parcel (Block 6824, Tract 3, Account: 00000633514000000);

THEN in a south southwest direction to the southern right-of-way of Commerce Street;

THEN in a west southwest direction along the southern right-of-way of West Commerce Street to the intersection of Fort Worth Avenue;

THEN in a due west direction for along the southern right-of-way of West Commerce Street to the western right-of-way of Sylvan Avenue;

THEN in a northerly direction along the western right-of-way of Sylvan Avenue across Singleton Boulevard to the southwest corner of 0.15 acre parcel (Tiptons No 3, Block 3/71701 Lot 1, Account: 00000673591000000);

THEN in a due east direction along the northern right-of-way

of Pueblo Street to the eastern right-of-way of Topeka Avenue;

THEN in a due south direction along the eastern right-of-way of Topeka Avenue to the northern right-of-way of Singleton Boulevard;

THEN in a due east direction along the northern right-of-way of Singleton Boulevard to the western right-of-way of Bataan Street;

THEN in a due north direction approximately 529 feet along the western right-of-way of Bataan Street to the southeast corner of 0.13 acre parcel (7093, N Pt of Lots 54-58, Account: 00000672568000000);

THEN in a due north direction for approximately 13 feet along the western right-of-way of Bataan Street and the eastern edge of 0.13 acre parcel (7093, N Pt of Lots 54-58, Account: 00000672568000000);

THEN in a due east direction across the right-of-way of Bataan Street to the northwest corner of 0.13 acre parcel (7093, S Pt Lots 49-52, Account: 00000672565000000);

THEN in a due east direction for approximately 90 feet along the northern edge (to the northeast corner) of 0.13 acre parcel (7093, S Pt Lots 49-52, Account: 00000672565000000);

THEN in an east by north direction for approximately 29 feet across the right-of-way of Pueblo alley way to the southwest corner of 4.59 acre parcel (7092, Block 3, Tr 4, S Pt Account: 00000672316000000);

THEN in a due east direction along the northern right-of-way of Pueblo alley way and Pueblo Street to the eastern right-of-way of Gulden Avenue;

THEN in a due south direction along the eastern right-of-way of Gulden Avenue to the intersection with the north access road from Singleton Boulevard;

THEN in a southeast direction along the northern right-of-way of the north access road from Singleton Boulevard to the intersection with Singleton Boulevard;

THEN in a northeasterly direction along the northern right-of-way of Singleton Boulevard / Continental Avenue to the point of beginning;

Save and except CITY BLOCK 4004 100X125 W COMMERCE & TOPEKA LT 14 ;

Save and except CITY BLOCK 4004 50X125 W COMMERCE 64FR EVANSTON LT 13 ;

Save and except BLK 4004 TR 1 & PT BLK 6818 & BLK 6819 LTS 27-32 ACS 1.6806 INT20080175384 DD05212008 CO-DC;

Save and except BLK 4004 LOT 12 64X125 W COMMERCE & EVANSTON VOL98002/6015 DD123197 CO-DALLAS;

Save and except BLK 4004 N 36FT LT 2 TOPEKA VOL2002092/7333 DD05092002 CO-DC;

Save and except BLK 4004 S 29FT LOT 3 & N 6FT LOT 4 VOL2003255/3697 DD12162003 CO-DC;

Save and except J W STONEHAMS SUBD BLK 4004 S 14FT 2 & N 20FT

3 21FT LOT 3 VOL2003254/7651 DD12182003 CO-DA;

Save and except J W STONEHAMS ADDN BLK 4004 S 36FT LT 4
VOL94249/2739 DD120594 CO-DALLAS;

Save and except BLK 4004 LTS 5 & 6 TOPEKA VOL83222 PG2749 CO-
DALLAS;

Save and except BLK 4004 S 37.5' LOT 7 VOL93070/1997 EX040793
CO-DALLAS;

Save and except BLK 4004 N 25 FT 8 & S 13 FT 9 EVANSTON
VOL86222/5346 VOL2004177/12448 DD09072004 CO-DC;

Save and except 7 & 25 FT LT 8 04004 N 12.5FT7 AND
25FT8 EVANSTON VOL2004059/8111 DD03082004 CO-DC;

Save and except BLK 4004 37' LOT 9 & 1' LOT 10 INT20070370953
DD10181997 CO-DC;

Save and except 04004 N 38FT 10 EVANSTON VOL2002023/2452
CO-DC;

Save and except BLK 4005 LOT 10 ACS 0.1435 50X125 COMMERCE
& EVANSTON VOL2003255/3832 DD12152003 CO-DC;

Save and except BLK 4005 LT 7 50X100X5.82X51.99X72.1
EVANSTON 125FR COMMERCE VOL2003255/3832 DD12152003 CO-DC;

Save and except BLK 4005 LT 6 50X42.86X56.94X72.1 EVANSTON
175FR COMMERCE VOL2003255/3832 DD12152003 CO-DC;

Save and except BLK 4005 LT 5 50X42.86X53.68X22.86 EVANSTON
225FR W COMMERCE VOL2003255/3832 DD12152003 CO-DC;

Save and except BLK 4005 LT 9 50X125 W COMMERCE 50FR EVANSTON
VOL2003255/3832 DD12152003 CO-DC;

87

Save and except BLK 4005 LT 8 44.9X131.93X3.12X125 W
COMMERCE 100FR EVANSTON VOL2003255/3832 DD12152003 CO-DC;

Save and except BLK 4005 LT 4 50X10.66X51.36X22.86 EVANSTON
325FR COMMERCE VOL2003255/3785 DD12182003 CO-DC;

Save and except BLK 6818 TR 6 ACS 0.1338 CO-DALLAS;

Save and except BLK 6818 TR 6.1 ACS 0.0949 VOL98247/5660
DD093098 CO-DALLAS;

Save and except LOT 5 50X188X53X119X103X307 COMMERCE TO TOPEKA

;

Save and except BLK 6818 TR 3 50X103 TOPEKA AND ALLEY TOPEKA
& ALLEY VOL97100/0344 DD051497 CO-DALLAS;

Save and except BLK 6818 TR 4 50X103 TOPEKA 50FR ALLEY
VOL97100/0344 DD051497 CO-DALLAS;

Save and except BLK 6819 TR 33A 40X100 W MAIN CO-DALLAS;

Save and except BLK 6819 LOT 1 ACS 0.033 INT20070136081
DD03292007 CO-DC;

Save and except BLK 6819 LOTS 2 3 & S 5FT4 ACS 0.209
INT20070136081 DD03292007 CO-DC;

Save and except BLK 6819 N PT 4 45X100 CO-DALLAS;

Save and except BLK 6819 LOT 5 GUEST INT20070136081
DD03302007 CO-DC;

Save and except BLK 6819 LT 6 GUEST ACS 0.118
INT20070136081 DD03292007 CO-DC;

Save and except BLK 6819 LT 7 GUEST ACS 0.1172
INT20070136081 DD03292007 CO-DC;

Save and except BLK 6819 LT 8 GUEST ACS 0.112
INT20070136081 DD03292007 CO-DC;

Save and except BLK 6819 BLK 6819 TR 33D 50X100 W MAIN
INT20070274154 DD07312007 CO-DC;

Save and except BLK 6819 TR 33E 50X100 W MAIN CO-DALLAS;
Save and except GUESTS WEST DALLAS BLK 6819 TR 33B 50X100
PROB SE04247-P/2 DD10182004 CO-DC;

Save and except BLK 6819 TR 33C 50X100 MAIN VOL79172/0982
DD082879 CO-DALLAS;

Save and except BLK 6819 LOT 34B 50X100 W MAIN CO-DALLAS;
Save and except BLK 6819 LTS 43 & 44 COMMERCE & YUMA
VOL98247/5630 CO-DALLAS;

Save and except BLK 6819 N 1/2 LT 45-50X50 YUMA ;
Save and except S PT 45-50X50 YUMA VOL85245 PG3602;
Save and except BLK 6819 LT 46 YUMA & ALLEY VOL97100/0344
DD051497 CO-DALLAS;

Save and except BLK B/6820 LT 1 COMMERCE & BEAVER
INT200600195865 DD05222006 CO-DC;

Save and except ROBERTS & WRIGHT-WEST DALLAS LOT 2 COMMERCE
PROB94-1974-P2 CO-DC;

Save and except ROBERTS & WRIGHT-WEST DALLAS LOT 3 COMMERCE
PROB94-1974-P2 CO-DC;

Save and except ROBERTS & WRIGHT-WEST DALLAS E PT LOT 4-
33X170X25.4X170 COMMERCE ;

Save and except ROBERTS & WRIGHTS BLK B/6820 LOT 8 ACS 0.1951

VOL91096/3159 EX040991 CO-DALLAS;

Save and except ROBERTS & WRIGHT BLK B/6820 W PT LOT 9 ACS
0.1718 VOL91096/3159 EX040991 CO-DALLAS;

Save and except ROBERTS & WRIGHT-WEST DALLAS E PT 9 ALL 10-
53.5X170X58.3X170 BLK B/6820 INT20070303241 DD06282007 CO-DC;

Save and except ROBERTS & WRIGHT-WEST DALLAS BLK B/6820 LOT 11
INT20070303241 DD06282007 CO-DC;

Save and except BLK B/6820 LOT 12 YUMA CTS PROB94-1974-P2
CO-DC;

Save and except ROBERTS & WRIGHT-WEST DALLAS LOTS 13 AND 14
YUMA CTS AND BEAVER PROB94-1974-P2 CO-DC;

Save and except BLK 6821 LTS 43 THRU 46 ACS 0.275 W COMMERCE
& PITTMAN INT20070136081 DD03292007 CO-DC;

Save and except BLK 6821 LT 47 PITTMAN VOL87234 PG4061
CO-DALLAS;

Save and except BLK 6821 LT 62 PITTMAN VOL87234 PG4061
CO-DALLAS;

Save and except BLK 6821 LOT 63 ACS 0.110 PITTMAN & GC & SF
RR CO-DALLAS;

Save and except BOMARS WEST COMMERCE BLK E/6823 LOT 4 & BLK
6821 PT LOT 72 ACS 3.1632 INT20070304216 DD08062007 CO-DC;

Save and except BOMARS WEST COMMERCE BLK 6819 LOT 4.1 ACS
1.8255 INT20070304216 DD08062007 CO-DC;

Save and except BLK 6822 LT 1 W MAIN VOL2005024/1424
DD01312005 CO-DC;

Save and except BLK 6822 LTS 2 & 3 W MAIN VOL2005024/1424
DD01312005 CO-DC;

Save and except 06822 LOT 7 W MAIN ;

Save and except WEST WE GO BLK 6822 ALL LT 8 & LT 9 LESS
3.5FT TRI ADJ LOT 10 VOL2005042/2535 DD02222005 CO-DC;

Save and except WEST WE GO BLK 6822 LOTS 10 & 11 & W3.5'TRI
LOT 9 VOL83069 PG0717 CO-DALLAS;

Save and except BLK 6822 LTS 12 13 & 14 W MAIN INT20070083883
DD03052007 CO-DC;

Save and except BLK 6822 LTS 15 AND 16 MAIN INT20070083883
DD03052007 CO-DC;

Save and except BLK 6822 LOTS 17 & 18 W MAIN INT20070083884
DD03062007 CO-DC;

Save and except 06822 LOTS 19 AND 20 W MAIN VOL2005070/3341
DD03292005 CO-DC;

Save and except BLK 6822 LTS 23 24 & PT LTS 22 & 25 W MAIN CO-
DALLAS;

Save and except BLK 6822 PT LOT 25 AND ALL 26 W MAIN ;

Save and except BLK 6822 LT 27 VOL98226/2670 DD102695 CO-
DALLAS;

Save and except BLK 6822 LOT 33 CO-DALLAS;

Save and except WEST WE GO ADDITION BLK 6822 LT 32 VOL84173
PG1525 CO-DALLAS;

Save and except 06822 LT 34 BLK 6822 VOL2003255/3697
DD12162003 CO-DC;

Save and except 06822 LT 35 BLK 6822 VOL2003255/3697
DD12162003 CO-DC;

Save and except BLK 6822 LTS 36 THRU 39 W MAIN
VOL2000148/2996 DD08012000 CO-DA;

Save and except 06822 LOTS 40 AND 41 W MAIN VOL2005069/8115
DD03092005 CO-DC;

Save and except WEST WE GO BLK 6822 LT 46 INT20080047274
DD02052008 CO-DC;

Save and except BLK 6822 LOT 49 W MAIN VOL2003224/1305
DD10312003 CO-DC;

Save and except BLK 6822 LOTS 50 & 51 W MAIN VOL2003224/1305
DD10312003 CO-DC;

Save and except BLK 6822 LOTS 52 & 53 W MAIN CO-DALLAS;

Save and except BLK 6822 LOT 54 W MAIN CO-DALLAS;

Save and except BLK 6822 LOTS 55 & 56 W MAIN VOL2004139/1159
DD07011993 CO-DA;

Save and except LOTS 57 & 58 W MAIN ;

Save and except BLK 6822 LTS 59 & 60 W MAIN CO-DALLAS;

Save and except 06822 LOTS 64 AND 65 W MAIN ;

Save and except BLK 6822 LOT 66 W MAIN VOL88097/3298
CO-DALLAS;

Save and except 06822 LOTS 80 & 81 W MAIN VOL2003255/3832
DD12242003 CO-DC;

Save and except 06822 LT 82 BLK 6822 VOL2003255/3832
DD12152003 CO-DC;

Save and except BLK 6822 LOTS 83 & 84 W MAIN INT20080147440
DD11012007 CO-DC;

Save and except BLK 6822 LOT 85 W MAIN INT200600470194
DD01032006 CO-DC;

Save and except BLK 6822 PT LT 86 69.3X17X71 VOL86251/2660
DD123086 CO-DALLAS;

Save and except WEST WE GO BLK 6822 LOTS 103 & 104 CO-DALLAS;

Save and except BLK 6822 LOTS 105 & 106 W MAIN CO-DALLAS;

Save and except WEST WE GO BLK 6822 LTS 107-109 ACS 0.213
VOL2000153/1706 DD11261985 CO-DC;

Save and except BLK 6822 LOTS 110 & 111 W MAIN CO-DALLAS;

Save and except BLK 6822 LTS 112 & 113 CO-DALLAS;

Save and except BLK 6822 LOT 114 W MAIN VOL2003224/1305
DD10312003 CO-DC;

Save and except WEST WE GO BLK 6822 LOTS 115 & 116
VOL2003224/1305 DD10312003 CO-DA;

Save and except BLK 6822 LOTS 117 AND 118 W MAIN CO-DALLAS;

Save and except BLK 6822 LOTS 119 & 120 W MAIN
VOL2005091/3746 DD04282005 CO-DC;

Save and except BLK 6822 LOTS 121 & 122 WEST MAIN
VOL2003057/3971 CO-DALLAS;

Save and except BLK 6822 LOT 123 WEST MAIN VOL2003057/3974
CO-DALLAS;

Save and except BLK 6822 LOT 124 W MAIN VOL2003057/3974
CO-DALLAS;

Save and except BLK 6822 LOTS 125 & 126 VOL93037/5813
EX021493 CO-DALLAS;

Save and except WEST WE GO ADDN BLK 6822 LOTS 127 & LOT 128 W
MAIN ST VOL91228/3099 EX112191 CO-DALLAS;

Save and except BLK 6822 LOT 129 AND 7FT LT 13 W MAIN PROB06-
146-P DD01012006 CO-DC;

Save and except LOT 131 AND 18FT130 W MAIN ;

Save and except BLK 6822 LOTS 132 & 133 VOL99076/2723
DD041499 CO-DALLAS;

Save and except BLK 6822 LOT 134 W MAIN VOL98252/5553
DD122398 CO-DALLAS;

Save and except BLK 6822 LOT 135 W MAIN ;

Save and except BLK 6822 LOT 136 W MAIN ;

Save and except BLK 6822 LOTS 137 AND 138 W MAIN ;

Save and except BLK 6822 LOT 139 W MAIN ;

Save and except 50X137 AVG. LOTS 140 & 141 W MAIN CITY BLOCK
6822 CO-DALLAS;

Save and except 50X137.4 AVG. LOTS 142 & 143 W MAIN CITY BLOCK
6822 ;

Save and except 50X137.5 AVG. LOTS 144 & 145 W MAIN ;

Save and except BLK 6822 LOTS 146 & 147 W MAIN ;

Save and except BLK 6822 LOT 148 AND W18 FT 149 W MAIN ;

Save and except BLK 6822 E 7FT LOT 149 W MAIN ;

Save and except BLK 6822 LOTS 150 AND 151 W MAIN ;

Save and except WEST WE GO BLK 6822 LOTS 152 & 153

VOL91138/0509 EX071291 CO-DALLAS;

Save and except 50X139.9 LOTS 154 & 155 W MAIN ;

Save and except BLK 6822 LOT 156 CO-DALLAS;

Save and except BLK 6822 S PT LTS 157 & 158 VOL84052 PG0284
CO-DALLAS;

Save and except BLK 6822 N PT LTS 157.1 & 158.1 WEST WE GO
ADDN VOL 84052/0284 CO-DALLAS;

Save and except BLK 6822 PT LTS 159 & 160 ACS 0.0568 ;

Save and except BLK 6822 PT LTS 159 & 160 ACS 0.1096
INT20080047275 DD02052008 CO-DC;

Save and except BLK 6822 LTS 161 & 162 W MAIN ;

Save and except BLK 6822 LOTS 163 AND 164 W MAIN CO-DALLAS;

Save and except WEST WE GO BLK 6822 LOTS 165 & 166 CO-DALLAS;

Save and except 50X102.5 AVG. LOTS 167 & 168 W MAIN ;

Save and except BLK 6822 LTS 169 & 170 W MAIN ;

Save and except 62X105.5X103X115.5 LOTS 171 & 172 W MAIN ;

Save and except PT LOTS 174 AND 175 BECKLEY ;

Save and except LOTS 176 & 177 BECKLEY & W MAIN ;

Save and except LOTS 180 181 & 182 BECKLEY AVE

VOL2005024/1424 DD01312005 CO-DC;

Save and except TRACT 1 2.6 ACRES N BECKLEY TO END OF BLK E
6823 ;

Save and except LOT 2 50X453 N BECKLEY ADJ BLK 6822 ;

Save and except BOMARS L H BLK C/6823 LTS 1,2 & E 25FT LT 3
ACS 0.331 VOL99033/2664 DD021599 CO-DC;

Save and except BOMARS L H BLK C/6823 LOT 4 & 37-1/2' LOT 3 W
COMMERCE & WALES INT20070241282 DD06272007 CO-DC;

Save and except BOMARS L H BLK C/6823 LTS 5-8 ACS 1.1139
VOL99033/2664 DD02151999 CO-DC;

Save and except BLK D/6823 LOT 1 COMMERCE & WALES
VOL2005131/10121 DD06292005 CO-DC;

Save and except BLK D/6823 LOT 2 COMMERCE VOL2005131/10121
DD06292005 CO-DC;

Save and except BOMARS L H LOTS 3 4 & 5 COMMERCE & HARDWICK
VOL2005131/10121 DD06292005 CO-DC;

Save and except BOMARS L H LOT 6 HARDWICK VOL2005131/10121
DD06292005 CO-DC;

Save and except BLK D/6823 LOT 7 WALES VOL2005131/10121
DD06292005 CO-DC;

Save and except BLK D/6823 LOT 8 WALES VOL2005131/10121
DD06292005 CO-DC;

Save and except L H BOMARS WEST COMMERCE BLK E/6823 LOT 1
99.25X62.5X99.09X62.5 VOL89179/0883 EX080189 CO-DALLAS;

Save and except LK H BOMARS WEST COMMERCE BLK E/6823 LT 2
99.25X62.5X99.25X62.5 VOL2005045/10126 DD03042005 CO-DC;

Save and except LOT 2 345.9X138.7X232.4X95 N BECKLEY
VOL2000246/1241 CO-DALLAS;

Save and except BLK 6824 TR 3 ACS 0.2234 VOL96210/0364
DD040596 CO-DALLAS;

Save and except BLK 7084 LOT 1 SINGLETON & AMONETTE CO-DALLAS;

Save and except MCNEIL W PT LOT 2-47X110 MCPHERSON 60FR AKRON
;
Save and except MCNEIL LOT 3 MCPHERSON INT200503577263
DD06102005 CO-DC;
Save and except BLK A/7085 LOT 4 INT20080027122 DOD05162006
CO-DC;
Save and except MCNEIL LOT 5 POE PROB06-3257-P;
Save and except MCNEIL BLK A/7085 LT 6 PROB 02-2756-P2
CO-DC;
Save and except MCNEIL BLK A/7085 LOT 7 VOL93182/2226
DD09181993 CO-DC;
Save and except MCNEIL BLK B/7085 LOT 2 VOL93105/2124
EX052793 CO-DLALAS;
Save and except BLK B/7085 LOT 3 CO-DALLAS;
Save and except MCNEIL LOT 4 POE VOL75210/0017 DD05131973 CO-
DC;
Save and except MCNEIL BLK B/7085 LOT 5 VOL2002230/10785
DD11062002 CO-DC;
Save and except MCNEIL LOT 6 POE ;
Save and except MCNEIL LOTS 1 2 AND 3 MCPHERSON
VOL2002154/5575 DD07112002 CO-DC;
Save and except BLK C/7085 LOT 4 VOL2002154/5575 DD07112002
CO-DC;
Save and except BLK C/7085 LOT 5 VOL2002154/5575 DD07112002
CO-DC;

Save and except TR 3 100X100 AKRON 332.8FR BEEVILLE
INT20080180513 DD05292008 CO-DC;

Save and except BLK 7087 LOT 1A BEDFORD & AMONETTE CO-DALLAS;
Save and except 07087 EPT3-42X115 BEDFORD VOL86020 PG2269
CO-DALLAS;

Save and except BLK 7087 NWPT 3 AND 4 58X65 BEDFORD ST
VOL2000109/5762 DD06022000 CO-DC;

Save and except 07087 LOT 13 BEDFORD & HERBERT INT20070360634
DD09282007 CO-DC;

Save and except 07087 LOT 16 BEDFORD ST ;
Save and except BLK 7087 LOT 17 CO-DALLAS;
Save and except REEVES & KIRKPATRICK CEDAR GLADE BLK 7087 PT
LT 48 ACS 0.1169 VOL83114/3104 CO-DALLAS;

Save and except BLK 7087 LTS 50-53; ABND ALLEY & LT 49 LESS
ROW ACS 0.6369 VOL2002232/0058 DD09302002 CO-DC;

Save and except WELLINGTONS BLK A/7091 PT LTS 6-8 ACS 0.2968
INT20070206569 DD06042007 CO-DC;

Save and except BLK B/7091 LOT 8 TORONTO VOL02083/0594
DD072338 CO-DALLAS;

Save and except WELLINGTONS BLK B/7091 LT 9 7500 SF
VOL99184/4416 DD092199 CO-DALLAS;

Save and except WELLINGTONS LOT 2 TORONTO ;
Save and except WELLINGTONS BLK C/7091 LT 4 VOL2005074/03650
DD04082005 CO-DC;

Save and except WELLINGTONS BLK C/7091 LOT 5 CO-DALLAS;

Save and except WELLINGTONS BLK C/7091 LT 6 VOL2005074/03650
DD04082005 CO-DC;

Save and except WELLINGTONS BLK C/7091 LT 7 VOL2005074/03650
DD04082005 CO-DC;

Save and except WELLINGTONS LOT 2 TORONTO ;

Save and except WELLINGTONS BLK D/7091 LT 7 VOL96237/6844
DD120396 CO-DALLAS;

Save and except VALLEY PARK BLK 7093 LTS 3 & 4 50X106 VOL
82114 PG 0309;

Save and except VALLEY PARK BLK 7093 S PT LTS 21 & 22 & 14'
ABDN ALLEY ACS 0.0769 CALC VOL95117/0357 DD061295 CO-DALLAS;

Save and except BLK 7093 LOTS 25 THRU 28 BATAAN & TORONTO
VO99113/4611 DD06101999 CO-DC;

Save and except VALLEY PARK BLK 7093 LOT 45 INST200503556093
DD09292005 CO-DC;

Save and except VALLEY PARK BLK 7093 LOT 46 INST200503556093
DD09292005 CO-DC;

Save and except VALLEY PARK BLK 7093 LOT 47 INST200503556093
DD09292005 CO-DC;

Save and except VALLEY PARK BLK 7093 LOT 48 INST200503556093
DD09292005 CO-DC;

Save and except THRU 52 53.33X100 07093 S PT 49 THRU 52
53.33X100 TURTLE CREEK & FAIRFIELD VOL85155 PG3105 CO-DALLAS;

Save and except CLOSE IN BLK 7094 LT 14 LESS ROW
VOL2001177/05892 DD09072001 CO-DC;

Save and except CLOSE IN BLK 7094 LTS 15,16 & 17
VOL2001177/5892 DD09072001 CO-DC;

Save and except CLOSE IN BLK 7094 LT 18 VOL2001177/5892
DD09072001 CO-DC;

Save and except BLK 7094 LTS 19 THRU 26 PROB#10-050-
VOL2004097/10681 DD05182004 CO-DC;

Save and except TIPTON LOT 6 SYLVAN VOL2002160/2621
CO-DC;

Save and except TIPTON LOT 7 SYLVAN 7560 SF VOL2002160/2621
CO-DC;

Save and except TIPTON BLK 4/7101 LOT 8 VOL90043/2762
EX021490 CO-DALLAS;

Save and except TIPTON LOTS 11 & 12 SYLVAN VOL2002119/2177
CO-DALLAS;

Save and except BLK 7266 TR 2 ACS 0.3371 VOL95037/1963
DD123194 CO-DALLAS;

Save and except BLK 7266 TR 3 125X150 SEC SINGLETON @TOPEKA ;

Save and except BLK 7266 TR 1 ACS 0.4523 VOL95037/1958
DD123194 CO-DALLAS;

Save and except BLK 7266 TR 5 & 7 ACS 2.006 VOL93166/4300
EX082393 CO-DALLAS;

Save and except BLK 7266 TR 4 ACS 0.7496 VOL99194/1601
DD092999 CO-DALLAS;

Save and except CANAL BLK 1/7267 LT 1 FABRICATION & SYLVAN
VOL99230/4227 DD111699 CO-DALLAS;

Save and except CANAL BLK 1/7267 LT 2 VOL99230/4227 DD111699
CO-DALLAS;

Save and except CANAL LOT 3 FABRICATION ;

Save and except CANAL LOT 4 FABRICATION CO-DALLAS;

Save and except CANAL BLK 1/7267 LT 5 INT200600292324
DD08042006 CO-DC;

Save and except CANAL LOT 6 FABRICATION ;

Save and except CANAL LOT 7 FABRICATION & TOPEKA ;

Save and except CANAL LOT 1 SYLVAN AND FABRICATION
VOL2001183/3502 D09042001 CO-DC;

Save and except CANAL LOT 2 SYLVAN VOL2001183/3502 D09042001
CO-DC;

Save and except CANAL LOT 3 SYLVAN ;

Save and except CANAL BLK 2/7267 LT 4 VOL72213/1782
DD10301972 CO-DC;

Save and except CANAL BLK 2/7267 LOT 5 INT20070042002
DD01262007 CO-DC;

Save and except CANAL LOT 6 SYLVAN & MUNCIE INT200600157597
DD04242006 CO-DC;

Save and except CANAL LOT 7 GILMER & MUNCIE ;

Save and except CANAL LOT 8 GILMER ;

Save and except CANAL BLK 2/7267 LOT 9 INT200600399981
DD10202006 CO-DC;

Save and except CANAL BLK 2/7267 LOT 10 GILMER INT20070311860
DD08132007 CO-DC;

Save and except CANAL LOT 11 GILMER VOL2001183/3502 D09042001
CO-DC;

Save and except CANAL BLK 2/7267 LOT 12 GILMER & FABRICATION
VOL95031/1515 DD020995 CO-DALLAS;

Save and except CANAL BLK 3/7267 LOTS 1,2,3,4 & 5 GILMER &
FABRICATION TO TOPEKA VOL2002048/5489 EX011492 CO-DC;

Save and except CANAL BLK 4/7267 LOTS 1-5 TOPEKA & FABRICATION
TO YUMA VOL91074/1876 EX041191 CO-DALLAS;

Save and except CANAL N PT LOT 1 42.5X86 YUMA & FABRICATION
INT200600117279 DD03011993 CO-DC;

Save and except CANAL S PT LOT 1 42.5X86 YUMA ;

Save and except CANAL BLK 5/7267 LOTS 2-3 & 4 INT200600117278
DD03011993 CO-DC;

Save and except CANAL BLK 5/7267 LOT 5 PARVIA AVE
VOL90074/3060 EX041390 CO-DALLAS;

Save and except CANAL BLK 5/7267 LOT 8 VOL90067/3068 EX032390
CO-DALLAS;

Save and except ADDISON PARK BLK 1/7268 PT LTS 2 & 3 LESS ROW
VOL86097 PG4052 CO-DALLAS;

Save and except ADDISON PARK BLK 1/7268 PT LTS 3 & 4 LESS ROW
VOL86106 PG5575 CO-DALLAS;

Save and except ADDISON PARK BLK 2/7268 PT LOT 10 & PT ABND
ALLEY ACS 0.0758 CO-DALLAS;

Save and except ADDISON PARK BLK 3/7268 PT LT 1 LESS ROW
VOL2000070/1607 DD03232000 CO-DA;

Save and except ADDISON PARK BLK 3/7268 LT 3 ACS 0.055
VOL2002014/5008 DD12202001 CO-DC;

Save and except ADDISON PARK BLK 3/7268 LT 5 VOL2004154/9641
DD08042004 CO-DC;

Save and except ADDISON PARK BLK 3/7268 LTS 6 & 7 ACS 0.3144
INT20070321764 CO-DC;

Save and except ADDISON PARK BLK 3/7268 LT 8 INT20070321764
CO-DC;

Save and except ADDISON PARK BLK 3/7268 LT 9 INT20070321764
CO-DC;

Save and except ADDISON PARK BLK 3/7268 LT 10 VOL2001141/8301
DD07112001 CO-DC;

Save and except ADDISON PARK BLK 3/7268 LT 11 VOL2001141/8301
DD07112001 CO-DC;

Save and except ADDISON PARK BLK 3/7268 LT 12 VOL2001141/8301
DD07112001 CO-DC;

Save and except ADDISON PARK BLK 3/7268 LT 13 VOL2001141/8301
DD07112001 CO-DC;

Save and except ADDISON PARK BLK 3/7268 LT 14 S 1/2
VOL2000093/5568 DD05052000 CO-DC;

Save and except ADDISON PARK BLK 5/7268 LTS 4 & 5 BEDFORD &
PARVIA VOL96252/5842 DD122396 CO-DALLAS;

Save and except TR 2 230X274.2 FABRICATION 141FR TOPEKA
VOL98197/0863 DD09011998 CO-DC;

Save and except BLK 7269 TR 29K BEEVILLE & FABRICATION CO-

DALLAS;

Save and except BLK 7269 TR 29-I LESS N 2.5FT BATAAN ;

Save and except TR 29 G BATAAN VOL88013/3721 EX011888 CO-

DALLAS;

Save and except BLK 7269 TR 29-L 0.158 AC VOL95218/3609

DD110395 CO-DALLAS;

Save and except ABST 290 PG 265 BLK 7269 LOT 29H

VOL87050/3226 DD030687 CO-DALLAS;

Save and except BLK 7269 TR 29 PROB00-3032-P CO-

DC;

Save and except BLK 7269 TR 29F BATAAN & FABRICATION

VOL2004033/1146 DD02062004 CO-DC;

Save and except BLK 7269 TR 29N BEEVILLE CO-DALLAS;

Save and except BLK 7270 TR 1.1 ACS 0.0711 FABRICATION

181.2FR BATAAN ST CO-DALLAS;

Save and except BLK 2/7270 PT BLK - 45X150 FABRICATION 85.8FR

BATAAN VOL93151/7047 EX080493 CO-DALLAS;

Save and except C H BROOKS W DALLAS BLK 2/7270 PT LTS 2 & 3

ACS 0.32 VOL2004074/00502 DD03222004 CO-DC;

Save and except CH BROOKS WEST DALLAS BLK 2/7270 PT LTS 2&3

ACS 0.1021 37FT FROM BATAAN VOL93151/7053 DDD08041993 CO-DC;

Save and except CH BROOKS WEST DALLAS BLK 2/7270 PT LT 3 ACS

0.1679 VOL2004005/6618 DD11242003 CO-DC;

Save and except BLK 7270 PT LTS 5-10-11 & 12 VOL99105/0813

DD05201999 CO-DC;

Save and except C H BROOKS BLK 7270 LT 6 VOL99105/0813
DD05271999 CO-DC;

Save and except JACK SCOTT HOMESTEAD BLK 7270 LT 7 AT BURR
VOL95087/1323 DD042595 CO-DALLAS;

Save and except JACK SCOTT HOMESTEAD BLK 2/7270 LOT 8
INT200600163089 DD04272006 CO-DC;

Save and except JACK SCOTT HOMESTEAD BLK 2/7270 LOT 9
FABRICATION & PARVIA INT200600163089 DD04272006 CO-DC;

Save and except JACK SCOTT HOMESTEAD BLK 2/7270 LOT 13 BURR TO
PARVIA INT20060016089 DD04272006 CO-DC;

Save and except ROBERTS & WRIGHTS BLK B/6820 LT 5 & PT LTS 4,6
& 7 ACS 0.6270 INT 200600445344 DD10172006 CO-DC;

Save and except ROBERTS & WRIGHT BLK B/6820 LT 7 & PT LT 6 ACS
0.1315 INT20080187701 DD06032008 CO-DC;

Save and except WESTCOM SUBDIVISION BLK 6821 LT 22A ACS
2.025 VOL85161 PG3409 CO-DALLAS;

Save and except WESTCOM SUBDIVISION BLK 6821 LT 23A ACS
1.837 VOL87145 PG1691 CO-DALLAS;

Save and except WEST WE GO BLK 6822 LTS 28-30 & PT 31
VOL94197/1276 DD100594 CO-DALLAS;

Save and except HUGHES BLK 6822 LT 61A ACS 0.1988
VOL2005091/1924 DD04072005 CO-DC;

Save and except MIRZAIE LT 87A ACS 1.023 VOL2000198/3103
DD09292000 CO-DC;

Save and except WEST LEVEE SUBSTATION BLK 7084 LOT 2 ACS

4.8904 ;

Save and except TIPTON ADDITION BLK 4/7101 LT 9A ACS 0.296
VOL2001177/5892 DD09072001 CO-DC;

Save and except HUERTA BLK 4/7268 LT 1A ACS 0.4038
VOL2000173/6749 DD08162000 CO-DC;

Save and except HUERTA BLK 4/7268 LT 2A ACS 0.7762
VOL2000173/6749 DD08162000 CO-DC;

Save and except 5.43 MILES OF CORRIDOR DALLAS CITY ONLY 5.43
MILES RR CORRIDOR DALLAS;

(b) The following separately described parcels are also
included as a part of and within the District:

ELHOGAR MEXICAN BLK 3/7089 W PT LT 3 40X74.8X48.5X44.3
INT20070296211 DD08082007 CO-DC;

ELHOGAR MEXICAN BLK 3/7089 W PT 4 40X103.2X48.5X74.8
INT20070296211 DD08082007 CO-DC;

ELHOGAR MEXICAN W PT 5 40X131X47.5X103.2 GULDEN INT20070144477
DD04202007 CO-DC;

EL HOGAR-MEXICANA BLK 3/7089 W PT LOT 7 40X182X49X156 GULDEN
INT20070012261 DD01042007 CO-DC;

EL LUGAR MEXICANA LOT 11 PASTOR 11/70892 INT20080065923
DD02182008 CO-DC;

MAC ARTHUR HEIGHTS LOT 8 GUAM INT20080065904 DD02262008 CO-
DC;

EL HAGAR MECICANA BLK 1/7089 LOT 16 INT20080065904 DD02262008
CO-DC;

BRANTLEY C M BLK A/7105 LOT 16 OBENCHAIN INT20070335018
DD09122007 CO-DC;

WEST END BY Z E COOMBS BLK 3/7265 LT 11 INT20080153903
DD05082008 CO-DC;

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

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

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

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

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this

Act does not receive the vote necessary for immediate effect, this
Act takes effect September 1, 2009.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 27, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

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

IN RE: **HB4720** by Anchia (Relating to the creation of the Trinity River West Municipal Management District; providing the authority to impose an assessment, impose a tax, and issue bonds.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, SZ, DB, SD

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 14, 2009

TO: Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

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

IN RE: **HB4720** by Anchia (Relating to the creation of the Trinity River West Municipal Management District; providing the authority to impose an assessment, impose a tax, and issue bonds.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, SZ, DB, SD

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

May 11, 2009

TO: Honorable Royce West, Chair, Senate Committee on Intergovernmental Relations

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

IN RE: HB4720 by Anchia (Relating to the creation of the Trinity River West Municipal Management District; providing the authority to impose an assessment, impose a tax, and issue bonds.), As Engrossed

No fiscal implication to the State is anticipated.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, SZ, DB, SD

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 21, 2009

TO: Honorable Allan Ritter, Chair, House Committee on Natural Resources

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

IN RE: **HB4720** by Anchia (Relating to the creation of the Trinity River West Municipal Management District; providing the authority to impose an assessment, impose a tax, and issue bonds.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, SZ, DB, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 9, 2009

TO: Honorable Allan Ritter, Chair, House Committee on Natural Resources

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

IN RE: HB4720 by Anchia (Relating to the creation of the Trinity River West Municipal Management District; providing the authority to impose an assessment, impose a tax, and issue bonds.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, DB, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

WATER DEVELOPMENT POLICY IMPACT STATEMENT

81ST LEGISLATIVE REGULAR SESSION

April 22, 2009

TO: Honorable Allan Ritter, Chair, House Committee on Natural Resources

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

IN RE: **HB4720** by Anchia (Relating to the creation of the Trinity River West Municipal Management District; providing the authority to impose an assessment, impose a tax, and issue bonds.), **Committee Report 1st House, Substituted**

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

The bill amends Subtitle C, Title 4, Special District Local Laws Code by adding Chapter 3871 to create Trinity River West Municipal Management District (District) with the powers and duties of a municipal utility district under Water Code Chapters 49 and 54, and a municipal management district under Chapters 372, and 375, Local Government Code, Chapter 1371, Government Code and Chapter 311, Tax Code. The purpose of the District includes providing works and projects for the benefit of the property within and outside the District under powers conferred by Article XVI, Section 59, Texas Constitution and Article III, Section 52 and 52-a, Texas Constitution, and Local Government Code.

The District is subject to consent of all municipalities in whose corporate limits or extraterritorial jurisdiction the district is located. The District will be governed by nine directors composed of six directors appointed by the governing body of the city and three city employees appointed by the governing body of the city. The bill does not name temporary directors, but has a place for them to be named. Disqualifications of directors listed in Water Code Chapter 49.053 do not apply to the District.

The bill becomes effective immediately with two-thirds vote of the members or on September 1, 2009.

1) Population - The 2007 State Water Plan projects Dallas County to grow from 2,218,774 in 2000 to 2,557,152 in 2010 and continue growing to 2,883,564 in 2020. The county other population of Dallas County was 1,899 and is projected to be 1,143 in 2020.

2) Location - The proposed district is situated west of the Dallas Central Business District along the western bank of the Trinity River Floodway in Dallas County. The proposed district does not appear to overlap any known CCN boundaries.

3) Comments on Powers/Duties Different from Similar Types of Districts - The District will have authority for road projects and improvement projects. The District's bonds are not subject to TCEQ Water Code Chapter 49 or other law. The District may undertake water and sanitary sewer improvements inside or outside the District's boundaries subject to city ordinance consent. The bill indicates that the district will have no power of eminent domain. The District has ability to levy ad valorem tax, an assessment, and issue bonds. The District may be dissolved by city ordinance.

4) Overlapping Services - There is insufficient information provided in the bill to complete an overlap check or a closure check. An area map containing at least two references points (major road names, road intersections) and the proposed district's geographic location mapped within Dallas County is needed to complete overlapping service check.

5) TCEQ Supervision - The TCEQ supervision is limited to review of the District's financial reports

required by the Water Code; otherwise, the District is not subject to TCEQ supervision.

6) Water Use - Within Dallas County, less than 1 percent of the total water used is groundwater. Of this, 52 percent is for municipal purposes. Groundwater in Dallas County is primarily pumped from the Trinity Aquifer.

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

LBB Staff: JOB, KK