

By: Laubenberg

H.B. No. 3846

Substitute the following for H.B. No. 3846:

By: Keffer

C.S.H.B. No. 3846

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Mustang Ranch Municipal Management District No. 1; providing authority to levy an assessment 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 3885 to read as follows:

CHAPTER 3885. MUSTANG RANCH MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3885.001. DEFINITIONS. In this chapter:

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

(2) "City" means the City of Celina, Texas.

(3) "County" means Collin County, Texas.

(4) "Development agreement" means the development agreement between the city and Celina 682 Partners, L.P., initially effective June 11, 2007.

(5) "Director" means a board member.

(6) "District" means the Mustang Ranch Municipal Management District No. 1.

Sec. 3885.002. CREATION AND NATURE OF DISTRICT. The district is a special district created under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 3885.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The creation of the district is essential to accomplish the purposes of

1 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
2 Texas Constitution, and other public purposes stated in this  
3 chapter. By creating the district and in authorizing the city and  
4 other political subdivisions to contract with the district, the  
5 legislature has established a program to accomplish the public  
6 purposes set out in Section 52-a, Article III, Texas Constitution.

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

12 (c) This chapter and the creation of the district may not be  
13 interpreted to relieve the city or county from providing the level  
14 of services provided to the area in the district as of the effective  
15 date of the Act enacting this chapter. The district is created to  
16 supplement and not to supplant the city and county services  
17 provided in the district.

18 Sec. 3885.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
19 The district is created to serve a public use and benefit.

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

25 (c) The district is created to accomplish the purposes of a  
26 municipal management district as provided by general law and  
27 Sections 52 and 52-a, Article III, and Section 59, Article XVI,

Texas Constitution.

(d) The creation of the district is in the public interest and is essential to:

(1) further the public purposes of developing and diversifying the economy of the state;

(2) eliminate unemployment and underemployment; and

(3) develop or expand transportation and commerce.

(e) 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 community and business center; and

(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.

(f) Pedestrian ways along or across a street, whether at grade or above or below the surface, and street lighting, street landscaping, parking, and street art objects are parts of and necessary components of a street and are considered to be a street or road improvement.

(g) 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. 3885.005. INITIAL DISTRICT TERRITORY. (a) The

district is initially composed of the territory described by  
Section 2 of the Act enacting this chapter.

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

(1) organization, existence, or validity;

(2) right to contract;

(3) authority to borrow money or issue bonds or other  
obligations described by Section 3885.253 or to pay the principal  
and interest of the bonds or other obligations;

(4) right to impose or collect an assessment, or  
collect other revenue; or

(5) legality or operation.

Sec. 3885.006. 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 under  
Chapter 311, Tax Code;

(2) a tax abatement reinvestment zone created under  
Chapter 312, Tax Code;

(3) an enterprise zone created under Chapter 2303,  
Government Code; or

(4) an industrial district created under Chapter 42,  
Local 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:

(1) the purposes permitted for money granted to a corporation under Section 380.002(b), Local Government Code; and

(2) any other district purpose, including the right to pledge the money as security for any bonds or other obligations issued by the district under Section 3885.253.

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

Sec. 3885.007. APPLICABILITY OF MUNICIPAL MANAGEMENT DISTRICT LAW. Except as provided by this chapter, Chapter 375, Local Government Code, applies to the district.

Sec. 3885.008. LIBERAL CONSTRUCTION OF CHAPTER. This chapter shall be liberally construed in conformity with the findings and purposes stated in this chapter.

[Sections 3885.009-3885.050 reserved for expansion]

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3885.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five directors composed of:

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

(2) one director appointed by the governing body of the city who is an employee of the Prosper Independent School District;

(3) the city manager; and

1           (4) the city's chief financial officer.

2           (b) An appointed director serves a term of four years.

3           Sec. 3885.052. QUALIFICATIONS OF DIRECTOR. (a) Section  
4 375.063, Local Government Code, does not apply to a director  
5 employed by the city or the Prosper Independent School District.

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

8           Sec. 3885.053. VACANCY. The governing body of the city  
9 shall appoint a director to fill a vacancy on the board for the  
10 remainder of the unexpired term.

11           Sec. 3885.054. DIRECTOR'S OATH OR AFFIRMATION. A director  
12 shall file the director's oath or affirmation of office with the  
13 district, and the district shall retain the oath or affirmation in  
14 the district records.

15           Sec. 3885.055. OFFICERS. The board shall elect from among  
16 the directors a chair, a vice chair, and a secretary.

17           Sec. 3885.056. COMPENSATION; EXPENSES. (a) The district  
18 may compensate each director in an amount not to exceed \$150 for  
19 each board meeting.

20           (b) A director is entitled to reimbursement for necessary  
21 and reasonable expenses incurred in carrying out the duties and  
22 responsibilities of a director.

23           Sec. 3885.057. LIABILITY INSURANCE. The district may  
24 obtain and pay for comprehensive general liability insurance  
25 coverage from a commercial insurance company or other source that  
26 protects and insures the directors against personal liability and  
27 from all claims for actions taken as directors or actions and

activities taken by the district or by others acting on its behalf.

Sec. 3885.058. BOARD MEETINGS. The board shall hold meetings at a place accessible to the public.

Sec. 3885.059. INITIAL DIRECTORS. (a) The initial board consists of the following directors:

(1) Rod Hogan, city manager;

(2) Jay Toutounchian, city chief financial officer;

(3) Jim Melino;

(4) Drew Watkins, Prosper Independent School District employee; and

(5) a director appointed by the governing body of the city.

(b) Of the initial directors, the term of the director appointed under Subsection (a)(3) expires May 31, 2014, and the terms of the directors appointed under Subsections (a)(4) and (5) expire May 31, 2012.

(c) This section expires September 1, 2014.

[Sections 3885.060-3885.100 reserved for expansion]

#### SUBCHAPTER C. POWERS AND DUTIES

Sec. 3885.101. GENERAL POWERS AND DUTIES. The district has the powers and duties necessary to accomplish the purposes for which the district is created.

Sec. 3885.102. IMPROVEMENT PROJECTS. The district may provide, or it may enter into contracts with a governmental or private entity to provide, the improvement projects described by Subchapter C-1 or activities in support of or incidental to those projects.

1       Sec. 3885.103. WATER DISTRICT POWERS. The district has the  
2 powers provided by the general laws relating to conservation and  
3 reclamation districts created under Section 59, Article XVI, Texas  
4 Constitution, including Chapters 49 and 54, Water Code.

5       Sec. 3885.104. ROAD DISTRICT POWERS. The district has the  
6 powers provided by the general laws relating to road districts and  
7 road utility districts created under Section 52(b), Article III,  
8 Texas Constitution, including Chapter 441, Transportation Code.

9       Sec. 3885.105. PUBLIC IMPROVEMENT DISTRICT POWERS. The  
10 district has the powers provided by Chapter 372, Local Government  
11 Code, to a municipality or county.

12       Sec. 3885.106. CONTRACT POWERS. The district may contract  
13 with a governmental or private entity, on terms determined by the  
14 board, to carry out a power or duty authorized by this chapter or to  
15 accomplish a purpose for which the district is created.

16       Sec. 3885.107. EMERGENCY SERVICES. (a) This section  
17 applies only to territory in the district:

18               (1) that is in the extraterritorial jurisdiction of  
19 the city;

20               (2) for which a plat has been filed; and

21               (3) that includes 100 or more residents.

22       (b) To protect the public interest, the district shall  
23 provide or contract with a qualified party to provide emergency  
24 services, including law enforcement, fire, and ambulance services,  
25 in the territory described by Subsection (a).

26       Sec. 3885.108. AMENDMENT OF DEVELOPMENT AGREEMENT. The  
27 parties to the development agreement may amend the agreement as



1 necessary to accomplish the purposes of the district.

2 Sec. 3885.109. ECONOMIC DEVELOPMENT. (a) The district may  
3 engage in activities that accomplish the economic development  
4 purposes of the district.

5 (b) The district may establish and provide for the  
6 administration of one or more programs to promote state or local  
7 economic development and to stimulate business and commercial  
8 activity in the district, including programs to:

9 (1) make loans and grants of public money; and

10 (2) provide district personnel and services.

11 (c) The district may create economic development programs  
12 and exercise the economic development powers that:

13 (1) Chapter 380, Local Government Code, provides to a  
14 municipality; and

15 (2) Subchapter A, Chapter 1509, Government Code,  
16 provides to a municipality.

17 Sec. 3885.110. NO EMINENT DOMAIN POWER. The district may  
18 not exercise the power of eminent domain.

19 Sec. 3885.111. NO TOLL ROADS. The district may not  
20 construct, acquire, maintain, or operate a toll road.

21 [Sections 3885.112-3885.150 reserved for expansion]

22 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

23 Sec. 3885.151. IMPROVEMENT PROJECTS AND SERVICES. The  
24 district may provide, design, construct, acquire, improve,  
25 relocate, operate, maintain, or finance an improvement project or  
26 service using money available to the district, or contract with a  
27 governmental or private entity to provide, design, construct,

1 acquire, improve, relocate, operate, maintain, or finance an  
2 improvement project or service authorized under this chapter or  
3 Chapter 375, Local Government Code.

4 Sec. 3885.152. BOARD DETERMINATION REQUIRED. The district  
5 may not undertake an improvement project unless the board  
6 determines the project:

7 (1) is necessary to accomplish a public purpose of the  
8 district; and

9 (2) complies with the development agreement or the  
10 parties to the development agreement agree to the project, in  
11 writing.

12 Sec. 3885.153. LOCATION OF IMPROVEMENT PROJECT. An  
13 improvement project may be inside or outside the district.

14 Sec. 3885.154. CITY REQUIREMENTS. (a) An improvement  
15 project in the city must comply with any applicable requirements of  
16 the city, including codes and ordinances, that are consistent with  
17 the development agreement.

18 (b) The district may not provide, conduct, or authorize any  
19 improvement project on the city's streets, highways,  
20 rights-of-way, or easements without the consent of the governing  
21 body of the city.

22 Sec. 3885.155. IMPROVEMENT PROJECT AND SERVICE IN DEFINABLE  
23 AREA. The district may undertake an improvement project or service  
24 that confers a special benefit on a definable area in the district  
25 and levy and collect a special assessment on benefited property in  
26 the district in accordance with:

27 (1) Chapter 372, Local Government Code; or

1           (2) Chapter 375, Local Government Code.

2           Sec. 3885.156. CONTRACTS. A contract to design, construct,  
3 acquire, improve, relocate, operate, maintain, or finance an  
4 improvement project is considered a contract for a good or service  
5 under Subchapter I, Chapter 271, Local Government Code.

6           [Sections 3885.157-3885.200 reserved for expansion]

7           SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

8           Sec. 3885.201. DIVISION OF DISTRICT; PREREQUISITE. The  
9 district may be divided into two or more new districts only if the  
10 district has no outstanding bonded debt.

11          Sec. 3885.202. LAW APPLICABLE TO NEW DISTRICT. This  
12 chapter applies to any new district created by division of the  
13 district, and a new district has all the powers and duties of the  
14 district.

15          Sec. 3885.203. DIVISION PROCEDURES. (a) The board, on its  
16 own motion or on receipt of a petition signed by an owner of real  
17 property in the district, may adopt an order proposing to divide the  
18 district.

19          (b) The board may not divide the district unless the  
20 division is approved by the governing body of the city by  
21 resolution. The resolution may set terms for the division under  
22 Subsection (c).

23          (c) If the board decides to divide the district, the board  
24 shall, subject to the city's resolution:

25               (1) set the terms of the division, including names for  
26 the new districts and a plan for the payment or performance of any  
27 outstanding district obligations;

1           (2) prepare a metes and bounds description for each  
2 proposed district; and

3           (3) appoint initial directors for each new district.

4           Sec. 3885.204. NOTICE AND RECORDING OF ORDER. Not later  
5 than the 30th day after the date of an order dividing the district,  
6 the district shall:

7           (1) file the order with the Texas Commission on  
8 Environmental Quality; and

9           (2) record the order in the real property records of  
10 the county in which the district is located.

11           Sec. 3885.205. CONTRACT AUTHORITY OF NEW DISTRICTS. (a)  
12 Except as provided by Subsection (b), the new districts may  
13 contract with each other for any matter the boards of the new  
14 districts consider appropriate.

15           (b) The new districts may not contract with each other for  
16 water and wastewater services.

17           [Sections 3885.206-3885.250 reserved for expansion]

18           SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

19           Sec. 3885.251. DISBURSEMENTS AND TRANSFERS OF MONEY. The  
20 board by resolution shall establish the number of directors'  
21 signatures and the procedure required for a disbursement or  
22 transfer of the district's money.

23           Sec. 3885.252. MONEY USED FOR IMPROVEMENTS OR SERVICES.  
24 The district may undertake and provide an improvement project or  
25 service authorized by this chapter using any money available to the  
26 district.

27           Sec. 3885.253. BORROWING MONEY; OBLIGATIONS. (a) The

1 district may borrow money for a district purpose without holding an  
2 election by issuing bonds, notes, time warrants, or other  
3 obligations, or by entering into a contract or other agreement  
4 payable wholly or partly from an assessment, a contract payment, a  
5 grant, revenue from a zone created under Chapter 311 or 312, Tax  
6 Code, other district revenue, or a combination of these sources.

7 (b) An obligation described by Subsection (a):

8 (1) may bear interest at a rate determined by the  
9 board; and

10 (2) may include a term or condition as determined by  
11 the board.

12 Sec. 3885.254. DEVELOPMENT AGREEMENT. Before the district  
13 borrows money or issues an obligation under Section 3885.253, the  
14 city must provide written certification to the district that no  
15 party to the development agreement is in default as of the date the  
16 district is authorized to borrow the money or enter the obligation.

17 Sec. 3885.255. ASSESSMENTS. (a) Except as provided by  
18 Subsection (b), the district may impose an assessment on property  
19 in the district to pay for an obligation described by Section  
20 3885.253 in the manner provided for:

21 (1) a district under Subchapters A, E, and F, Chapter  
22 375, Local Government Code; or

23 (2) a municipality or county under Subchapter A,  
24 Chapter 372, Local Government Code.

25 (b) The district may not impose an assessment on a  
26 municipality, county, or other political subdivision.

27 Sec. 3885.256. NOTICE OF ASSESSMENTS. (a) The board shall

1 annually file written notice with the secretary of the city that  
2 specifies the assessments the district will impose in the  
3 district's next fiscal year in sufficient clarity to describe the  
4 assessments for the operation and maintenance of the district and  
5 the assessments for the payment of debt service of obligations  
6 issued or incurred by the district.

7 (b) The board shall annually record in the deed records of  
8 the county a current assessment roll approved by the governing body  
9 of the city.

10 (c) The assessment roll must clearly state that the  
11 assessments in the assessment roll are in addition to the ad valorem  
12 taxes imposed by other taxing units that tax real property in the  
13 district.

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

18 Sec. 3885.257. RESIDENTIAL PROPERTY NOT EXEMPT. Section  
19 375.161, Local Government Code, does not apply to the district.

20 Sec. 3885.258. NO IMPACT FEES. The district may not impose  
21 an impact fee.

22 Sec. 3885.259. NO AD VALOREM TAX. The district may not  
23 impose an ad valorem tax.

24 [Sections 3885.260-3885.300 reserved for expansion]

25 SUBCHAPTER F. DISSOLUTION

26 Sec. 3885.301. DISSOLUTION BY CITY. (a) The city may  
27 dissolve the district by ordinance.

1       (b) The city may not dissolve the district until:

2               (1) the district's outstanding debt or contractual  
3 obligations have been repaid or discharged; or

4               (2) the city agrees to succeed to the rights and  
5 obligations of the district.

6       Sec. 3885.302. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

7       (a) If the dissolved district has bonds or other obligations  
8 outstanding secured by and payable from assessments or other  
9 revenue, the city succeeds to the rights and obligations of the  
10 district regarding enforcement and collection of the assessments or  
11 other revenue.

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

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

16               (2) special revenue or assessment bonds or other  
17 obligations issued by the city to refund the outstanding bonds or  
18 obligations of the district.

19       Sec. 3885.303. ASSUMPTION OF ASSETS AND LIABILITIES. (a)  
20 After the city dissolves the district, the city assumes the  
21 obligations of the district, including any bonds or other debt  
22 payable from assessments or other district revenue.

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

25       SECTION 2. The Mustang Ranch Municipal Management District  
26 No. 1 initially includes all the territory contained in the  
27 following area:

1           BEING a tract of land located in the COLEMAN WATSON SURVEY,  
2 ABSTRACT NO. 945, Collin County, Texas and being a part of a called  
3 632.051 acre tract of land described in Deed to Twin Eagles, Ltd.  
4 recorded in County Clerk's Document Number 96-0013989, Deed  
5 Records, Collin County, Texas and being a part of a called 12.686  
6 acre tract of land described in Deed to Robert S. Folsom, Trustee of  
7 the Twin Eagles Qualified Personal Residence Trust recorded in  
8 County Clerk's Document Number 95-0093145, Deed Records, Collin  
9 County, Texas and being a part of a called 50.00 acre tract of land  
10 described in Deed to Twin Eagles Ltd. recorded in Volume 4826, Page  
11 2205, Deed Records, Collin County, Texas and being more  
12 particularly described as follows:

13           BEGINNING at a 5/8 inch iron rod found in the North line of  
14 Farm-To-Market Road 1461, a variable width right-of-way, at the  
15 Southwest corner of a called 19.93 acre tract of land described in  
16 Deed to Debra Folsom Jarma and Don M. Jarma recorded in Volume 3790,  
17 Page 267, Deed Records, Collin County, Texas, said point being the  
18 Southeast corner of said 50.00 acre tract;

19           THENCE South 89 degrees 41 minutes 18 seconds West, along the  
20 North line of said Farm-To-Market Road 1461, a distance of 750.84  
21 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA"  
22 set for corner, from which a 1/2 inch iron found bears South 76  
23 degrees 31 minutes 14 seconds West, a distance of 2.08 feet;

24           THENCE South 89 degrees 16 minutes 18 seconds West,  
25 continuing long the North line of said Farm-To-Market Road 1461, a  
26 distance of 231.01 feet to a 1/2 inch iron rod with a yellow plastic  
27 cap stamped "DAA" set at the Southwest corner of Lot 30, Block C of



1 TWELVE OAKS PHASE II, an Addition to Collin County, Texas according  
2 to the Plat thereof recorded in Cabinet P, Slide 486, Map Records,  
3 Collin County, Texas, from which a 1/2 inch iron rod with a yellow  
4 plastic cap stamped "EC&D RPLS 5439" bears South 06 degrees 27  
5 minutes 24 seconds West, a distance of 0.32 feet;

6       THENCE North 00 degrees 54 minutes 55 seconds East, along the  
7 West line of said TWELVE OAKS PHASE II, a distance of 2,206.67 feet  
8 to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set in  
9 the South line of said 632.051 acre tract at the Northeast corner of  
10 Lot 18, Block C of said TWELVE OAKS PHASE II, from which a 1/2 inch  
11 iron rod with a yellow plastic cap stamped "ROOME" bears South 50  
12 degrees 24 minutes 07 seconds West, a distance of 0.44 feet;

13       THENCE South 89 degrees 37 minutes 23 seconds West, along the  
14 North line of said TWELVE OAKS PHASE II, a distance of 2,146.50 feet  
15 to a 3/8 inch iron rod found at the Southwest corner of said 632.051  
16 acre tract;

17       THENCE North 00 degrees 07 minutes 29 seconds East, along the  
18 West line of said 632.051 acre tract, a distance of 1,637.32 feet to  
19 a point for corner in the approximate centerline of Wilson Creek and  
20 in the East line of Lot 5, Block A of WILSON CREEK ESTATES, an  
21 Addition to Collin County, Texas according to the Plat thereof  
22 recorded in Cabinet J, Slide 605, Map Records, Collin County,  
23 Texas;

24       THENCE Northerly, along the East line of said WILSON CREEK  
25 ESTATES and the approximate centerline of said Wilson Creek, the  
26 following five (5) courses and distances; North 39 degrees 31  
27 minutes 50 seconds East, a distance of 1.00 feet to a point for

1 corner; North 14 degrees 09 minutes 54 seconds East, a distance of  
2 67.24 feet to a point for corner; North 01 degrees 45 minutes 24  
3 seconds West, a distance of 113.30 feet to a point for corner; North  
4 08 degrees 43 minutes 39 seconds West, a distance of 137.99 feet to  
5 point for corner; North 02 degrees 14 minutes 13 seconds West, a  
6 distance of 113.37 feet to point at the Southeast corner of WILSON  
7 CREEK ESTATES 2, an Addition to Collin County, Texas according to  
8 the Plat thereof recorded in Cabinet K, Slide 192, Map Records,  
9 Collin County, Texas;

10       THENCE Northerly, along the East line of said WILSON CREEK  
11 ESTATES 2 and the approximate centerline of said Wilson Creek, the  
12 following eight (8) courses and distances; North 15 degrees 56  
13 minutes 43 seconds East, a distance of 284.21 feet to point for  
14 corner; North 27 degrees 49 minutes 29 seconds East, a distance of  
15 53.72 feet to a point for corner; North 13 degrees 03 minutes 17  
16 seconds East, a distance of 109.39 feet to point for corner; North  
17 10 degrees 02 minutes 27 seconds West, a distance of 235.76 feet to  
18 point for corner; North 04 degrees 58 minutes 53 seconds East, a  
19 distance of 56.26 feet to a point for corner; North 05 degrees 12  
20 minutes 56 seconds West, a distance of 121.33 feet to point for  
21 corner; North 09 degrees 39 minutes 44 seconds West, a distance of  
22 165.65 feet to point for corner; North 01 degrees 30 minutes 36  
23 seconds East, a distance of 45.98 feet to a point for corner in the  
24 South line of a called 185.094 acre tract of land described as Tract  
25 One in Deed to J. Baxter Brinkman recorded in County Clerk's  
26 Document Number 92-0052450, Deed Records, Collin County, Texas,  
27 from which a 3/4 inch iron rod found bears South 89 degrees 38

1 minutes 46 seconds West; a distance of 39.22 feet;

2       THENCE North 89 degrees 38 minutes 46 seconds East, along the  
3 common line of said 185.094 acre tract and said 632.051 acre tract,  
4 a distance of 1,947.39 feet to a 1/2 inch iron rod found for corner;

5       THENCE North 00 degrees 14 minutes 27 seconds West, along the  
6 common line of said 185.094 acre tract and said 632.051 acre tract,  
7 a distance of 1,721.69 feet to a 1/2 inch iron rod with a yellow  
8 plastic cap stamped "DAA" set at the Southwest corner of a called  
9 5.384 acre tract of land described as Tract Two in Deed to J. Baxter  
10 Brinkman recorded in County Clerk's Document Number 92-0052450,  
11 Deed Records, Collin County, Texas, from which a 1/2 inch iron rod  
12 found bears South 85 degrees 18 minutes 16 seconds West, a distance  
13 of 1.01 feet;

14       THENCE Easterly, along the common line of said 5.384 acre  
15 tract and said 632.051 acre tract, the following six (6) courses and  
16 distances: North 89 degrees 48 minutes 09 seconds East, a distance  
17 of 2,167.88 feet to a 1/2 inch iron rod with a yellow plastic cap  
18 stamped "COLLIS RPLS 1764" found for corner; North 89 degrees 49  
19 minutes 55 seconds East, a distance of 465.82 feet to a 1/2 inch  
20 iron rod with a yellow plastic cap stamped "DAA" set for corner,  
21 from which a 1/2 inch iron rod found bears South 35 degrees 46  
22 minutes 01 seconds West, a distance of 0.39 feet; North 89 degrees  
23 47 minutes 20 seconds East, a distance of 305.39 feet to a 1/2 inch  
24 iron rod found for corner; North 89 degrees 51 minutes 51 seconds  
25 East, a distance of 816.05 feet to a 1/2 inch iron rod with a yellow  
26 plastic cap stamped "DAA" set for corner; South 89 degrees 56  
27 minutes 24 seconds East, a distance of 311.73 feet to a 1/2 inch

1 iron rod with a yellow plastic cap stamped "DAA" set for corner;  
2 North 89 degrees 42 minutes 42 seconds East, a distance of 330.59  
3 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA"  
4 set at the Northwest corner of a called 1.0000 acre tract of land  
5 described in Deed to Danville Water Supply Corporation recorded in  
6 Volume 1992, Page 738, Deed Records, Collin County, Texas;

7       THENCE South 00 degrees 15 minutes 01 seconds East, along the  
8 common line of said 1.0000 acre tract and said 632.051 acre tract, a  
9 distance of 146.88 feet to a 1/2 inch iron rod found for corner;

10       THENCE North 89 degrees 44 minutes 59 seconds East,  
11 continuing along the common line of said 1.0000 acre tract and said  
12 632.051 acre tract a distance of 299.37 feet to a 1/2 inch iron rod  
13 with a yellow plastic cap stamped "DAA" set for corner in the West  
14 line of Farm-To-Market Road 2478, a variable width right-of-way,  
15 from which a 1/2 inch iron rod found bears South 89 degrees 44  
16 minutes 59 seconds East, a distance of 0.33 feet;

17       THENCE Southerly, along the West line of said Farm-To-Market  
18 Road 2478, the following eight (8) courses and distances: South 04  
19 degrees 07 minutes 13 seconds East, a distance of 113.40 feet to a  
20 wood right-of-way marker found for corner; South 03 degrees 46  
21 minutes 13 seconds East, a distance of 525.05 feet to a 1/2 inch  
22 iron rod found for corner; South 01 degrees 56 minutes 26 seconds  
23 West, a distance of 100.50 feet to a nail found in wood right-of-way  
24 marker for corner; South 03 degrees 46 minutes 13 seconds East, a  
25 distance of 200.00 feet to a 1/2 inch iron rod with a yellow plastic  
26 cap stamped "DAA" set for corner, from which a wood right-of-way  
27 marker found bears North 78 degrees 39 minutes 45 seconds West, a

1 distance of 0.95 feet; South 09 degrees 28 minutes 51 seconds East,  
2 a distance of 100.50 feet to a 1/2 inch iron rod with a yellow  
3 plastic cap stamped "DAA" set for corner; South 03 degrees 46  
4 minutes 13 seconds East, a distance of 415.90 feet to a wood  
5 right-of-way marker found for corner at the beginning of a curve to  
6 the right having a central angle of 03 degrees 41 minutes 00  
7 seconds, a radius of 5,679.58 feet and a chord bearing and distance  
8 of South 01 degrees 55 minutes 43 seconds East, 365.06 feet;  
9 Southerly, along said curve to the right, an arc distance of 365.12  
10 feet to a wood right-of-way marker found for corner; South 00  
11 degrees 05 minutes 13 seconds East, a distance of 2,278.15 feet to a  
12 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set at the  
13 Northeast corner of a called 1.000 acre tract of land described in  
14 Deed to Rhea's Mill Baptist Church recorded in Volume 1745, Page  
15 773, Deed Records, Collin County, Texas, from which a 1/2 inch  
16 square pipe found bears South 89 degrees 48 minutes 02 seconds West,  
17 a distance of 1.07 feet;

18       THENCE South 89 degrees 48 minutes 02 seconds West, a  
19 distance of 291.81 feet to a 1/2 inch iron rod found at the  
20 Northwest corner of said Rhea's Mill Baptist Church tract;

21       THENCE South 00 degrees 20 minutes 34 seconds East, a  
22 distance of 150.52 feet to a 1/2 inch iron rod with a yellow plastic  
23 cap stamped "DAA" set for corner in the North line of Lot 4 of  
24 ROLLING MEADOWS ESTATES, an Addition to Collin County, Texas  
25 according to the Plat thereof recorded in Cabinet P, Slide 486, Map  
26 Records, Collin County, Texas;

27       THENCE South 89 degrees 40 minutes 07 seconds West, along the

1 common line of said ROLLING MEADOWS ESTATES and said 632.051 acre  
2 tract, passing at a distance of 1,509.89 feet a 1 inch iron rod  
3 found at the Northwest corner of said ROLLING MEADOWS ESTATES and  
4 the Northeast corner of a called 81.104 acre tract described in Deed  
5 to Debra F. Jarma and Don M. Jarma recorded in County Clerk's  
6 Document Number 95-0092267, Deed Records, Collin County, Texas and  
7 continuing along the common line of said 81.104 acre tract and said  
8 632.051 acre tract, in all for a total distance of 2,209.89 feet to  
9 a 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for  
10 corner;

11       THENCE South 00 degrees 52 minutes 41 seconds West, along the  
12 common line of said 81.104 acre tract and said 632.051 acre tract, a  
13 distance of 421.13 feet to a 1/2 inch iron rod with a yellow plastic  
14 cap stamped "DAA" set for corner;

15       THENCE South 89 degrees 27 minutes 07 seconds West,  
16 continuing along the common line of said 81.104 acre tract and said  
17 632,051 acre tract, a distance of 1,159.85 feet to a 1/2 inch iron  
18 square pipe found at the Northwest corner of said 81.104 acre tract  
19 and the Northeast corner of a called 11.252 acre tract of land  
20 described in Deed to Debra F. Jarma and Don M. Jarma recorded in  
21 Volume 4973, Page 3420, Deed Records, Collin County, Texas;

22       THENCE South 89 degrees 24 minutes 47 seconds West, along the  
23 common line of said 11.252 acre tract and said 632.051 acre tract, a  
24 distance of 281.99 feet to a 1/2 inch iron rod with a yellow plastic  
25 cap stamped "DAA" set at the Northwest corner of said 11.252 acre  
26 tract;

27       THENCE Southerly, along the West line of said 11.252 acre

1 tract, the following six (6) courses and distances: South 00  
2 degrees 55 minutes 08 seconds West, a distance of 420.00 feet to a  
3 1/2 inch iron rod with a yellow plastic cap stamped "DAA" set for  
4 corner; South 14 degrees 29 minutes 02 seconds East, a distance of  
5 241.26 feet to a 1/2 inch iron rod with a yellow plastic cap stamped  
6 "DAA" set for corner; South 00 degrees 55 minutes 08 seconds West, a  
7 distance of 320.00 feet to a 1/2 inch iron rod with a yellow plastic  
8 cap stamped "DAA" set for corner; South 12 degrees 45 minutes 08  
9 seconds West, a distance of 449.55 feet to a 1/2 inch iron rod with a  
10 yellow plastic cap stamped "DAA" set for corner; South 19 degrees 10  
11 minutes 32 seconds East, a distance of 436.57 feet to a 1/2 inch  
12 iron rod with a yellow plastic cap stamped "DAA" set for corner;  
13 South 33 degrees 22 minutes 42 seconds East, a distance of 288.40  
14 feet to a 1/2 inch iron rod with a yellow plastic cap stamped "DAA"  
15 set for corner in the West line of said 19.93 acre tract;

16       THENCE South 01 degrees 56 minutes 48 seconds West, along the  
17 West line of said 19.93 acre tract, a distance of 139.88 feet to the  
18 POINT OF BEGINNING and containing 681.999 acres of land, more or  
19 less.

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

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

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

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

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

11 SECTION 4. This Act takes effect September 1, 2011.