

1-1 By: Laubenberg (Senate Sponsor - Deuell) H.B. No. 3859
1-2 (In the Senate - Received from the House May 13, 2011;
1-3 May 13, 2011, read first time and referred to Committee on
1-4 Intergovernmental Relations; May 23, 2011, reported favorably, as
1-5 amended, by the following vote: Yeas 5, Nays 0; May 23, 2011, sent
1-6 to printer.)

1-7 COMMITTEE AMENDMENT NO. 1 By: Patrick

1-8 Amend H.B. 3859 (engrossed) by adding the following appropriately
1-9 numbered SECTION to the bill and renumbering subsequent SECTIONS of
1-10 the bill accordingly:

1-11 SECTION _____. NO TOLL ROADS. The district may not construct,
1-12 acquire, maintain, or operate a toll road.

1-13 A BILL TO BE ENTITLED
1-14 AN ACT

1-15 relating to the creation of the Club Municipal Management District
1-16 No. 1; providing authority to levy an assessment and issue bonds.

1-17 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-18 SECTION 1. Subtitle C, Title 4, Special District Local Laws
1-19 Code, is amended by adding Chapter 3902 to read as follows:

1-20 CHAPTER 3902. CLUB MUNICIPAL MANAGEMENT DISTRICT NO. 1

1-21 SUBCHAPTER A. GENERAL PROVISIONS

1-22 Sec. 3902.001. DEFINITIONS. In this chapter:

1-23 (1) "Board" means the district's board of directors.

1-24 (2) "Capital improvement plan" means a plan created
1-25 under Section 3902.110.

1-26 (3) "City" means the City of Heath, Texas.

1-27 (4) "Development agreement" means an agreement
1-28 created under Section 3902.109.

1-29 (5) "Director" means a board member.

1-30 (6) "District" means the Club Municipal Management
1-31 District No. 1.

1-32 (7) "Financial plan" means a plan created under
1-33 Section 3902.154.

1-34 (8) "Improvement project" means a project authorized
1-35 by Subchapter C-1.

1-36 Sec. 3902.002. CREATION AND NATURE OF DISTRICT. The
1-37 district is a special district created under Sections 52 and 52-a,
1-38 Article III, and Section 59, Article XVI, Texas Constitution.

1-39 Sec. 3902.003. PRIMARY PURPOSE; MIXED-USE RESIDENTIAL AND
1-40 COMMERCIAL DEVELOPMENT. The primary purpose of the district is to
1-41 facilitate the construction and continued maintenance of a quality
1-42 mixed-use residential and commercial development to benefit city
1-43 residents.

1-44 Sec. 3902.004. ADDITIONAL PURPOSES; LEGISLATIVE FINDINGS.

1-45 (a) The creation of the district is essential to accomplish the
1-46 purposes of Sections 52 and 52-a, Article III, and Section 59,
1-47 Article XVI, Texas Constitution, and other public purposes stated
1-48 in this chapter. By creating the district and in authorizing the
1-49 city and other political subdivisions to contract with the
1-50 district, the legislature has established a program to accomplish
1-51 the public purposes set out in Section 52-a, Article III, Texas
1-52 Constitution.

1-53 (b) The creation of the district is necessary to promote,
1-54 develop, encourage, and maintain employment, commerce,
1-55 transportation, housing, tourism, recreation, the arts,
1-56 entertainment, economic development, safety, and the public
1-57 welfare in the district.

1-58 (c) This chapter and the creation of the district may not be
1-59 interpreted to relieve the city, Rockwall County, or Kaufman County
1-60 from providing or requiring the city or the counties to provide the
1-61 level of services provided as of the effective date of the Act
1-62 enacting this chapter to the area in the district as the city or

2-1 counties do to similarly situated property in the city. The
 2-2 district is created to supplement and not to supplant city and
 2-3 county services provided in the district.

2-4 Sec. 3902.005. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
 2-5 The district is created to serve a public use and benefit.

2-6 (b) All land and other property included in the district
 2-7 will benefit from the improvements and services to be provided by
 2-8 the district under powers conferred by Sections 52 and 52-a,
 2-9 Article III, and Section 59, Article XVI, Texas Constitution, and
 2-10 other powers granted under this chapter.

2-11 (c) The creation of the district is in the public interest
 2-12 and is essential to:

2-13 (1) further the public purposes of developing and
 2-14 diversifying the economy of the state;

2-15 (2) provide needed funding for the district to
 2-16 preserve, maintain, and enhance the economic health and vitality of
 2-17 the district territory as a community and business center; and

2-18 (3) promote the health, safety, welfare, and enjoyment
 2-19 of the public by providing pedestrian ways and by landscaping and
 2-20 developing certain areas in the district, which are necessary for
 2-21 the restoration, preservation, and enhancement of scenic beauty.

2-22 (d) Pedestrian ways along or across a street, whether at
 2-23 grade or above or below the surface, and street lighting, street
 2-24 landscaping, parking, and street art objects are parts of and
 2-25 necessary components of a street and are considered to be a street
 2-26 or road improvement.

2-27 (e) The district will not act as the agent or
 2-28 instrumentality of any private interest even though the district
 2-29 will benefit many private interests as well as the public.

2-30 Sec. 3902.006. INITIAL DISTRICT TERRITORY. (a) The
 2-31 district is initially composed of the territory described by
 2-32 Section 2 of the Act enacting this chapter.

2-33 (b) The boundaries and field notes contained in Section 2 of
 2-34 the Act enacting this chapter form a closure. A mistake in the
 2-35 field notes or in copying the field notes in the legislative process
 2-36 does not affect the district's:

2-37 (1) organization, existence, or validity;

2-38 (2) right to contract;

2-39 (3) authority to borrow money or issue bonds or other
 2-40 obligations described by Section 3902.253 or to pay the principal
 2-41 and interest of the bonds or other obligations;

2-42 (4) right to impose or collect an assessment, or
 2-43 collect other revenue; or

2-44 (5) legality or operation.

2-45 Sec. 3902.007. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

2-46 (a) All or any part of the area of the district is eligible to be
 2-47 included in:

2-48 (1) a tax increment reinvestment zone created under
 2-49 Chapter 311, Tax Code;

2-50 (2) a tax abatement reinvestment zone created under
 2-51 Chapter 312, Tax Code;

2-52 (3) an enterprise zone created under Chapter 2303,
 2-53 Government Code; or

2-54 (4) an industrial district created under Chapter 42,
 2-55 Local Government Code.

2-56 (b) If the city creates a tax increment reinvestment zone
 2-57 described by Subsection (a), the city and the board of directors of
 2-58 the zone, by contract with the district, may grant money deposited
 2-59 in the tax increment fund to the district to be used by the district
 2-60 for:

2-61 (1) the purposes permitted for money granted to a
 2-62 corporation under Section 380.002(b), Local Government Code; and

2-63 (2) any other district purpose, including the right to
 2-64 pledge the money as security for any bonds or other obligations
 2-65 issued by the district under Section 3902.253.

2-66 (c) A tax increment reinvestment zone created by the city in
 2-67 the district is not subject to the limitations provided by Section
 2-68 311.006, Tax Code.

2-69 Sec. 3902.008. APPLICABILITY OF MUNICIPAL MANAGEMENT

3-1 DISTRICT LAW; PURPOSE. (a) Except as provided by this chapter,
 3-2 Chapter 375, Local Government Code, applies to the district.
 3-3 (b) The district is created to accomplish the purposes of a
 3-4 municipal management district as provided by general law and
 3-5 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
 3-6 Texas Constitution.
 3-7 Sec. 3902.009. LIBERAL CONSTRUCTION OF CHAPTER. This
 3-8 chapter shall be liberally construed in conformity with the
 3-9 findings and purposes stated in this chapter.
 3-10 [Sections 3902.010-3902.050 reserved for expansion]
 3-11 SUBCHAPTER B. BOARD OF DIRECTORS
 3-12 Sec. 3902.051. GOVERNING BODY; TERMS. The district is
 3-13 governed by a board of five directors who serve staggered terms of
 3-14 four years, with two or three directors' terms expiring May 31 of
 3-15 each even-numbered year.
 3-16 Sec. 3902.052. QUALIFICATIONS. (a) To be qualified to
 3-17 serve as a director, a person must:
 3-18 (1) meet the qualifications prescribed by Section
 3-19 375.063, Local Government Code;
 3-20 (2) be a partner of a partnership that owns property in
 3-21 the district;
 3-22 (3) be a shareholder, director, or officer of a
 3-23 corporation that owns property in the district;
 3-24 (4) be a member, manager, or officer of a limited
 3-25 liability company that owns property in the district;
 3-26 (5) be a member, manager, or officer of a limited
 3-27 liability company that is a partner of a partnership that owns
 3-28 property in the district; or
 3-29 (6) reside in the city.
 3-30 (b) Section 49.052, Water Code, does not apply to the
 3-31 district.
 3-32 Sec. 3902.053. APPOINTMENT OF DIRECTORS. (a) In this
 3-33 section, "homeowner" means a person who owns residential property
 3-34 in the district that is used for personal, family, or household
 3-35 purposes.
 3-36 (b) Before 500 residential units in the district are sold to
 3-37 homeowners, the owner or owners of a majority of the assessed value
 3-38 of the real property in the district may submit a petition to the
 3-39 governing body of the city requesting that the governing body
 3-40 appoint as directors three persons from persons named in the
 3-41 petition.
 3-42 (c) After 500 residential units in the district are sold to
 3-43 homeowners:
 3-44 (1) a majority of the homeowners in the district may
 3-45 submit a petition to the governing body of the city requesting that
 3-46 the governing body appoint as directors two persons from persons
 3-47 named in the petition; and
 3-48 (2) the owner or owners of a majority of the assessed
 3-49 value of the real property in the district that is not residential
 3-50 property may submit a petition to the governing body of the city
 3-51 requesting that the governing body appoint as director one person
 3-52 from persons named in the petition.
 3-53 (d) The governing body of the city shall appoint five
 3-54 directors. The appointments may include one or more of the persons
 3-55 named in the petitions.
 3-56 Sec. 3902.054. EX OFFICIO DIRECTORS. (a) The governing
 3-57 body of the city may appoint up to three persons to serve ex officio
 3-58 as nonvoting directors.
 3-59 (b) An ex officio director is not counted for purposes of
 3-60 determining a quorum.
 3-61 (c) Section 3902.052 does not apply to this section.
 3-62 (d) An ex officio director:
 3-63 (1) is entitled to all notices and information given
 3-64 to and accessible to a director; and
 3-65 (2) may attend any board meeting, regardless of
 3-66 whether the meeting is open or closed to the public.
 3-67 Sec. 3902.055. VACANCY. The remaining directors shall
 3-68 appoint a person to fill a vacancy for the remainder of the
 3-69 unexpired term.

4-1 Sec. 3902.056. COMPENSATION; EXPENSES. (a) The board may
 4-2 compensate each director in an amount not to exceed \$50 for each
 4-3 board meeting. The total amount of compensation for each director
 4-4 in a calendar year may not exceed \$2,000.

4-5 (b) A director is entitled to reimbursement for actual
 4-6 expenses reasonably and necessarily incurred while engaging in
 4-7 activities on behalf of the district under a policy established by
 4-8 the board.

4-9 Sec. 3902.057. INITIAL DIRECTORS. (a) On or before
 4-10 September 15, 2011, the governing body of the city shall appoint two
 4-11 initial directors.

4-12 (b) On or before September 15, 2011, the owner or owners of a
 4-13 majority of the assessed value of the real property in the district
 4-14 may submit a petition to the governing body of the city requesting
 4-15 that the governing body appoint as initial directors the three
 4-16 persons named in the petition. If a petition is submitted, the
 4-17 governing body shall appoint as initial directors the three persons
 4-18 named in the petition. If a petition is not submitted on or before
 4-19 September 15, 2011, the governing body shall appoint the initial
 4-20 directors.

4-21 (c) The initial directors serve staggered terms, with one
 4-22 director serving a term expiring on May 31, 2015, two directors
 4-23 servng a term expiring on May 31, 2014, and two directors serving a
 4-24 term expiring on May 31, 2013.

4-25 (d) This section expires September 1, 2015.

4-26 [Sections 3902.058-3902.100 reserved for expansion]

4-27 SUBCHAPTER C. POWERS AND DUTIES

4-28 Sec. 3902.101. GENERAL POWERS AND DUTIES. The district has
 4-29 the powers and duties necessary to accomplish the purposes for
 4-30 which the district is created.

4-31 Sec. 3902.102. IMPROVEMENT PROJECTS. The district may
 4-32 provide, or it may enter into contracts with a governmental or
 4-33 private entity to provide, the improvement projects described by
 4-34 Subchapter C-1 or activities in support of or incidental to those
 4-35 projects.

4-36 Sec. 3902.103. DEVELOPMENT CORPORATION POWERS. If approved
 4-37 by the governing body of the city, the district, using money
 4-38 available to the district, may exercise the powers given to a
 4-39 development corporation under Chapter 505, Local Government Code,
 4-40 including the power to own, operate, acquire, construct, lease,
 4-41 improve, or maintain a project under that chapter.

4-42 Sec. 3902.104. WATER DISTRICT POWERS. The district has the
 4-43 powers provided by the general laws relating to conservation and
 4-44 reclamation districts created under Section 59, Article XVI, Texas
 4-45 Constitution, including Chapters 49 and 54, Water Code.

4-46 Sec. 3902.105. ROAD DISTRICT POWERS. The district has the
 4-47 powers provided by the general laws relating to road districts and
 4-48 road utility districts created under Section 52(b), Article III,
 4-49 Texas Constitution, including Chapters 365 and 441, Transportation
 4-50 Code.

4-51 Sec. 3902.106. PUBLIC IMPROVEMENT DISTRICT POWERS. The
 4-52 district has the powers provided by Chapter 372, Local Government
 4-53 Code, to a municipality or county.

4-54 Sec. 3902.107. CONTRACT POWERS. The district may contract
 4-55 with a governmental or private entity, on terms determined by the
 4-56 board, to carry out a power or duty authorized by this chapter or to
 4-57 accomplish a purpose for which the district is created.

4-58 Sec. 3902.108. AGREEMENTS; GRANTS. (a) As provided by
 4-59 Chapter 375, Local Government Code, the district may make an
 4-60 agreement with or accept a gift, grant, or loan from any person.

4-61 (b) The implementation of a project is a governmental
 4-62 function or service for the purposes of Chapter 791, Government
 4-63 Code.

4-64 Sec. 3902.109. DEVELOPMENT AGREEMENT. The city may enter
 4-65 into an agreement with each person who owns land in the district at
 4-66 the time the agreement is executed that relates to any aspect of the
 4-67 development of property in or outside the district, including a
 4-68 provision agreed to by the city and an owner relating to:

4-69 (1) a type of improvement;

- 5-1 (2) density of development;
- 5-2 (3) timing of construction of an improvement; and
- 5-3 (4) aesthetics.

5-4 Sec. 3902.110. CAPITAL IMPROVEMENT PLAN. (a) The district
 5-5 shall prepare a plan that includes:

- 5-6 (1) a description of each improvement project to be
 5-7 constructed in the district;
- 5-8 (2) the timing of construction for each improvement
 5-9 project to be constructed in the district;
- 5-10 (3) the financing and general budget of each
 5-11 improvement project to be constructed in the district; and
- 5-12 (4) any other information the city needs to make a
 5-13 decision on the plan.

5-14 (b) The district shall submit the plan to the city for
 5-15 approval.

5-16 Sec. 3902.111. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
 5-17 district may join and pay dues to a charitable or nonprofit
 5-18 organization that performs a service or provides an activity
 5-19 consistent with the furtherance of a district purpose.

5-20 Sec. 3902.112. PARKING FACILITIES. (a) The district may
 5-21 acquire, lease as lessor or lessee, construct, develop, own,
 5-22 operate, and maintain parking facilities or a system of parking
 5-23 facilities, including lots, garages, parking terminals, or other
 5-24 structures or accommodations for parking motor vehicles off the
 5-25 streets and related appurtenances.

5-26 (b) The district's parking facilities serve the public
 5-27 purposes of the district and are owned, used, and held for a public
 5-28 purpose even if leased or operated by a private entity for a term of
 5-29 years.

5-30 (c) The district's parking facilities are necessary
 5-31 components of a street and are considered to be a street or road
 5-32 improvement.

5-33 (d) The development and operation of the district's parking
 5-34 facilities may be considered an economic development program.

5-35 Sec. 3902.113. ADDING OR REMOVING TERRITORY; CITY APPROVAL.
 5-36 As provided by Subchapter J, Chapter 49, Water Code, the board may
 5-37 add territory to the district, subject to Section 54.016, Water
 5-38 Code, or remove territory from the district, except that:

5-39 (1) the addition or removal of the territory must be
 5-40 approved by three-fourths of all the members of the governing body
 5-41 of the city; and

5-42 (2) territory may not be removed from the district if
 5-43 bonds or other obligations of the district payable wholly or partly
 5-44 from assessments levied or assessed on the territory are
 5-45 outstanding.

5-46 Sec. 3902.114. NO EMINENT DOMAIN POWER. The district may
 5-47 not exercise the power of eminent domain.

5-48 [Sections 3902.115-3902.150 reserved for expansion]

5-49 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

5-50 Sec. 3902.151. IMPROVEMENT PROJECTS AND SERVICES. The
 5-51 district may provide, design, construct, acquire, improve,
 5-52 relocate, operate, maintain, or finance an improvement project or
 5-53 service using money available to the district, or contract with a
 5-54 governmental or private entity to provide, design, construct,
 5-55 acquire, improve, relocate, operate, maintain, or finance an
 5-56 improvement project or service authorized under this chapter or
 5-57 Chapter 375, Local Government Code.

5-58 Sec. 3902.152. BOARD DETERMINATION REQUIRED. The district
 5-59 may not undertake an improvement project unless the board
 5-60 determines the project:

5-61 (1) is necessary to accomplish a public purpose of the
 5-62 district; and

5-63 (2) complies with the development agreement or the
 5-64 parties to the development agreement agree to the project, in
 5-65 writing.

5-66 Sec. 3902.153. CITY APPROVAL REQUIRED. The district may
 5-67 not undertake an improvement project unless the district obtains
 5-68 approval from the governing body of the city.

5-69 Sec. 3902.154. FINANCIAL PLAN. (a) The district shall

6-1 prepare a financial plan that details the cost, method of
6-2 financing, cost of financing, and feasibility of financing for each
6-3 improvement to be constructed by the district.

6-4 (b) The district shall submit the plan to the city for
6-5 approval.

6-6 Sec. 3902.155. DEVELOPMENT AGREEMENT, CAPITAL IMPROVEMENT
6-7 PLAN, AND FINANCIAL PLAN REQUIRED. The district may not undertake
6-8 an improvement project or spend money for a project or service,
6-9 including an economic development project or an expenditure for
6-10 economic development incentives, unless the governing body of the
6-11 city has approved:

- 6-12 (1) a development agreement; and
- 6-13 (2) a capital improvement plan and financial plan for
6-14 the improvement project or expenditure.

6-15 Sec. 3902.156. LOCATION OF IMPROVEMENT PROJECT OR SERVICE.
6-16 An improvement project or service may be located:

- 6-17 (1) in the district; or
- 6-18 (2) outside the district if the project or service is
6-19 necessary to extend, connect to, or increase the functionality of
6-20 an improvement project or service in the district, including water
6-21 and sewer utilities, a drainage improvement, and a road or street
6-22 improvement.

6-23 Sec. 3902.157. CITY REQUIREMENTS. (a) An improvement
6-24 project in the city must comply with city ordinances and
6-25 construction codes.

6-26 (b) The district may not provide, conduct, or authorize any
6-27 improvement project on the city's streets, highways,
6-28 rights-of-way, or easements without the consent of the governing
6-29 body of the city.

6-30 Sec. 3902.158. IMPROVEMENT PROJECT AND SERVICE IN DEFINABLE
6-31 AREA. The district may undertake an improvement project or service
6-32 that confers a special benefit on a definable area in the district
6-33 and impose a special assessment on benefited property in the
6-34 district in accordance with:

- 6-35 (1) Chapter 372, Local Government Code; or
- 6-36 (2) Chapter 375, Local Government Code.

6-37 Sec. 3902.159. CONTRACTS. A contract to design, construct,
6-38 acquire, improve, relocate, operate, maintain, or finance an
6-39 improvement project is considered a contract for a good or service
6-40 under Subchapter I, Chapter 271, Local Government Code.

6-41 Sec. 3902.160. CITY ORDINANCE, ORDER, OR RESOLUTION. (a)
6-42 Unless the district and city agree otherwise, the city may by
6-43 ordinance, order, or resolution:

- 6-44 (1) require that title to all or any portion of an
6-45 improvement project vest in the city; or
- 6-46 (2) authorize the district to:
 - 6-47 (A) own, encumber, maintain, or operate an
6-48 improvement project; or
 - 6-49 (B) convey the project to the city at a later
6-50 date.

6-51 (b) The district shall immediately comply with a city
6-52 ordinance, order, or resolution described by this section.

6-53 [Sections 3902.161-3902.200 reserved for expansion]
6-54 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

6-55 Sec. 3902.201. DIVISION OF DISTRICT; PREREQUISITES; CITY
6-56 APPROVAL. The district may be divided into two or more new
6-57 districts only if:

- 6-58 (1) the district has no outstanding bonded debt; and
- 6-59 (2) three-fourths of all members of the governing body
6-60 of the city approve of each division.

6-61 Sec. 3902.202. LAW APPLICABLE TO NEW DISTRICT. This
6-62 chapter applies to any new district created by division of the
6-63 district, and a new district has all the powers and duties of the
6-64 district.

6-65 Sec. 3902.203. DIVISION PROCEDURES. (a) The board, on its
6-66 own motion or on receipt of a petition signed by an owner of real
6-67 property in the district, may adopt an order proposing to divide the
6-68 district.

6-69 (b) The board may not divide the district unless the

7-1 division is approved by the governing body of the city by
 7-2 resolution. The resolution may set terms for the division under
 7-3 Subsection (c).

7-4 (c) If the board decides to divide the district, the board
 7-5 shall, subject to the city's resolution:

7-6 (1) set the terms of the division, including names for
 7-7 the new districts and a plan for the payment or performance of any
 7-8 outstanding district obligations;

7-9 (2) prepare a metes and bounds description for each
 7-10 proposed district; and

7-11 (3) appoint initial directors for each new district.

7-12 Sec. 3902.204. NOTICE AND RECORDING OF ORDER. Not later
 7-13 than the 30th day after the date of an order dividing the district,
 7-14 the district shall:

7-15 (1) file the order with the Texas Commission on
 7-16 Environmental Quality; and

7-17 (2) record the order in the real property records of
 7-18 the county in which the district is located.

7-19 Sec. 3902.205. CONTRACT AUTHORITY OF NEW DISTRICTS. (a)
 7-20 Except as provided by Subsection (b), the new districts may
 7-21 contract with each other for any matter the boards of the new
 7-22 districts consider appropriate.

7-23 (b) The new districts may not contract with each other for
 7-24 water and wastewater services.

7-25 [Sections 3902.206-3902.250 reserved for expansion]

7-26 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

7-27 Sec. 3902.251. DISBURSEMENTS AND TRANSFERS OF MONEY. The
 7-28 board by resolution shall establish the number of directors'
 7-29 signatures and the procedure required for a disbursement or
 7-30 transfer of the district's money.

7-31 Sec. 3902.252. MONEY USED FOR IMPROVEMENTS OR SERVICES.
 7-32 The district may undertake and provide an improvement project or
 7-33 service authorized by this chapter using any money available to the
 7-34 district.

7-35 Sec. 3902.253. BORROWING MONEY; OBLIGATIONS. (a) The
 7-36 district may borrow money for a district purpose without holding an
 7-37 election by issuing bonds, notes, time warrants, or other
 7-38 obligations, or by entering into a contract or other agreement
 7-39 payable wholly or partly from an assessment, a contract payment, a
 7-40 grant, revenue from a zone created under Chapter 311 or 312, Tax
 7-41 Code, other district revenue, or a combination of these sources.

7-42 (b) An obligation described by Subsection (a):

7-43 (1) may bear interest at a rate determined by the
 7-44 board; and

7-45 (2) may include a term or condition as determined by
 7-46 the board.

7-47 Sec. 3902.254. DEVELOPMENT AGREEMENT, CAPITAL IMPROVEMENT
 7-48 PLAN, AND FINANCIAL PLAN REQUIRED. (a) Before the district borrows
 7-49 money or issues an obligation under Section 3902.253, the district
 7-50 must submit and the governing body of the city must approve a
 7-51 capital improvement plan, a financial plan, and a development
 7-52 agreement that describe the method of:

7-53 (1) borrowing the money or issuing that type of
 7-54 obligation; and

7-55 (2) using the proceeds that result from borrowing the
 7-56 money or issuing the obligation.

7-57 (b) Before the district issues an obligation described in
 7-58 the capital improvement plan, financial plan, and development
 7-59 agreement, the district shall:

7-60 (1) provide the governing body of the city with the
 7-61 information required to make an informed decision relating to the
 7-62 obligation; and

7-63 (2) obtain approval from the governing body of the
 7-64 city for the obligation.

7-65 Sec. 3902.255. QUARTERLY REPORTING. (a) After the
 7-66 district incurs an obligation described by Section 3902.253 and
 7-67 until all obligations of the district are paid in full or otherwise
 7-68 satisfied, the district shall submit a quarterly financial report
 7-69 to the city.

8-1 (b) The report must be based on sound accounting methods and
8-2 detail:

8-3 (1) the obligation incurred;
8-4 (2) the amount of the obligation that has been repaid;

8-5 and
8-6 (3) any other information the city requires.

8-7 Sec. 3902.256. ASSESSMENTS. The district may impose an
8-8 assessment on property in the district to pay for an obligation
8-9 described by Section 3902.253 in the manner provided for:

8-10 (1) a district under Subchapter F, Chapter 375, Local
8-11 Government Code; or

8-12 (2) a municipality or county under Subchapter A,
8-13 Chapter 372, Local Government Code.

8-14 Sec. 3902.257. NOTICE OF ASSESSMENTS. (a) The board shall
8-15 annually file written notice with the secretary of the city that
8-16 specifies the assessments the district will impose in the
8-17 district's next fiscal year in sufficient clarity to describe the
8-18 assessments for the operation and maintenance of the district and
8-19 the assessments for the payment of debt service of obligations
8-20 issued or incurred by the district.

8-21 (b) The board shall annually record in the deed records of
8-22 Rockwall County a current assessment roll approved by the governing
8-23 body of the city.

8-24 (c) The assessment roll must clearly state that the
8-25 assessments in the assessment roll are in addition to the ad valorem
8-26 taxes imposed by other taxing units that tax real property in the
8-27 district.

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

8-31 Sec. 3902.258. BONDS FOR ROAD PROJECTS. At the time of
8-32 issuance, the total principal amount of bonds or other obligations
8-33 issued or incurred to finance road projects may not exceed
8-34 one-fourth of the assessed value of the real property in the
8-35 district.

8-36 Sec. 3902.259. CITY NOT REQUIRED TO PAY DISTRICT
8-37 OBLIGATIONS. The city is not obligated to pay bonds, notes, or any
8-38 other obligation of the district, including bonds or debt payable
8-39 from assessments or other district revenue, unless the city assumes
8-40 the district's obligations by a vote of three-fourths of the
8-41 governing body of the city.

8-42 Sec. 3902.260. TAX AND ASSESSMENT ABATEMENTS. The district
8-43 may designate reinvestment zones and may grant abatements of a tax
8-44 or assessment on property in the zones.

8-45 Sec. 3902.261. RESIDENTIAL PROPERTY NOT EXEMPT. Section
8-46 375.161, Local Government Code, does not apply to the district.

8-47 Sec. 3902.262. NO IMPACT FEES. The district may not impose
8-48 an impact fee.

8-49 Sec. 3902.263. NO TAXATION POWER. The district may not
8-50 impose a tax, including a sales tax and an ad valorem tax.

8-51 [Sections 3902.264-3902.300 reserved for expansion]

8-52 SUBCHAPTER F. DISSOLUTION

8-53 Sec. 3902.301. AUTOMATIC DISSOLUTION. The district
8-54 dissolves and this chapter expires on September 1, 2018, if:

8-55 (1) the district does not have outstanding debt or
8-56 other obligations; and

8-57 (2) a developer does not begin, on or before September
8-58 1, 2018, to construct a road or other improvement project in the
8-59 district that is to be financed with district bonds or other
8-60 obligations in accordance with a capital improvement plan or
8-61 financial plan approved by the city.

8-62 Sec. 3902.302. DISSOLUTION BY CITY. (a) The city may
8-63 dissolve the district by ordinance.

8-64 (b) The city may not dissolve the district until:

8-65 (1) the district's outstanding debt or contractual
8-66 obligations have been repaid or discharged; or

8-67 (2) the city agrees to succeed to the rights and
8-68 obligations of the district.

8-69 Sec. 3902.303. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

9-1 (a) If the dissolved district has bonds or other obligations
 9-2 outstanding secured by and payable from assessments or other
 9-3 revenue, the city succeeds to the rights and obligations of the
 9-4 district regarding enforcement and collection of the assessments or
 9-5 other revenue.

9-6 (b) The city shall have and exercise all district powers to
 9-7 enforce and collect the assessments or other revenue to pay:

9-8 (1) the bonds or other obligations when due and
 9-9 payable according to their terms; or

9-10 (2) special revenue or assessment bonds or other
 9-11 obligations issued by the city to refund the outstanding bonds or
 9-12 obligations of the district.

9-13 Sec. 3902.304. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
 9-14 After dissolution, the city assumes the obligations of the
 9-15 district, including any bonds or other debt payable from
 9-16 assessments or other district revenue.

9-17 (b) On or before dissolution, the board shall transfer
 9-18 ownership of all district property to the city.

9-19 SECTION 2. The Club Municipal Management District No. 1
 9-20 initially includes all the territory contained in the following
 9-21 area:

9-22 TRACT 1

9-23 BEING a 511.319 acre tract of land situated in the G. Paschall
 9-24 Survey, Abstract No. 180, the G. Paschall Survey, Abstract No. 404,
 9-25 the I. Briscoe Survey, Abstract No. 57, the J. Canter Survey,
 9-26 Abstract No. 53, the J. Canter Survey, Abstract No. 85, and the M.
 9-27 Campbell Survey, Abstract No. 254 in the City of Heath, Rockwall
 9-28 County and in Kaufman County, Texas, and being part of a 2.399 acre
 9-29 tract of land described in Deed to Travis Ranch Development, L.P.,
 9-30 as recorded in Volume 1991, Page 50, Deed Records, Kaufman County,
 9-31 Texas (D.R.K.C.T.) and in Volume 2518, Page 56, Deed Records,
 9-32 Rockwall County, Texas (D.R.R.C.T.). Bearing basis is the east
 9-33 line of said 2.399 acre tract, said 511.319 acre tract, being more
 9-34 particularly described by metes and bounds as follows:

9-35 COMMENCING at a 5/8" iron rod with yellow cap stamped "Carter
 9-36 Burgess" set on the west right-of-way line of FM 740 (90°
 9-37 right-of-way);

9-38 THENCE departing said west right-of-way line of FM 740, over
 9-39 and across said 2.399 acre tract, the following courses; N 44°59'04"
 9-40 W, a distance of 2895.47 feet to a 5/8" iron rod with yellow cap
 9-41 stamped "Carter Burgess" set; N 45°58'22" W, a distance of 1009.71
 9-42 feet to a 5/8" iron rod with yellow cap stamped "Carter Burgess"
 9-43 set; S 77°56'11" W, a distance of 447.51 feet to a 5/8" iron rod with
 9-44 yellow cap stamped "Carter Burgess" set; S 66°57'48" W, a distance
 9-45 of 219.03 feet to a point; S 73°58'26" W, a distance of 382.43 feet
 9-46 to a 5/8" iron rod with yellow cap stamped "Carter Burgess" set for
 9-47 the beginning of a non-tangent curve to the right, the point of
 9-48 beginning of the herein described tract; southwesterly, along said
 9-49 non-tangent curve to the right having a radius of 2640.00 feet, a
 9-50 central angle of 50°52'17", an arc length of 2343.99 feet, and a long
 9-51 chord that bears 51°32'34" W, a distance of 2267.75 feet to a 5/8"
 9-52 iron rod with yellow cap stamped "Carter Burgess" set in the east
 9-53 line of Tract VI as described Agreed Judgment, recorded in Volume
 9-54 10, Page 323, D.R.K.C.T.;

9-55 THENCE N 30°24'08" E, along the east line of said Tract VI, a
 9-56 distance of 71.98 feet to a point for a southerly corner of Tract
 9-57 No. 2 as described in Deed to the City of Dallas, recorded in Volume
 9-58 537, Page 766, D.R.K.C.T.

9-59 THENCE along the easterly line of said City of Dallas Tract
 9-60 No. 2, the following courses; N 63°48'01" E, a distance of 81.44 feet
 9-61 to a found monument with brass disk stamped "City of Dallas
 9-62 Elevation Marker 61-9-A"; N 23°47'38" E, a distance of 223.72 feet
 9-63 to a found monument with brass disk stamped "City of Dallas
 9-64 Elevation Marker G1-9-B"; N 67°43'21" E, a distance of 294.48 feet
 9-65 to a found monument with brass disk stamped "City of Dallas
 9-66 Elevation Marker 61-10"; N 05°56'19" E, a distance of 146.08 feet to
 9-67 a point; N 31°46'19" E, a distance of 111.94 feet to a point; S
 9-68 86°49'01" E, a distance of 152.52 feet to a point; N 54°08'39" E, a
 9-69 distance of 70.13 feet to a point; N 43°06'37" W, a distance of

10-1 143.05 feet to a point; S 74°34'16" W, a distance of 176.48 feet to a
 10-2 found monument with brass disk stamped "City of Dallas Elevation
 10-3 Marker G1-14"; S 29°26'23" W, a distance of 324.95 feet to a found
 10-4 monument with brass disk stamped "City of Dallas Elevation Marker
 10-5 G1-15"; S 57°43'42" W, a distance of 318.96 feet to a found monument
 10-6 with brass disk stamped "City of Dallas Elevation Marker G1-15-A";
 10-7 S 04°33'50" W, a distance of 94.06 feet to a found monument with
 10-8 brass disk stamped "City of Dallas Elevation Marker G1-15-B"; S
 10-9 64°08'43" W, a distance of 88.30 feet to a point; N 31°59'44" W, a
 10-10 distance of 65.42 feet to a point from which a found monument with
 10-11 brass disk stamped "City of Dallas Elevation Marker G1-15-D" bears
 10-12 S 60°39'57" W, a distance of 1.70 feet; S 57°43'49" W, a distance of
 10-13 27.57 feet to a point from which a found monument with brass disk
 10-14 stamped "City of Dallas Elevation Marker G1-15-E" bears N 81°12'17"
 10-15 E, a distance of 0.80 feet; S 07°19'56" W, a distance of 24.28 feet
 10-16 to a found monument with brass disk stamped "City of Dallas
 10-17 Elevation Marker G1-15-F"; S 37°05'36" W, a distance of 73.28 feet
 10-18 to a found monument with brass disk stamped "City of Dallas
 10-19 Elevation Marker G1-15-G"; S 43°55'43" W, a distance of 58.02 feet
 10-20 to a point, from which a found monument with brass disk stamped
 10-21 "City of Dallas Elevation Marker G1-15-H " bears N 66°56'26" E, a
 10-22 distance of 0.60 feet; S 01°33'16" W, a distance of 18.32 feet to a
 10-23 point on the north line of the aforesaid City of Dallas Tract VI;

10-24 THENCE along the north line of said Tract VI, the following
 10-25 courses; S 87°21'28" W, a distance of 67.00 feet to a found monument
 10-26 with brass disk stamped "City of Dallas Elevation Marker G1-17"; S
 10-27 43°16'20" W, a distance of 273.28 feet to a point, from which a found
 10-28 broken monument bears S 55°25'19" E a distance of 0.91 feet; S
 10-29 77°57'21" W, a distance of 229.32 feet to a point from which a found
 10-30 monument with brass disk stamped "City of Dallas Elevation Marker
 10-31 C7-1/C9-22" bears S 85°04'46" E, a distance of 0.96 feet, said point
 10-32 being in the east line described in Agreed Judgment dated February
 10-33 2, 1999; Cause No. 6241-A, recorded in Volume 1370, Page 721,
 10-34 D.R.K.C.T.;

10-35 THENCE N 01°07'32" W, along said east line, a distance of
 10-36 239.47 feet to a found monument with brass disk stamped "City of
 10-37 Dallas Elevation Marker G1-1/C7-4";

10-38 THENCE N 64°17'34" W, continuing along said east line, a
 10-39 distance of 169.60 feet to a found monument with brass disk stamped
 10-40 "City of Dallas Elevation Marker G1-1-A" for the southeast corner
 10-41 of Tract No. 1, as described in Deed to the City of Dallas, recorded
 10-42 in Volume 537, Page 766, D.R.K.C.T.;

10-43 THENCE along the easterly line of said City of Dallas Tract
 10-44 No. 1, the following courses; N 06°19'57" E, a distance of 164.40
 10-45 feet to a found monument with brass disk stamped "City of Dallas
 10-46 Elevation Marker G1-1-B"; N 16°51'50" E, a distance of 296.39 feet
 10-47 to a found monument with brass disk stamped "City of Dallas
 10-48 Elevation Marker G1-1-C"; N 25°38'50" E, a distance of 235.72 feet
 10-49 to a found monument with brass disk stamped "City of Dallas
 10-50 Elevation Marker G1-1-D"; N 71°45'20" E, a distance of 146.55 feet
 10-51 to a found monument with brass disk stamped "City of Dallas
 10-52 Elevation Marker G1-1-E"; N 22°11'30" E, a distance of 114.04 feet
 10-53 to a found monument with brass disk stamped "City of Dallas
 10-54 Elevation Marker G1-1-F"; N 60°03'13" E, a distance of 160.21 feet
 10-55 to a found monument with brass disk stamped "City of Dallas
 10-56 Elevation Marker G1-4"; S 84°07'07" E, a distance of 59.57 feet to a
 10-57 found monument with brass disk stamped "City of Dallas Elevation
 10-58 Marker G1-4-A"; N 75°19'19" E, a distance of 205.79 feet to a point;
 10-59 N 87°13'35" E, a distance of 113.62 feet to a point; N 15°38'55" E, a
 10-60 distance of 80.92 feet to a point; S 83°48'52" W, a distance of
 10-61 182.98 feet to a point; S 67°15'02" W, a distance of 123.23 feet to a
 10-62 found monument with brass disk stamped "City of Dallas Elevation
 10-63 Marker G1-4-F"; N 87°11'54" W, a distance of 78.23 feet to a found
 10-64 monument with brass disk stamped "City of Dallas Elevation Marker
 10-65 G1-4-G"; S 55°49'29" W, a distance of 62.89 feet to a found monument
 10-66 with brass disk stamped "City of Dallas Elevation Marker G1-4-H"; N
 10-67 40°02'19" W, a distance of 20.99 feet to a found monument with brass
 10-68 disk stamped "City of Dallas Elevation Marker G1-4-J"; N 54°42'27"
 10-69 E, a distance of 97.98 feet to a found monument with brass disk

11-1 stamped "City of Dallas Elevation Marker G1-4-K"; N 21°23'44" E, a
 11-2 distance of 56.99 feet to a found monument with brass disk stamped
 11-3 "City of Dallas Elevation Marker G1-4-L"; N 82°27'31" E, a distance
 11-4 of 38.67 feet to a found monument with brass disk stamped "City of
 11-5 Dallas Elevation Marker G1-4-M"; N 48°45'48" E, a distance of 91.20
 11-6 feet to a found monument with brass disk stamped "City of Dallas
 11-7 Elevation Marker G1-4-N"; N 03°12'14" W, a distance of 62.74 feet to
 11-8 a found monument with brass disk stamped "City of Dallas Elevation
 11-9 Marker G1-4-P"; N 36°02'40" W, a distance of 32.94 feet to a found
 11-10 monument with brass disk stamped "City of Dallas Elevation Marker
 11-11 G1-4-Q"; S 13°11'09" W, a distance of 54.69 feet to a found monument
 11-12 with brass disk stamped "City of Dallas Elevation Marker G1-4-R"; S
 11-13 23°13'13" W, a distance of 61.72 feet to a found monument with brass
 11-14 disk stamped "City of Dallas Elevation Marker G1-4-S"; N 34°33'11"
 11-15 W, a distance of 33.01 feet to a found monument with brass disk
 11-16 stamped "City of Dallas Elevation Marker G1-4-T"; S 45°52'46" W, a
 11-17 distance of 223.95 feet to a found monument with brass disk stamped
 11-18 "City of Dallas Elevation Marker G1-5"; S 55°42'15" W, a distance of
 11-19 825.85 feet to a point; S 44°56'17" W, a distance of 138.31 feet to a
 11-20 found monument with brass disk stamped "City of Dallas Elevation
 11-21 Marker 01-6-A"; S 24°14'50" W, a distance of 219.81 feet to a found
 11-22 monument with brass disk stamped "City of Dallas Elevation Marker
 11-23 01-6-B";

11-24 THENCE N 64°34'02" W, a distance of 49.83 feet to a found
 11-25 monument with brass disk stamped "City of Dallas Elevation Marker
 11-26 G1-7";

11-27 THENCE N 70°33'40" W, a distance of 109.15 feet to a point;

11-28 THENCE N 70°28'19" W, a distance of 60.46 feet to a found
 11-29 monument with brass disk stamped "City of Dallas Elevation Marker
 11-30 F6-1" in the northeast line of Parcel II, as described in Deed to
 11-31 the City of Dallas, recorded in Volume 10, Page 323, D.I.K.C.T.;

11-32 THENCE along the northeast line of said remainder of City of
 11-33 Dallas Parcel II the following courses; S 21°26'22" W, a distance of
 11-34 85.74 feet to a 1/2" iron rod with red cap stamped "Dallas" found
 11-35 for the beginning of a non-tangent curve to the left;
 11-36 northwesterly, along said non-tangent curve to the left having a
 11-37 radius of 350.00 feet, a central angle of 21°37'02", an arc length of
 11-38 132.05 feet, and a long chord that bears N 54°09'55" W, a distance of
 11-39 131.27 feet to a 1/2" iron rod with red cap stamped "Dallas" found;
 11-40 N 64°58'40" W, a distance of 45.00 feet to a 1/2" iron rod with red
 11-41 cap stamped "Dallas" found; N 67°16'56" W, a distance of 46.89 feet
 11-42 to a 1/2" iron rod with red cap stamped "Dallas" found; N 64°00'03"
 11-43 W, a distance of 83.24 feet to a 1/2" iron rod with red cap stamped
 11-44 "Dallas" found; N 67°32'43" W, a distance of 88.79 feet to a 1/2"
 11-45 iron rod with red cap stamped "Dallas" found for the beginning of a
 11-46 tangent curve to the right; northwesterly, along said tangent curve
 11-47 to the right having a radius of 63.00 feet, a central angle of
 11-48 42°46'51", an arc length of 47.04 feet, and a long chord that bears N
 11-49 46°09'17" W, a distance of 45.95 feet to a 1/2" iron rod with red cap
 11-50 stamped "Dallas" found; N 24°45'56" W, a distance of 72.26 feet to a
 11-51 1/2" iron rod with red cap stamped "Dallas" found for the beginning
 11-52 of a tangent curve to the right; northwesterly, along said tangent
 11-53 curve to the right having a radius of 48.89 feet, a central angle of
 11-54 56°58'46", an arc length of 48.62 feet, and a long chord that bears N
 11-55 03°43'27" E, a distance of 46.64 feet to a 1/2" iron rod with red cap
 11-56 stamped "Dallas" found; N 32°12'45" E, a distance of 79.15 feet to a
 11-57 1/2" iron rod with red cap stamped "Dallas" found for the beginning
 11-58 of a tangent curve to the left; northwesterly, along said tangent
 11-59 curve to the left having a radius of 40.17 feet, a central angle of
 11-60 59°03'52", an arc length of 41.41 feet, and a long chord that bears N
 11-61 02°40'49" E, a distance of 39.60 feet to a 1/2" iron rod with red cap
 11-62 stamped "Dallas" found; N 26°50'52" W, a distance of 39.13 feet to a
 11-63 1/2" iron rod with red cap stamped "Dallas" found in the south line
 11-64 of a tract of land described as First Tract in Deed to the City of
 11-65 Dallas, recorded in Volume 497, Page 624, D.R.R.C.T.;

11-66 THENCE N 88°44'35" E, along the south line of said City of
 11-67 Dallas First Tract and the south line of the remainder tract of land
 11-68 described in Deed to Sterling C. Evans, Trustee, recorded in Volume
 11-69 27, Page 151, D.R.K.C.T., a distance of 419.79 feet to a PK nail

12-1 found in Ray Hubbard Drive;

12-2 THENCE N 02°51'38" W, along said Ray Hubbard Drive, a distance

12-3 of 1503.31 feet to a 1/2" iron rod found for the northeast corner of

12-4 Pecan Knoll Addition, an addition to the City of Heath, as recorded

12-5 in Cabinet C, Slide 141, Plat Records of Rockwall County, Texas,

12-6 (P.R.R.C.T.), said corner also being the beginning of a non-tangent

12-7 curve to the left; northwesterly, along the north line of said Pecan

12-8 Knoll Addition, and along said non-tangent curve to the left having

12-9 a radius of 258.91 feet, a central angle of 28°10'31", an arc length

12-10 of 127.32 feet, and a long chord that bears N 75°54'58" W, a distance

12-11 of 126.04 feet to a 1/2" iron rod found;

12-12 THENCE S 89°56'16" W, along the north line of said Pecan Knoll

12-13 Addition, a distance of 336.58 feet to a 1/2" iron rod with yellow

12-14 cap stamped "Halff Assoc., Inc." found in the east side of said Ray

12-15 Hubbard Drive;

12-16 THENCE N 00°56'55" W, along the east side of said Ray Hubbard

12-17 Drive, a distance of 1085.38 feet to a 1/2" iron rod found for the

12-18 southwest corner of a tract of land described in Deed to Anthony

12-19 Garretson Seely and Virginia Seely, recorded in Volume 585, Page

12-20 258, D.R.R.C.T.;

12-21 THENCE S 88°21'17" E, along the south line of said Seely

12-22 Tract, a distance of 424.63 feet to a 1/2" iron rod with yellow cap

12-23 stamped "Halff Assoc., Inc." found;

12-24 THENCE N 21°34'11" E, along the east line of said Seely Tract,

12-25 a distance of 315.28 feet to a 1/2" iron rod with yellow cap stamped

12-26 "Halff Assoc., Inc." found in the south line of a 10.64 acre tract

12-27 of land described in Deed to the City of Dallas, recorded in Volume

12-28 78, Page 406, D.R.R.C.T.;

12-29 THENCE along the south line of said 10.64 acre tract, the

12-30 following courses; S 68°24'27" E, a distance of 912.34 feet to a

12-31 found monument with brass disk stamped "City of Dallas Elevation

12-32 Marker G4-3"; N 77°05'40" E, a distance of 396.72 feet to a found

12-33 monument with brass disk stamped "City of Dallas Elevation Marker

12-34 G4-4"; N 53°40'19" E, a distance of 443.20 feet to a found monument

12-35 with brass disk stamped "City of Dallas Elevation Marker G4-5",

12-36 from which a 1/2" iron rod found bears S 74°58'35" E, a distance of

12-37 2.39 feet; N 00°45'17" W, a distance of 119.74 feet to a found

12-38 monument with brass disk stamped "City of Dallas Elevation Marker

12-39 G7-2" in the north line of a 17.69 acre tract described in Deed to

12-40 the City of Dallas, recorded in Volume 79, Page 177, D.R.R.C.T.;

12-41 THENCE along the north line of said 17.69 acre tract, the

12-42 following courses; S 78°11'37" W, a distance of 626.51 feet to a

12-43 found monument with brass disk stamped "City of Dallas Elevation

12-44 Marker G7-3"; N 58°29'39" W, a distance of 459.69 feet to a found

12-45 monument with brass disk stamped "City of Dallas Elevation Marker

12-46 G7-4"; N 22°26'05" W, a distance of 543.09 feet to a found monument

12-47 with brass disk stamped "City of Dallas Elevation Marker G7-5"; S

12-48 77°31'50" W, a distance of 275.86 feet to a 1/2" iron rod with yellow

12-49 cap stamped "Halff Assoc., Inc." found; N 12°27'13" W, a distance of

12-50 446.82 feet to a point in the aforesaid east line described in

12-51 Agreed Judgment, Cause No. 6241-A;

12-52 THENCE N 45°42'00" E, along said east line and the east line of

12-53 Anchor Bay Phase I and Phase II, additions to the City of Heath

12-54 Texas, as recorded in Cabinet C, Slide 60, P.R.R.C.T., a distance of

12-55 1691.20 feet to a point on the southwest line of K and K

12-56 Development, an addition to the City of Heath, Texas, as recorded in

12-57 Cabinet A, Slide 94, P.R.R.C.T.;

12-58 THENCE S 42°11'06" E, along the southwest line of said K and K

12-59 Development Tract, a distance of 1307.23 feet to a 1/2" iron rod

12-60 with yellow cap stamped "Halff Assoc., Inc." found;

12-61 THENCE N 45°06'54" E, along the southeast line of said K and K

12-62 Development Tract, a distance of 825.00 feet to a point;

12-63 THENCE S 41°12'17" E, departing said southeast line and along

12-64 the southwest line of a 20.00 acre tract of land described in Deed

12-65 to Grace E. Hambrick, recorded in Volume 2434, Page 237,

12-66 D.R.R.C.T., a distance of 1492.13 feet to a 1/2" iron rod with

12-67 yellow cap stamped "Halff Assoc., Inc." found in Rush Creek;

12-68 THENCE along the meanders of Rush Creek, the following

12-69 courses; S 76°31'01" E, a distance of 1.70 feet to a point; S

13-1 54°59'01" E, a distance of 243.70 feet to a point; N 83°24'59" E, a
 13-2 distance of 171.20 feet to a point; N 36°31'59" E, a distance of
 13-3 177.90 feet to a point; S 80°44'59" W, a distance of 233.40 feet to a
 13-4 point; N 00°26'59" E, a distance of 212.90 feet to a point; N
 13-5 32°06'01" W, a distance of 140.60 feet to a point; N 82°59'59" E, a
 13-6 distance of 268.40 feet to a point; N 31°07'59" E, a distance of
 13-7 159.60 feet to a point; N 33°21'01" W, a distance of 245.40 feet to a
 13-8 point; N 40°30'59" E, a distance of 80.10 feet to a point; N 44°22'01"
 13-9 W, a distance of 128.20 feet to a point; N 69°50'01" W, a distance of
 13-10 87.00 feet to a point; N 32°01'59" E, a distance of 164.80 feet to a
 13-11 point; S 11°02'01" E, a distance of 106.60 feet to a point; N
 13-12 65°18'59" E, a distance of 147.00 feet to a point; N 27°16'01" W, a
 13-13 distance of 109.80 feet to a point; N 80°19'01" W, a distance of
 13-14 90.30 feet to a point; N 11°03'59" E, a distance of 80.80 feet to a
 13-15 point in the southwest line of a 65.80 acre tract of land described
 13-16 in Deed to Enmark Gas Corp, recorded in Volume 1298, D.R.R.C.T.,
 13-17 from which a 1/2" iron rod found bears S 53°33'29" E, a distance of
 13-18 10.19 feet;

13-19 THENCE S 53°55'45" E, along said southwest line, a distance of
 13-20 1436.99 feet to a 1/2" iron rod with yellow cap stamped "Halff
 13-21 Assoc., Inc." found for the south corner of a 0.42 acre tract of
 13-22 land described in Deed to J.D. Crosby, recorded in Volume 54, Page
 13-23 47, D.R.R.C.T.;

13-24 THENCE N 44°55'59" E, along the southeast line of said 0.42
 13-25 acre tract, a distance of 300.57 feet to a 1/2" iron rod with yellow
 13-26 cap stamped "Halff Assoc., Inc." found for the southwest corner of a
 13-27 20.00 acre tract of land described in Deed to George Athens and
 13-28 Demetra Athens, recorded in Volume 74, Page 447, D.R.R.C.T.;

13-29 THENCE S 41°42'01" E, along the southwest line of said Athens
 13-30 Tract, a distance of 941.30 feet to a 1/2" iron rod with yellow cap
 13-31 stamped "Halff Assoc., Inc." found;

13-32 THENCE S 51°14'01" E, continuing along the southwest line of
 13-33 said Athens Tract, a distance of 542.00 feet to a 1/2" iron rod with
 13-34 yellow cap stamped "Halff Assoc., Inc." found on the west
 13-35 right-of-way line of the aforesaid FM 740 (80' right-of-way at this
 13-36 point) also being the beginning of a non-tangent curve to the left;
 13-37 southwesterly, along said west right-of-way line of FM 740 and
 13-38 along said non-tangent curve to the left having a radius of 178.10
 13-39 feet, a central angle of 17°32'13", an arc length of 54.51 feet, and
 13-40 a long chord that bears S 02°22'59" W, a distance of 54.30 feet to a
 13-41 wood right-of-way monument found;

13-42 THENCE S 13°47'04" E, continuing along said west right-of-way
 13-43 line of FM 740, a distance of 16.10 feet to a 1/2" iron rod found for
 13-44 the northeast corner of a 4.502 acre tract of land described in Deed
 13-45 to Gerald R. Schotthoefer and E. Joan Schotthoefer, recorded in
 13-46 Volume 925, Page 75, D.R.R.C.T.;

13-47 THENCE N 88°55'12" W, departing said west right-of-way line
 13-48 and along the north line of said Schotthoefer Tract, a distance of
 13-49 509.06 feet to a 3/8" iron rod found;

13-50 THENCE S 27°51'31" W, along the northwest line of said
 13-51 Schotthoefer Tract, a distance of 316.73 feet to a 3/8" iron rod
 13-52 found;

13-53 THENCE S 40°20'23" E, along the southwest line of said
 13-54 Schotthoefer Tract, a distance of 268.09 feet to a 1/2" iron rod
 13-55 with yellow cap stamped "Halff Assoc., Inc." found in the northwest
 13-56 line of a 11.993 acre tract of land described in Deed to Lloyd N.
 13-57 Fiedler, DVM and Dawn Fiedler, recorded in Volume 1252, Page 10,
 13-58 D.R.R.C.T.;

13-59 THENCE S 47°47'30" W, along the northwest line of said Fiedler
 13-60 Tract, a distance of 1251.20 feet to a 1/2" iron rod found for the
 13-61 west corner of said Fiedler Tract;

13-62 THENCE over and across said 2.399 acre tract the following
 13-63 courses; N 89°45'27" W, a distance of 1582.82 feet to a 5/8" iron rod
 13-64 with yellow cap stamped "Carter Burgess" set for the beginning of a
 13-65 non-tangent curve to the right; southwesterly, along said
 13-66 non-tangent curve to the right having a radius of 2640.00 feet, a
 13-67 central angle of 26°44'27", an arc length of 1232.13 feet, and a long
 13-68 chord that bears S 12°44'12" W, a distance of 1220.97 feet to the
 13-69 POINT OF BEGINNING and containing 511.319 acres of land.

14-1 TRACT 2

14-2 BEING a 65.99 acre tract of land situated in the Joshua Carter
14-3 Survey, Abstract No. 53, Rockwall County, Texas and being all of
14-4 that certain tract or parcel of land as monumented on the ground and
14-5 conveyed to RCM Development as recorded in Volume 2148, Page 139 of
14-6 the Deed Records of Rockwall County, Texas and as described by metes
14-7 and bounds in called 65.80 acre tract of land as conveyed to Enmark
14-8 Gas Corporation as recorded in Volume 1298, Page 064 of said Deed
14-9 Records, (basis of bearing is the northwest line of said Deed
14-10 recorded in Volume 1298, Page 064, N 45°10'01" E), said 65.99 acre
14-11 being more particularly described as follows:

14-12 BEGINNING at a 1/2" iron rod found for the north corner of
14-13 said called 65.80 acre tract, the east corner of a called 0.504 acre
14-14 tract of land as described in Deed to Brenda J. Jackson as recorded
14-15 in Volume 3634, Page 105 of said Deed Records, said iron rod also
14-16 being in the southwest right-of-way line of FM Road 740 (a variable
14-17 width right-of-way);

14-18 THENCE S 44°54'56" E, along the northeast line of said called
14-19 65.80 acre tract and the southwest right-of-way line of FM Road 740,
14-20 a distance of 852.55 feet to a 1/2" iron rod found for an ell corner
14-21 of said called 65.80 acre tract and the northernmost corner of a
14-22 called 1.9044 acre tract of land as described in Deed to Timothy D.
14-23 Bivins and wife, Cindy L. Bivins as recorded in Volume 1207, Page
14-24 020 of said Deed Records;

14-25 THENCE S 45°13'22" W, along a southeast line of said called
14-26 65.80 acre tract and along the northwest line of said Bivins Tract,
14-27 a distance of 435.45 feet to a 3/4" iron rod found for an ell corner
14-28 of said called 65.80 acre tract and the westernmost corner of said
14-29 Bivins Tract;

14-30 THENCE S 45°20'05" E, along a northeast line of said called
14-31 65.80 acre tract and along the southwest line of said Bivins Tract,
14-32 a distance of 192.21 feet to a 3/8" iron rod found for the
14-33 southernmost corner of said Bivins Tract and the westernmost corner
14-34 of a called 2.38 acre tract of land as described in Deed to B.R.
14-35 Baker and wife Cindy L. Baker as recorded in Volume 0841, Page 001
14-36 of said Deed Records;

14-37 THENCE S 45°07'36" E, continuing along a northeast line of
14-38 said called 85.60 acre tract and along the southwest line of said
14-39 Baker Tract, a distance of 308.19 feet to fence corner post for the
14-40 southernmost corner of said Baker Tract and being in the northwest
14-41 line of Lot 14 of King Acres Addition, as recorded in Cabinet A,
14-42 Slide 48 of the Plat Records of Rockwall County, Texas;

14-43 THENCE S 44°58'54" W, along a southeast line of said called
14-44 85.60 acre tract and the northeast line of said Lot 14, passing at a
14-45 distance of 1041.43 feet a 1/2" iron rod found for the westernmost
14-46 corner of a tract of land as described in Deed to K.K. Stonfield as
14-47 recorded in Volume 92, Page 15 of said Deed Records and the
14-48 northernmost corner of a called 20.00 acre tract (Tract 3) as
14-49 described in Deed to George Athens & Demetra Athens as recorded in
14-50 Volume 74, Page 447 of said Deed Records, and passing at a distance
14-51 of 1446.15 feet a 1/2" iron rod found for the westernmost corner of
14-52 said Athens Tract and an ell corner of a tract of land as described
14-53 in Deed to Travis Ranch Development, L.P. as recorded in Volume
14-54 2518, Page 56 of said Deed Records, in all a total distance of
14-55 1747.28 feet to a 1/2" iron rod found for the southernmost corner of
14-56 said called 85.60 acre tract and being an ell corner of said Travis
14-57 Ranch Development Tract;

14-58 THENCE N 53°27'11" W, along a southwest line of said called
14-59 85.60 acre tract and along a northeast line of said Travis Ranch
14-60 Development Tract, a distance of 1371.82 feet to a fence corner post
14-61 for the westernmost corner of said called 65.80 acre tract, an ell
14-62 corner of said Travis Ranch Development Tract and being in the
14-63 southeast line of Tract 2 as described in Deed to McCrumman
14-64 Partners, L.P. as recorded in Volume 1054, Page 117 of said Deed
14-65 Records;

14-66 THENCE N 45°00'47" E, along a southeast line of said Tract 2,
14-67 passing a southeast corner of said Tract 2 and the southernmost
14-68 corner of The Highlands of Heath Addition, as recorded in Cabinet D,
14-69 Slides 129 and 130 of the Plat Records of Rockwall County, Texas, in

15-1 all a total distance of 1064.37 feet to a 1/2" iron rod set with
 15-2 yellow plastic cap marked "R.P.L.S. 5305";
 15-3 THENCE N 45°10'01" E, continuing along the southeast line of
 15-4 The Highlands of Heath Addition, and passing at a distance of
 15-5 1110.90 feet to a 1/2" iron rod found for the easternmost corner of
 15-6 Lot 27, Block 1 of said Addition and the southernmost corner of
 15-7 aforesaid called 0.504 acre tract, in all a total distance of
 15-8 1319.48 feet to the Point of Beginning and containing 65.99 acres or
 15-9 2874.673 square feet of land more or less.

15-10 TRACT 3
 15-11 BEING all that certain lot, tract or parcel of land, situated
 15-12 in the Joshua Canter Survey, Abstract No. 53, Rockwall County,
 15-13 Texas, and being more particularly described as follows:
 15-14 BEGINNING at a point in the center of a county road that is
 15-15 3049.9 feet S 45° 58' W from the north corner of said Canter Survey;
 15-16 THENCE S 40° 57' E, a distance of 2883.1 feet to a point in the
 15-17 center of Rush Creek;
 15-18 THENCE in a southerly direction, down the center of Rush
 15-19 Creek as follows: S 01° 00' W a distance of 164.1 feet; N 81° 18' E, a
 15-20 distance of 233.4 feet; S 37° 05' W, a distance of 177.9 feet; S 83°
 15-21 58' W, a distance of 171.2 feet; N 54° 26' W, a distance of 243.7
 15-22 feet; N 75° 58' W, a distance of 1.7 feet;
 15-23 THENCE N 40° 57' W, a distance of 2814.9 feet to a point in the
 15-24 center of said county road;
 15-25 THENCE N 45° 58' E, along the center of said road, a distance
 15-26 of 284.9 feet to the POINT OF BEGINNING and containing 20.00 acres
 15-27 of land.

15-28 TRACT 4
 15-29 BEING a tract of 20.00 acres in the Joshua Canter Survey,
 15-30 Abstract No. 53, Rockwall County, Texas; and being more
 15-31 particularly described as follows:
 15-32 BEGINNING at a point in the center of a county road that is
 15-33 2739.2 feet S 45° 58' W from the north corner of said Canter Survey;
 15-34 THENCE S 40° 57' E, 2866.4 feet to a point in the center of
 15-35 Rush Creek;
 15-36 THENCE in a southerly direction down the center of Rush Creek
 15-37 as follows: S 31° 41' W 35.1 feet; S 83° 33' W 268.4 feet; S 31° 33' E
 15-38 140.6 feet; S 01° 00' W 48.8 feet;
 15-39 THENCE N 40° 57' W, 2883.1 feet to a point in the center of
 15-40 said road;
 15-41 THENCE N 45° 58' E, along the center of said road, 310.7 feet
 15-42 to the POINT OF BEGINNING and containing 20.00 acres of land.

15-43 TRACT 5
 15-44 BEING a tract of land situated in the J. Canter Survey,
 15-45 Abstract No. 53, and being a portion of a called 6.674 acre tract of
 15-46 land (called Tract One), and a 9.106 acre tract of land (called
 15-47 Tract Two) described in the Deed to Stewart I. Kipness recorded in
 15-48 Volume 601, Page 48, and also a portion of a called 14.923 acre
 15-49 tract of land described by Deed to Stewart Kipness recorded in
 15-50 Volume 1012, Page 27 of the Deed Records of Rockwall County, Texas
 15-51 (D.R.R.C.T.), and being more particularly described as follows:
 15-52 BEGINNING at a 60D nail found near a fence corner post at the
 15-53 west corner of said 6.674 acre tract, also for the south corner of a
 15-54 tract of land described by deed to H.D. Akins recorded in Volume
 15-55 148, Page 852, D.R.R.C.T.;
 15-56 THENCE N 45°10'18" E along the common line of said 6.674 acre
 15-57 tract and said Akins Tract and generally along a barbed wire fence,
 15-58 for a distance of 1217.50 feet to a 5/8" iron rod with cap stamped
 15-59 R.P.L.S. 5430 set for corner;
 15-60 THENCE S 33°08'53" E along a wire fence, for a distance of
 15-61 625.59 feet to a 5/8" iron rod with cap stamped R.P.L.S. 5430 set at
 15-62 an angle point in said wire fence;
 15-63 THENCE N 60°29'05" E continuing along said wire fence, for a
 15-64 distance of 82.03 feet to a 5/8" iron rod with cap stamped R.P.L.S.
 15-65 5430 set at an angle point in said wire fence;
 15-66 THENCE S 30°11'17" E continuing along said wire fence, for a
 15-67 distance of 165.60 feet to a 5/8" iron rod with cap stamped R.P.L.S.
 15-68 5430 set on the southeast line of the aforementioned 14.923 acre
 15-69 tract, and from which a 1/2" iron rod with cap stamped "D.A.I."

16-1 found at the east corner of said 14.923 acre tract bears N 45°13'08"
16-2 E, a distance of 444.58 feet;

16-3 THENCE S 45°13'08" W along the southeast line of said 14.923
16-4 acre tract, for a distance of 1126.52 feet to a 1/2" iron rod with
16-5 cap stamped "D.A.I." found at the south corner of same, also lying
16-6 on a northeasterly line of a tract of land described by Deed to
16-7 Whittle Development recorded in Volume 3874, Page 120, D.R.R.C.T.;

16-8 THENCE N 44°56'35" W along the common line of said Whittle
16-9 Tract, said 14.923 acre tract, said 9.106 acre tract, and said 6.674
16-10 acre tract and generally along a barbed wire fence, for a distance
16-11 of 793.59 feet to the PLACE OF BEGINNING, and containing 914,523
16-12 square feet or 20.995 acres of land more or less.

16-13 TRACT 6

16-14 BEING a tract of land in the I. Briscoe Survey, Abstract No.
16-15 38, Rockwall County and the I. Briscoe Survey, Abstract No. 57,
16-16 Kaufman County, Texas, and being the residue of a called 75 acre
16-17 tract of land described in Deed to Letha J. Townsend as recorded in
16-18 Volume 27, Page 151, Deed Records, Rockwall County, Texas, and
16-19 being more particularly described by metes and bounds as follows:

16-20 BEGINNING at a point in the center of Hubbard Drive. a public
16-21 right-at-way, and the southeast corner of Misty Bend Addition, an
16-22 addition to the City of Heath as recorded in Cabinet A, Slide 359,
16-23 Plat Records, Rockwall County, Texas;

16-24 THENCE S 02°51'38" E, 459.37 feet with the center of said
16-25 Hubbard Drive to a P.K. Nail with shiner found, being an ell corner
16-26 of a tract of land described in deed to Whittle Development, Inc. as
16-27 recorded in Volume 2055, Page 522, Deed Records, Kaufman County,
16-28 Texas;

16-29 THENCE S 88°45'26" W, 286.47 feet along the southerly north
16-30 line of said Whittle Tract to a concrete monument found in the
16-31 easterly line of a tract of land described in deed to the City of
16-32 Dallas as recorded in Volume 78, Page 260, Deed Records, Rockwall
16-33 County, Texas;

16-34 THENCE N 53°16'08" W, 300.52 feet leaving said Whittle Tract
16-35 and continue along the easterly line of said City of Dallas tract to
16-36 a Concrete Monument found;

16-37 THENCE N 30°47'32" W, 299.33 feet with the easterly line of
16-38 said City of Dallas tract to a 3/8" iron rod found at the southwest
16-39 corner of the aforesaid Misty Bend Addition;

16-40 THENCE N 87°32'56" E, (the bearing base for this survey),
16-41 658.16 feet along the south line of said Misty Bend Addition to the
16-42 POINT OF BEGINNING and containing 5.329 gross acres of which 0.264
16-43 acres lie within the roadway leaving 5.065 net acres of land, more
16-44 or less.

16-45 TRACT 7

16-46 BEING a tract of land situated in the Joshua Canter Survey,
16-47 Abstract No. 53 and being a part of a 63.0 acre tract recorded in
16-48 Volume 47, Page 328, Deed Records of Rockwall County, Texas and more
16-49 particularly described as follows:

16-50 BEGINNING at the southerly northwest corner of a 61.302 acre
16-51 tract recorded in Volume 90, Page 403, Deed Records of Rockwall
16-52 County, Texas and on the easterly right-of-way of a public road;

16-53 THENCE S 87°55'10" E, 272.64 feet to an iron rod for corner;

16-54 THENCE N 09°47'59" E, 309.97 feet to the Northerly Northwest
16-55 corner of said 61.302 acre tract;

16-56 THENCE N 67°46'50" W, with the City of Dallas take line, 99.25
16-57 feet to an iron rod for corner;

16-58 THENCE N 78°12'40" W, with the City of Dallas take line, 225.3
16-59 feet to the east right-of-way of a public road;

16-60 THENCE S 08°01'20" W, with the east right-of-way of said
16-61 public road, 89.0 feet to an iron rod for corner;

16-62 THENCE S 00°04'22" W, with the east right-of-way of said
16-63 public road, 290.98 feet to the PLACE OF BEGINNING and containing
16-64 2.420 acres of land, more or less.

16-65 TRACT 8

16-66 BEING a tract of land situated in the Joshua Canter Survey,
16-67 Abstract No. 53, City of Heath, Rockwall County, Texas, and also
16-68 being part of a 61.48 acre tract as recorded in Volume 140, Page
16-69 237, Deed Records, Rockwall County, Texas, and being more

17-1 particularly described as follows:
 17-2 BEGINNING at a point on the east line of Hubbard Drive, said
 17-3 point being the most Westerly Northeast corner of said 61.48 acre
 17-4 tract, a fence corner post for corner;
 17-5 THENCE S 37°47'37" E, leaving the said east line of Hubbard
 17-6 Drive, a distance of 272.18 feet to an iron pipe found for corner;
 17-7 THENCE N 10°04'17" E, a distance of 310.32 feet to a 1/2" iron
 17-8 stake set for corner;
 17-9 THENCE S 67°46'50" E along the Take Line of Lake Ray Hubbard, a
 17-10 distance of 236.18 feet to a 1/2" iron stake set for corner;
 17-11 THENCE S 22°13'10" W, a distance of 315.50 feet to a 1/2" iron
 17-12 stake set for corner;
 17-13 THENCE N 87°47'27" W, a distance of 424.47 feet to a point on
 17-14 the east line of Hubbard Drive, a 1/2" iron stake set for corner;
 17-15 THENCE N 01°10'14" W, along the east line of Hubbard Drive, a
 17-16 distance of 70.00 feet to the PLACE OF BEGINNING and containing 2.00
 17-17 acres or land.
 17-18 TRACT 9
 17-19 BEING a 199.468 acre tract of land situated in the J. Canter
 17-20 Survey, Abstract No. 53 and the J. Canter Survey, Abstract No. 85 in
 17-21 Kaufman County and Rockwall County, Texas, and being part of a 2.399
 17-22 acre tract of land described in Deed to Travis Ranch Development,
 17-23 L.P., as recorded in Volume 1991, Page 50, Deed Records, Kaufman
 17-24 County, Texas (D.R.K.C.T.) and Volume 2518, Page 56, Deed Records,
 17-25 Rockwall County, Texas (D.R.R.C.T.). Bearing basis is the east
 17-26 line of said 2.399 acre tract, said 153.100 acre tract, being more
 17-27 particularly described by metes and bounds as follows:
 17-28 COMMENCING at a 5/8" iron rod with yellow cap stamped "Carter
 17-29 Burgess" set on the west right-of-way line of FM 740 (90°
 17-30 right-of-way);
 17-31 THENCE along said west right-of-way line of FM 740, and the
 17-32 common east line of said 2.399 acre tract, the following courses; N
 17-33 43°55'15" E, a distance of 403.94 feet to a point for the beginning
 17-34 of a tangent curve to the left, from which a concrete right-of-way
 17-35 monument found bears S 45°48'34" E, a distance of 1.00 feet;
 17-36 northeasterly, along said tangent curve to the left having a radius
 17-37 of 1387.41 feet, a central angle of 39°46'53", an arc length of
 17-38 963.30 feet, a chord bearing of N 24°01'48" E, and a chord length of
 17-39 944.07 feet, to a 5/8" iron with a plastic cap stamped "Carter
 17-40 Burgess" set for POINT OF BEGINNING:
 17-41 THENCE over and across said 2.399 acre tract the following
 17-42 courses; S 88°53'33" W, a distance of 3247.44 feet to a 5/8" iron
 17-43 with a plastic cap stamped "Carter Burgess" set; N 01°06'27" W, a
 17-44 distance of 303.90 feet to a 5/8" iron with a plastic cap stamped
 17-45 "Carter Burgess" set for the beginning of a tangent curve to the
 17-46 right; northeasterly, along said curve to the right having a radius
 17-47 of 630.00 feet, a central angle of 48°17'16", an arc length of 530.95
 17-48 feet, a chord bearing of N 23°02'11" E, and a chord length of 515.38
 17-49 feet, to a 5/8" iron with a plastic cap stamped "Carter Burgess"
 17-50 set; N 61°02'29" W, a distance of 577.50 feet to a 5/8" iron with a
 17-51 plastic cap stamped "Carter Burgess" set; S 28°57'31" W, a distance
 17-52 of 1228.86 feet to a 5/8" iron with a plastic cap stamped "Carter
 17-53 Burgess" set; S 88°53'33" W, a distance of 2081.92 feet to a 5/8"
 17-54 iron with a plastic cap stamped "Carter Burges" set on the east line
 17-55 of a 17.63 acre tract of land described in a deed as Parcel VI, to
 17-56 the City of Dallas, as recorded in Volume 10, Page 323, D.R.K.C.T.;
 17-57 THENCE N 30°24'08" E, along the east line of said 17.63 acre
 17-58 tract, a distance of 25.27 feet to a 5/8" iron with a plastic cap
 17-59 stamped "Carter Burgess" set for the beginning of a non-tangent
 17-60 curve to the left;
 17-61 THENCE departing said east line of said 17.63 acre tract,
 17-62 over and across said 2.399 acre tract the following courses;
 17-63 northeasterly, along said curve to the left having a radius of
 17-64 2640.00 feet, a central angle of 77°36'44", an arc length of 3576.11
 17-65 feet, a chord bearing of N 38°10'21" E, and a chord length of 3308.91
 17-66 feet, to a 5/8" iron with a plastic cap stamped "Carter Burgess"
 17-67 set; S 89°45'27" E, a distance of 1582.82 feet to a 1/2" iron rod
 17-68 found for the west corner of a 11.993 acre tract of land described
 17-69 in deed to Lloyd N. Fiedler, DVM and Dawn Fiedler, recorded in

18-1 Volume 1252, Page 10, D.R.R.C.T.;

18-2 THENCE S 45°36'58" E, a distance of 1982.04 feet to a 3/8" iron
18-3 rod found for the south corner of a 23.75 acre tract of land
18-4 described in deed to Thomas A. Shaw and Jean P. Shaw, recorded in
18-5 Volume 71, Page 117, D.R.R.C.T.;

18-6 THENCE N 43°51'08" E, along the southeast line of said Shaw
18-7 tract, a distance of 548.15 feet to a 3/8" iron rod found for the
18-8 west corner of a 0.10 acre tract, called Tract 2, as described in
18-9 deed to Dale E. Pratz and Sandra L. Pratz, recorded in Volume 1447,
18-10 Page 153, D.R.R.C.T.;

18-11 THENCE S 45°30'20" E, along the southwest line of said Pratz
18-12 Tract, a distance of 98.50 feet to a point from which a 1/2" iron rod
18-13 found bears N 48°58'52" W, a distance of 0.40 feet, said point being
18-14 in the west right-of-way line of the aforementioned FM 740, also
18-15 being the beginning of a non-tangent curve to the left;

18-16 THENCE along the west right-of-way line of said FM 740 and the
18-17 east line of said 2.399 acre tract, the following courses;
18-18 southeasterly, along said non-tangent curve to the left having a
18-19 radius of 194.85 feet, a central angle of 27°15'49", an arc length of
18-20 92.72 feet, and a long chord that bears S 31°52'25" E, a distance of
18-21 91.85 feet to a 1/2" iron rod with yellow cap stamped "Halff Assoc.,
18-22 Inc." found; S 45°30'20" E, a distance of 372.78 feet to a point from
18-23 which a concrete right-of-way monument found bears N 39°11'25" W, a
18-24 distance of 0.61 feet; S 44°18'15" W, a distance of 4.90 feet to a
18-25 point from which a concrete right-of-way monument found bears N
18-26 79°44'39" W, a distance of 0.57 feet, said point also being the
18-27 beginning of a non-tangent curve to the right; southeasterly, along
18-28 said non-tangent curve to the left having a radius of 1387.41 feet,
18-29 a central angle of 49°50'07", an arc length of 1206.75 feet, a chord
18-30 bearing of S 20°46'42" E, and a chord length of 1169.07 feet, to the
18-31 POINT OF BEGINNING and containing 199.468 acres of land, more or
18-32 less.

18-33 SECTION 3. (a) The legal notice of the intention to
18-34 introduce this Act, setting forth the general substance of this
18-35 Act, has been published as provided by law, and the notice and a
18-36 copy of this Act have been furnished to all persons, agencies,
18-37 officials, or entities to which they are required to be furnished
18-38 under Section 59, Article XVI, Texas Constitution, and Chapter 313,
18-39 Government Code.

18-40 (b) All requirements of the constitution and laws of this
18-41 state and the rules and procedures of the legislature with respect
18-42 to the notice, introduction, and passage of this Act have been
18-43 fulfilled and accomplished.

18-44 SECTION 4. This Act takes effect September 1, 2011.

18-45

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