

By: Pitts

H.B. No. 518

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Windsor Hills 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 3907A to read as follows:

CHAPTER 3907A. WINDSOR HILLS MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3907A.001. DEFINITIONS. In this chapter:

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

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

(3) "Development agreement" means a development agreement between the city and One Windsor Hills, L.P., that establishes the standards that apply to development in the district, in addition to those contained in zoning, subdivision, and other applicable ordinances of the city.

(4) "Director" means a board member.

(5) "District" means the Windsor Hills Municipal Management District No. 1.

(6) "Finance plan" means a finance plan between the city and the district that includes a general description of improvement projects or services that will be financed by the district, an estimate of the costs for the improvement projects or

1 services, an estimate of the amount of the costs for the improvement
2 projects or services that the district will pay directly or that
3 will be reimbursed to the developer, and the means of financing
4 costs related to the planning, design, construction, improvement,
5 maintenance, and operation of the improvement projects or services.

6 Sec. 3907A.002. PRECONDITION; EXPIRATION. (a) The district
7 may not exercise any powers under this chapter until the
8 development agreement is executed.

9 (b) This chapter, including Section 3907A.061, expires
10 September 1, 2015, if the development agreement and finance plan
11 are not executed by that date.

12 Sec. 3907A.003. CREATION AND NATURE OF DISTRICT. The
13 district is a special district created under Sections 52 and 52-a,
14 Article III, and Section 59, Article XVI, Texas Constitution.

15 Sec. 3907A.004. PURPOSE; LEGISLATIVE FINDINGS. (a) The
16 creation of the district is essential to accomplish the purposes of
17 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
18 Texas Constitution, and other public purposes stated in this
19 chapter. By creating the district and in authorizing the city and
20 other political subdivisions to contract with the district, the
21 legislature has established a program to accomplish the public
22 purposes set out in Section 52-a, Article III, Texas Constitution.

23 (b) The creation of the district is necessary to promote,
24 develop, encourage, and maintain employment, commerce,
25 transportation, housing, tourism, recreation, the arts,
26 entertainment, economic development, safety, and the public
27 welfare in the district.

1 (c) This chapter and the creation of the district may not be
2 interpreted to relieve the city from providing the level of
3 services provided to the area in the district as of the effective
4 date of the Act enacting this chapter. The district is created to
5 supplement and not to supplant the city services provided in the
6 district.

7 Sec. 3907A.005. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

8 (a) The district is created to serve a public use and benefit.

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

14 (c) The district is created to accomplish the purposes of a
15 municipal management district as provided by general law and
16 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
17 Texas Constitution.

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

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

22 (2) eliminate unemployment and underemployment; and

23 (3) develop or expand transportation and commerce.

24 (e) The district will:

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

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

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

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

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

16 Sec. 3907A.006. DISTRICT TERRITORY. (a) The district is
17 composed of the territory described by Section 2 of the Act enacting
18 this chapter, as that territory may have been modified under other
19 law.

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

24 (1) organization, existence, or validity;

25 (2) right to contract;

26 (3) authority to borrow money or issue bonds or other
27 obligations described by Section 3907A.201 or to pay the principal

1 and interest of the bonds or other obligations;

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

4 (5) legality or operation.

5 Sec. 3907A.007. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

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

8 (1) a tax increment reinvestment zone created under
9 Chapter 311, Tax Code; or

10 (2) a tax abatement reinvestment zone created under
11 Chapter 312, Tax Code.

12 (b) A tax increment reinvestment zone created by the city in
13 the district is not subject to the limitations provided by Section
14 311.006, Tax Code.

15 [Sections 3907A.008-3907A.050 reserved for expansion]

16 SUBCHAPTER B. BOARD OF DIRECTORS

17 Sec. 3907A.051. GOVERNING BODY; TERMS. The district is
18 governed by a board of five voting directors who serve staggered
19 terms of four years, with two or three directors' terms expiring May
20 31 of each even-numbered year.

21 Sec. 3907A.052. QUALIFICATIONS. (a) To be qualified to
22 serve as a director appointed by the governing body of the city, a
23 person must be:

24 (1) a resident of the city who is also a registered
25 voter of the city;

26 (2) an owner of property in the district; or

27 (3) an agent, employee, or tenant of a person

1 described by Subdivision (2).

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

4 Sec. 3907A.053. APPOINTMENT OF DIRECTORS. The governing
5 body of the city shall appoint directors.

6 Sec. 3907A.054. EX OFFICIO DIRECTORS. (a) The following
7 persons serve ex officio as nonvoting directors:

8 (1) the city manager of the city; and

9 (2) the chief financial officer of the city.

10 (b) An ex officio director is entitled to speak on a matter
11 before the board.

12 Sec. 3907A.055. VACANCY. The governing body of the city
13 shall fill a vacancy on the board by appointing a person who meets
14 the qualifications prescribed by Section 3907A.052.

15 Sec. 3907A.056. DIRECTOR'S OATH OR AFFIRMATION. A director
16 shall file the director's oath or affirmation of office with the
17 district, and the district shall retain the oath or affirmation in
18 the district records.

19 Sec. 3907A.057. OFFICERS. The board shall elect from among
20 the directors a chair, a vice chair, and a secretary.

21 Sec. 3907A.058. COMPENSATION; EXPENSES. (a) The district
22 may compensate each director in an amount not to exceed \$75 for each
23 board meeting. The total amount of compensation for each director
24 in a calendar year may not exceed \$3,000.

25 (b) The governing body of the city, by resolution or
26 ordinance, may increase:

27 (1) the compensation for each director to an amount

1 not to exceed \$150 for each board meeting; and

2 (2) the total compensation for each director to an
3 amount not to exceed \$6,000 in a calendar year.

4 (c) A director is entitled to reimbursement for necessary
5 and reasonable expenses incurred in carrying out the duties and
6 responsibilities of the board.

7 Sec. 3907A.059. LIABILITY INSURANCE. The district may
8 obtain and pay for comprehensive general liability insurance
9 coverage from a commercial insurance company or other source that
10 protects and insures a director against personal liability and from
11 all claims relating to:

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

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

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

17 Sec. 3907A.060. BOARD MEETINGS. The board shall hold
18 meetings at a place accessible to the public.

19 Sec. 3907A.061. INITIAL DIRECTORS. (a) The governing body
20 of the city shall appoint the initial directors immediately after
21 the effective date of the Act enacting this chapter.

22 (b) The governing body shall stagger the terms, with two or
23 three directors' terms expiring May 31, 2014, and the remaining
24 directors' terms expiring May 31, 2016.

25 (c) The term of an initial director does not begin until the
26 development agreement and finance plan are executed.

27 (d) This section expires September 1, 2018.

1 [Sections 3907A.062-3907A.100 reserved for expansion]

2 SUBCHAPTER C. POWERS AND DUTIES

3 Sec. 3907A.101. GENERAL POWERS AND DUTIES. The district
4 has the powers and duties necessary to accomplish the purposes for
5 which the district is created.

6 Sec. 3907A.102. IMPROVEMENT PROJECTS. The district may
7 provide, or it may enter into contracts with a governmental or
8 private entity to provide, the improvement projects described by
9 Subchapter C-1 or activities in support of or incidental to those
10 projects.

11 Sec. 3907A.103. WATER DISTRICT POWERS. The district has
12 the powers provided by the general laws relating to conservation
13 and reclamation districts created under Section 59, Article XVI,
14 Texas Constitution, including Chapters 49 and 54, Water Code.

15 Sec. 3907A.104. ROAD DISTRICT POWERS. The district has the
16 powers provided by the general laws relating to road districts and
17 road utility districts created under Section 52(b), Article III,
18 Texas Constitution, including Chapters 365 and 441, Transportation
19 Code.

20 Sec. 3907A.105. PUBLIC IMPROVEMENT DISTRICT POWERS. The
21 district has the powers provided by Chapter 372, Local Government
22 Code, to a municipality or county.

23 Sec. 3907A.106. MUNICIPAL MANAGEMENT DISTRICT POWERS. The
24 district has the powers provided by Chapter 375, Local Government
25 Code.

26 Sec. 3907A.107. CONTRACT POWERS. The district may contract
27 with a governmental or private entity, on terms determined by the

1 board, to carry out a power or duty authorized by this chapter or to
2 accomplish a purpose for which the district is created.

3 Sec. 3907A.108. PARKING FACILITIES. (a) The district may
4 acquire, lease as lessor or lessee, construct, develop, own,
5 operate, and maintain parking facilities or a system of parking
6 facilities, including lots, garages, parking terminals, or other
7 structures or accommodations for parking motor vehicles off the
8 streets and related appurtenances.

9 (b) The district's parking facilities serve the public
10 purposes of the district and are owned, used, and held for a public
11 purpose even if leased or operated by a private entity for a term of
12 years.

13 (c) The district's parking facilities are necessary
14 components of a street and are considered to be a street or road
15 improvement.

16 (d) The development and operation of the district's parking
17 facilities may be considered an economic development program.

18 Sec. 3907A.109. NO EMINENT DOMAIN POWER. The district may
19 not exercise the power of eminent domain.

20 Sec. 3907A.110. NO TOLL ROADS. The district may not
21 construct, acquire, maintain, or operate a toll road.

22 [Sections 3907A.111-3907A.150 reserved for expansion]

23 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

24 Sec. 3907A.151. IMPROVEMENT PROJECTS AND SERVICES. The
25 district may provide, design, construct, acquire, improve,
26 relocate, operate, maintain, or finance an improvement project or
27 service using money available to the district, or contract with a

1 governmental or private entity to provide, design, construct,
2 acquire, improve, relocate, operate, maintain, or finance an
3 improvement project or service authorized under this chapter or
4 Chapter 375, Local Government Code.

5 Sec. 3907A.152. BOARD DETERMINATION REQUIRED. The district
6 may not undertake an improvement project or service unless the
7 board determines the project or service:

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

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

13 Sec. 3907A.153. IMPROVEMENT PROJECT AND SERVICE IN
14 DEFINABLE AREA. The district may undertake an improvement project
15 or service that confers a special benefit on a definable area in the
16 district and levy and collect a special assessment on benefited
17 property in the district in accordance with:

18 (1) Chapter 372, Local Government Code;

19 (2) Chapter 375, Local Government Code; or

20 (3) both chapters.

21 Sec. 3907A.154. CONTRACTS. A contract to design,
22 construct, acquire, improve, relocate, operate, maintain, or
23 finance an improvement project is considered a contract for a good
24 or service under Subchapter I, Chapter 271, Local Government Code.

25 [Sections 3907A.155-3907A.200 reserved for expansion]

26 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

27 Sec. 3907A.201. BORROWING MONEY; OBLIGATIONS. (a) The

1 district may borrow money for a district purpose by issuing bonds,
2 notes, time warrants, or other obligations, or by entering into a
3 contract payable wholly or partly from an assessment, a contract
4 payment, a grant, district revenue, or a combination of these
5 sources.

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

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

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

11 Sec. 3907A.202. COMPLIANCE WITH DEVELOPMENT AGREEMENT AND
12 FINANCE PLAN. Before the district issues, enters into, or pays an
13 obligation under Section 3907A.201:

14 (1) the obligation must be authorized by the finance
15 plan; and

16 (2) the city must provide written notice to the
17 district that no party to the development agreement is in default as
18 of the date the district is authorized to issue or enter into the
19 obligation.

20 Sec. 3907A.203. ISSUER POWERS FOR CERTAIN PUBLIC
21 IMPROVEMENTS. The district may exercise any power of an issuer
22 under Chapter 1371, Government Code.

23 Sec. 3907A.204. ASSESSMENTS. The district may impose an
24 assessment on property in the district to pay for an obligation
25 described by Section 3907A.201 in the manner provided for:

26 (1) a district under Subchapters A, E, and F, Chapter
27 375, Local Government Code; or

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

3 Sec. 3907A.205. TAX AND ASSESSMENT ABATEMENTS. The district
4 may designate reinvestment zones and may grant abatements of a tax
5 or assessment on property in the zones.

6 Sec. 3907A.206. DISBURSEMENTS AND TRANSFERS OF MONEY. The
7 board by resolution shall establish the number of directors'
8 signatures and the procedure required for a disbursement or
9 transfer of the district's money.

10 Sec. 3907A.207. RESIDENTIAL PROPERTY NOT EXEMPT. Section
11 375.161, Local Government Code, does not apply to the district.

12 Sec. 3907A.208. NO AD VALOREM TAX. The district may not
13 impose an ad valorem tax.

14 [Sections 3907A.209-3907A.250 reserved for expansion]

15 SUBCHAPTER E. DISSOLUTION

16 Sec. 3907A.251. DISSOLUTION BY CITY ORDINANCE. (a) The
17 governing body of the city may dissolve the district by ordinance.

18 (b) The governing body may not dissolve the district until:

19 (1) the district's outstanding debt or other
20 obligations have been repaid, assumed, or discharged, including the
21 defeasance of any outstanding bonds or other obligations through
22 the issuance of debt by the city; and

23 (2) each party to the development agreement and the
24 finance plan fulfills the party's obligations under the agreement
25 and the plan, including a district obligation to reimburse a
26 developer or owner for the costs of an improvement project or
27 service.

1 Sec. 3907A.252. COLLECTION OF ASSESSMENTS AND OTHER
2 REVENUE. If the governing body of the city dissolves the district
3 and assumes the outstanding bonds or other obligations of the
4 district secured by and payable from assessments or other revenue:

5 (1) the city shall, in the same manner as the district,
6 enforce and collect the assessments or other revenue to pay:

7 (A) the bonds or other obligations when due and
8 payable; or

9 (B) special revenue or assessment bonds or other
10 obligations issued by the city to refund the outstanding bonds or
11 obligations of the district; and

12 (2) the board shall transfer ownership of all district
13 property to the city.

14 SECTION 2. The Windsor Hills Municipal Management District
15 No. 1 initially includes all the territory contained in the
16 following area:

17 TRACT ONE

18 BEING a tract of land out of the JOSEPH STEWART Survey,
19 Abstract Number 961, M.E.P. & P.R.R. COMPANY Survey, Abstract
20 Number 761, JAMES JONES Survey, Abstract Number 583, ALLEN REEVES
21 Survey, Abstract Number 939 and the B.F. BERRY Survey, Abstract
22 Number 1547 and being part of a tract of land described to One
23 Windsor Hills L.P. as recorded in Volume 2199, Page 2425, Volume
24 2181, Page 1640 and Volume 2206, Page 1415, Deed Records, Ellis
25 County, Texas, and being more particularly described by metes and
26 bounds as follows:

27 BEGINNING at the northwesterly corner of a tract of land

1 described to One Windsor Hills L.P. in Volume 2206, Page 1415, Deed
2 Records, Ellis County, Texas, and the southwesterly corner of a
3 tract of land described to Suburban Residential, L.P. as recorded
4 in Volume 2061, Page 1487, Deed Records, Ellis County, Texas, said
5 point also being in the easterly right-of-way of U.S. Highway
6 Number 287 (a variable width right-of-way).

7 THENCE North 59°34'56" East along said common line and
8 departing said east right-of-way line passing at a distance of
9 223.98 feet the easterly line of said Suburban Residential, L.P.
10 tract and the westerly line of said tract of land described to One
11 Windsor Hills, L.P. in Volume 2181, Page 1640 in all a total
12 distance of 2878.85 feet to a point for corner;

13 THENCE North 30°22'31" West, a distance of 623.90 feet to a
14 point for corner;

15 THENCE North 81°43'06" East, a distance of 488.08 feet to a
16 point for corner;

17 THENCE North 72°00'40" East, a distance of 320.19 feet to a
18 point for corner;

19 THENCE North 71°30'14" East, a distance of 275.16 feet to a
20 point for corner;

21 THENCE North 60°21'33" East, a distance of 306.11 feet to a
22 point for corner;

23 THENCE North 60°52'42" East, a distance of 324.51 feet to a
24 point for corner;

25 THENCE North 62°51'56" East, a distance of 737.24 feet to a
26 point for corner;

27 THENCE North 77°31'00" East, a distance of 184.84 feet to a

1 point for corner;

2 THENCE South 54°36'52" East, a distance of 94.36 feet to a
3 point for corner;

4 THENCE South 45°11'54" East, a distance of 143.80 feet to a
5 point for corner;

6 THENCE North 00°06'23" East, a distance of 2809.23 feet to a
7 point for corner, said point being at the beginning of tangent curve
8 to the right whose chord bears North 04°50'09" East, and a chord
9 length of 454.89;

10 THENCE in a northeasterly direction with said curve to the
11 right having a central angle 09°53'05", with a radius of 2640.00
12 feet, an arc length of 455.45 feet to a point for corner, said point
13 being in the northeasterly line of said tract of land described to
14 One Windsor Hills, L.P. in Volume 2199, Page 2425, and southerly
15 line of a tract of land described to JAS Holdings, L.L.C. as
16 recorded in Volume 2051, Page 2082, Deed Records, Ellis County,
17 Texas;

18 THENCE North 88°55'17" East, along said common line a distance
19 of 627.82 feet to a point for corner;

20 THENCE South 01°20'17" East continuing along said common line
21 a distance of 491.92 feet to a point for corner;

22 THENCE North 87°52'20" East continuing along said common line
23 a distance of 765.58 feet to a point for corner;

24 THENCE North 89°07'31" East continuing along said common line
25 a distance of 1045.64 feet to a point for corner said point being in
26 the apparent westerly line of Quarry Road (a variable width
27 right-of-way);

1 THENCE along said Quarry Road the following calls: South
2 00°31'02" East, a distance of 2176.51 feet to a point for corner;
3 South 00°12'55" West, a distance of 619.03 feet to a point for
4 corner; South 00°11'45" West, a distance of 2361.69 feet to a point
5 for corner, said point being the northerly line of a tract of land
6 described to Fulson Midlothian Partners L.P., in Volume 2220, Page
7 0194, Deed Records, Ellis County, Texas;

8 THENCE South 73°40'45" West, departing said Quarry Road, a
9 distance of 1024.70 feet to a point for corner, said point being in
10 the easterly line of said tract of land described to One Windsor
11 Hills, L.P. in Volume 2206, Page 1415, and the northerly line of
12 said Fulson Midlothian Partners L.P. tract;

13 THENCE South 30°37'38" East, continuing along said common
14 line a distance of 350.99 feet to a point for corner;

15 THENCE South 59°15'58" West, continuing along said common
16 line a distance of 3738.60 feet to a point for corner;

17 THENCE South 00°20'54" West, continuing along said common
18 line a distance of 423.54 feet to a point for corner, said point
19 being in the said northerly right-of-way line of U.S. Highway
20 Number 287;

21 THENCE along said northerly right-of-way line of U.S. Highway
22 Number 287 the following calls: North 63°06'06" West, a distance of
23 291.86 feet to a point for corner; North 59°56'14" West, a distance
24 of 490.32 feet to a point for corner; North 57°00'04" West, a
25 distance of 447.27 feet to a point for corner; North 56°34'07" West,
26 a distance of 486.37 feet to a point for corner; North 50°47'17"
27 West, a distance of 387.41 feet to a point for corner; North

1 49°12'36" West, a distance of 604.08 feet to a point for corner;
2 North 48°29'20" West, a distance of 123.15 feet to a point for
3 corner, said point being in the southeasterly line of a tract of
4 land described to City of Midlothian, Cause Number 04-C-3616 County
5 Court of Law, Ellis County, Texas;

6 THENCE North 41°28'19" East, departing the said northerly
7 right-of-way line of U.S Highway 287, a distance of 100.00 feet to a
8 point for corner;

9 THENCE North 48°53'44" West continuing along said common line
10 a distance of 99.72 feet to a point for corner;

11 THENCE South 41°38'09" West continuing along said common line
12 a distance of 99.36 feet to a point for corner, said point being in
13 the said northerly right-of-way line of U.S. Highway 287;

14 THENCE along said northerly right-of-way line of U.S. Highway
15 Number 287 the following calls: North 48°36'14" West, a distance of
16 247.58 feet to a point for corner; North 42°50'51" West, a distance
17 of 458.34 feet to a point for corner; North 51°04'02" West, a
18 distance of 466.39 feet to a point for corner; North 27°30'07" West,
19 a distance of 3.46 feet to the POINT OF BEGINNING, containing
20 29,532,612 square feet or 677.97 acres, more or less.

21 TRACT TWO

22 BEING a tract of land out of the ALLEN REEVES Survey,
23 Abstract Number 939 and being part of a tract of land described to
24 One Windsor Hills L.P. as recorded in Volume 2202, Page 2425, Deed
25 Records, Ellis County, Texas, and being more particularly described
26 by metes and bounds as follows:

27 BEGINNING at the southeasterly corner of a tract of land

1 described to One Windsor Hills L.P. Tract 2 in Volume 2202, Page
2 1295, Deed Records, Ellis County, Texas, said point also being in
3 the southwesterly line of a tract of land described to City of
4 Midlothian in Volume 491, Page 081, Deed Records, Ellis County,
5 Texas, said point also being in the apparent northerly line of Auger
6 Road (a variable width right-of-way);

7 THENCE along said northerly line of Auger Road the following
8 calls: South 81°59'52" West, a distance of 520.79 feet to a point for
9 corner; North 84°51'18" West, a distance of 617.43 feet to a point
10 for corner; South 79°50'03" West, a distance of 442.41 feet to a
11 point for corner, said point also being in the apparent easterly
12 line of Quarry Road (a variable width right-of-way) and also being
13 in the westerly line of said One Windsor Hills, L.P. Tract Two;

14 THENCE North 00°09'14" West, a distance of 2342.31 feet to a
15 point for corner, said point being in the southwesterly line of a
16 tract of land described to North Texas Cement Company in Volume 846,
17 Page 138, Deed Records, Ellis County, Texas;

18 THENCE North 88°56'09" East departing said easterly line of
19 Quarry Road and continuing along said common line a distance of
20 563.53 feet to a point for corner;

21 THENCE North 00°21'10" West, continuing along said common
22 line a distance of 250.88 feet to a point for corner;

23 THENCE North 89°56'37" East, a distance of 2097.82 feet to
24 appoint for corner, said point being in the westerly line of a tract
25 of land described to City of Midlothian in Volume 2451, Page 0414,
26 Deed Records, Ellis County, Texas;

27 THENCE South 00°22'22" East, continuing along said common

1 line a distance of 1414.75 feet to a point for corner;

2 THENCE South 89°25'13" West, a distance of 563.27 feet to a
3 point for corner;

4 THENCE South 36°57'24" West, a distance of 156.39 feet to a
5 point for corner;

6 THENCE South 42°37'28" West, a distance of 220.86 feet to a
7 point for corner;

8 THENCE South 17°07'08" West, a distance of 110.49 feet to a
9 point for corner;

10 THENCE South 29°56'28" West, a distance of 283.81 feet to a
11 point for corner;

12 THENCE South 83°24'38" West, a distance of 135.84 feet to a
13 point for corner.

14 THENCE South 02°33'31" East, a distance of 435.91 feet to the
15 POINT OF BEGINNING, containing 5,604,605 square feet or 128.66
16 acres, more or less.

17 TRACT THREE

18 BEING a tract of land out of the ALLEN REEVES Survey, Abstract
19 Number 939 and being part of a tract of land described to Jas
20 Holdings, LLC, as recorded in Volume 2051, Page 2082, Deed Records,
21 Ellis County, Texas, and being more particularly described by metes
22 and bounds as follows:

23 BEGINNNG at the northwesterly line of said Holdings tract,
24 said point being at the intersection of the southerly line of Gifco
25 Road and the westerly line of Quarry Road;

26 THENCE South 06°40'47" West, a distance of 443.05 feet to a
27 point for corner;

1 THENCE South 06°09'13" East, a distance of 220.20 feet to a
2 point for corner;

3 THENCE South 10°13'13" East, a distance of 536.49 feet to a
4 point for corner;

5 THENCE South 08°58'47" West, a distance of 136.00 feet to a
6 point for corner;

7 THENCE South 10°19'36" West, a distance of 210.10 feet to a
8 point for corner;

9 THENCE South 00°07'52" East, a distance of 565.79 feet to a
10 point for corner, said point being in the southerly line of said
11 Holdings tract and the northerly line of a tract of land described
12 to One Windsor Hills, L.P. as recorded in Volume 2199, Page 2425,
13 Deed Records, Ellis County, Texas;

14 THENCE with said common line the following calls: South
15 89°07'31" West, a distance of 1045.64 feet to a point for corner;
16 South 87°52'20" West, a distance of 765.58 feet to a point for
17 corner; North 01°20'17" West, a distance of 491.92 feet to a point
18 for corner; South 88°55'27" West, a distance of 627.82 feet to a
19 point for corner, said point being at the beginning of a non-tangent
20 curve to the right whose chord bears North 31°16'58" East, a
21 distance of 1935.46 feet;

22 THENCE in a northeasterly direction with said non-tangent
23 curve to the right having a central angle of 43°00'28", with a radius
24 of 2640.00 feet, an arc length of 1981.66 feet to a point for
25 corner, said point being in the northerly line of said Holdings
26 tract;

27 THENCE North 89°50'10" East, along the northerly line of said

1 Holdings tract a distance of 1436.81 feet to the POINT OF BEGINNING,
2 containing 4,273,854 square feet or 98.11 acres, more or less.

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

10 (b) All requirements of the constitution and laws of this
11 state and the rules and procedures of the legislature with respect
12 to the notice, introduction, and passage of this Act have been
13 fulfilled and accomplished.

14 SECTION 4. This Act takes effect September 1, 2013.