

By: Fallon

H.B. No. 3707

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Venable Ranch Municipal Utility District No. 1 of Denton County; providing authority to impose a tax and issue bonds.

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

SECTION 1. Subtitle F, Title 6, Special District Local Laws Code, is amended by adding Chapter 8__ to read as follows:

CHAPTER 8 . VENABLE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF DENTON COUNTY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 8 .001. DEFINITIONS. In this chapter:

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

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

(3) "Commission" means the Texas Commission on Environmental Quality.

(4) "Director" means a board member.

(5) "District" means the Venable Ranch Municipal Utility District No. 1 of Denton County.

Sec. 8 .002. NATURE OF DISTRICT. The district is a municipal utility district created under Section 59, Article XVI, Texas Constitution.

Sec. 8 .003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The temporary directors shall hold an election to confirm the creation of the district and to elect five permanent

1 directors as provided by Section 49.102, Water Code.

2 Sec. 8 .004. CONSENT OF CITY AND DEVELOPMENT AGREEMENT
3 REQUIRED. (a) The temporary directors may not hold an election
4 under Section 8 .003 until the city has:

5 (1) consented by ordinance or resolution to the
6 creation of the district and to the inclusion of land in the
7 district; and

8 (2) approved and entered into a development agreement
9 with an owner or owners of land within the district under Section
10 212.172, Local Government Code.

11 (b) If the city does not consent to the creation of the
12 district or if the owners of land in the district do not enter into a
13 development agreement with the city before September 1, 2015:

14 (1) the district is dissolved September 1, 2015; and

15 (2) this chapter expires September 1, 2015.

16 Sec. 8 .005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
17 The district is created to serve a public purpose and benefit.

18 (b) The district is created to accomplish the purposes of:

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

21 (2) Section 52, Article III, Texas Constitution, that
22 relate to the construction, acquisition, improvement, operation,
23 or maintenance of macadamized, graveled, or paved roads, or
24 improvements, including storm drainage, in aid of those roads.

25 Sec. 8 .006. INITIAL DISTRICT TERRITORY. (a) The
26 district is initially composed of the territory described by
27 Section 2 of the Act enacting this chapter.

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

5 (1) organization, existence, or validity;

6 (2) right to issue any type of bond for the purposes
7 for which the district is created or to pay the principal of and
8 interest on a bond;

9 (3) right to impose a tax; or

10 (4) legality or operation.

11 Sec. 8 .007. ELIGIBILITY FOR INCLUSION IN TAX INCREMENT
12 REINVESTMENT ZONE. All or any part of the territory within the
13 district that is located within the city's corporate limits is
14 eligible to be included in a tax increment reinvestment zone
15 created under Chapter 311, Tax Code.

16 [Sections 8 .008-8 .050 reserved for expansion]

17 SUBCHAPTER B. BOARD OF DIRECTORS

18 Sec. 8 .051. GOVERNING BODY; TERMS. (a) The district is
19 governed by a board of five elected directors.

20 (b) Except as provided by Section 8 .052, directors serve
21 staggered four-year terms.

22 Sec. 8 .052. TEMPORARY DIRECTORS. (a) On or after
23 September 1, 2013, the owner or owners of a majority of the assessed
24 value of the real property in the district may submit a petition to
25 the commission requesting that the commission appoint as temporary
26 directors the five persons named in the petition. The commission
27 shall appoint as temporary directors the five persons named in the

1 petition.

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

3 (1) the date permanent directors are elected under
4 Section 8 .003; or

5 (2) September 1, 2017.

6 (c) If permanent directors have not been elected under
7 Section 8 .003 and the terms of the temporary directors have
8 expired, successor temporary directors shall be appointed or
9 reappointed as provided by Subsection (d) to serve terms that
10 expire on the earlier of:

11 (1) the date permanent directors are elected under
12 Section 8 .003; or

13 (2) the fourth anniversary of the date of the
14 appointment or reappointment.

15 (d) If Subsection (c) applies, the owner or owners of a
16 majority of the assessed value of the real property in the district
17 may submit a petition to the commission requesting that the
18 commission appoint as successor temporary directors the five
19 persons named in the petition. The commission shall appoint as
20 successor temporary directors the five persons named in the
21 petition.

22 [Sections 8 .053-8 .100 reserved for expansion]

23 SUBCHAPTER C. POWERS AND DUTIES

24 Sec. 8 .101. GENERAL POWERS AND DUTIES. The district has
25 the powers and duties necessary to accomplish the purposes for
26 which the district is created.

27 Sec. 8 .102. MUNICIPAL UTILITY DISTRICT POWERS AND

1 DUTIES. The district has the powers and duties provided by the
2 general law of this state, including Chapters 49 and 54, Water Code,
3 applicable to municipal utility districts created under Section 59,
4 Article XVI, Texas Constitution.

5 Sec. 8 .103. AUTHORITY FOR ROAD PROJECTS. Under Section
6 52, Article III, Texas Constitution, the district may design,
7 acquire, construct, finance, issue bonds for, improve, operate,
8 maintain, and convey to this state, a county, or a municipality for
9 operation and maintenance macadamized, graveled, or paved roads, or
10 improvements, including storm drainage, in aid of those roads.

11 Sec. 8 .104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
12 project must meet all applicable construction standards, zoning and
13 subdivision requirements, and regulations of each municipality in
14 whose corporate limits or extraterritorial jurisdiction the road
15 project is located.

16 (b) If a road project is not located in the corporate limits
17 or extraterritorial jurisdiction of a municipality, the road
18 project must meet all applicable construction standards,
19 subdivision requirements, and regulations of each county in which
20 the road project is located.

21 (c) If the state will maintain and operate the road, the
22 Texas Transportation Commission must approve the plans and
23 specifications of the road project.

24 Sec. 8 .105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
25 AND DEVELOPMENT AGREEMENT. (a) The district shall comply with all
26 applicable requirements of any ordinance or resolution that is
27 adopted under Section 54.016 or 54.0165, Water Code, and that

1 consents to the creation of the district or to the inclusion of land
2 in the district and shall further comply with the terms of the
3 development agreement described in Section 8 .004 that may be
4 applicable to the district.

5 (b) The ordinance or resolution of the city consenting to
6 the inclusion of any land in the district not within the initial
7 district territory described in Section 8 .006 may be conditioned
8 on the additional land being covered by a development agreement
9 entered into with the city under Section 212.172, Local Government
10 Code.

11 Sec. 8 .106. ANNEXATION BY CITY. (a) Notwithstanding
12 any other law, if all of the territory of the district is annexed by
13 the city into the corporate limits of the city before the date of
14 the election held to confirm the creation of the district, the
15 district may not be dissolved and continues in existence following
16 annexation as described by this section.

17 (b) The city may annex part of the district into its
18 corporate limits without annexing the entire district under the
19 terms of a development agreement executed under Section 8 .004
20 between the city and the owners of the land in the district that is
21 covered by the development agreement.

22 (c) As relates to any part of the district that is within the
23 city limits and has not been dissolved, the city:

24 (1) is not obligated to perform any functions of the
25 district, except to the extent provided for under a development
26 agreement executed under Section 8 .004; and

27 (2) is not obligated to pay a landowner or developer

1 for expenses incurred by the landowner or developer in connection
2 with the district, except to the extent provided for under a
3 development agreement executed under Section 8 .004.

4 (d) The district shall be dissolved and its debts and
5 obligations assumed by the city in accordance with Chapter 43,
6 Local Government Code, including Sections 43.075 and 43.0715, only
7 if the city annexes all of the district and:

8 (1) water, sanitary sewer, and drainage improvements,
9 and roads have been constructed to serve at least 90 percent of the
10 developable territory of the district; or

11 (2) the board adopts a resolution consenting to the
12 dissolution of the district, and the owner or owners of a majority
13 of the assessed value of the unimproved real property in the
14 district consent in writing to the dissolution of the district.

15 (e) Notwithstanding Section 54.016(f)(2), Water Code, an
16 allocation agreement between the city and the district that
17 provides for the allocation of the taxes or revenues of the district
18 and the city following the date of inclusion of all or any part of
19 the district's territory in the corporate limits of the city may
20 provide that the total annual ad valorem taxes collected by the city
21 and the district from taxable property within the city's corporate
22 limits may exceed the city's ad valorem tax on that property.

23 Sec. 8 .107. FIRE-FIGHTING SERVICES. (a)

24 Notwithstanding Section 49.351(a), Water Code, the district may
25 establish, operate, and maintain a fire department, contract with
26 another political subdivision for the joint operation of a fire
27 department, or contract with any other person to perform

1 fire-fighting services in the district and may issue bonds and
2 impose taxes to pay for the department and the activities, as
3 authorized by Section 59(f), Article XVI, Texas Constitution, and
4 Section 49.351, Water Code.

5 Sec. 8 .108. FEES AND CHARGES. (a) The district may
6 adopt and enforce all necessary charges, mandatory fees, or
7 rentals, in addition to taxes, for providing or making available
8 any district facility or service, including fire-fighting
9 activities provided under Section 8 .007.

10 (b) Upon the request of the district, a retail public
11 utility providing water or sewer service to a customer within the
12 district shall terminate such services to enforce payment of an
13 unpaid fee or charge due to the district.

14 [Sections 8 .109-8 .150 reserved for expansion]

15 SUBCHAPTER D. DIVISION OF DISTRICT INTO MULTIPLE DISTRICTS

16 Sec. 8 .151. DIVISION OF DISTRICT; PREREQUISITES. The
17 district may be divided into two or more new districts only if the
18 district:

19 (1) has no outstanding bonded debt; and

20 (2) is not imposing ad valorem taxes.

21 Sec. 8 .152. LAW APPLICABLE TO NEW DISTRICT. This chapter
22 applies to any new district created by division of the district, and
23 a new district has all the powers and duties of the district.

24 Sec. 8. 153. LIMITATION ON AREA OF NEW DISTRICT. A new
25 district created by the division of the district may not, at the
26 time the new district is created, contain any land outside the area
27 described by Section 2 of the Act enacting this chapter.

1 Sec. 8 .154. DIVISION PROCEDURES. (a) The board, on its
2 own motion or on receipt of a petition signed by the owner or owners
3 of a majority of the assessed value of the real property in the
4 district, may adopt an order dividing the district.

5 (b) The board may adopt an order dividing the district
6 before or after the date the board holds an election under Section
7 8 .003 to confirm the district's creation.

8 (c) An order dividing the district must:

9 (1) name each new district;

10 (2) include the metes and bounds description of the
11 territory of each new district;

12 (3) appoint temporary directors for each new district;

13 and

14 (4) provide for the division of assets and liabilities
15 between the new districts.

16 (d) On or before the 30th day after the date of adoption of
17 an order dividing the district, the district shall file the order
18 with the commission and city and record the order in the real
19 property records of each county in which the district is located.

20 Sec. 8 .155. CONFIRMATION ELECTION FOR NEW DISTRICT. (a)
21 A new district created by the division of the district shall hold a
22 confirmation and directors' election as required by Section
23 8 .003.

24 (b) If the creation of the new district is confirmed, the
25 new district shall provide the election date and results to the
26 commission and city.

27 Sec. 8.156. TAX OR BOND ELECTION. Before a new district

1 created by the division of the district may impose a maintenance tax
2 or issue bonds payable wholly or partly from ad valorem taxes, the
3 new district must hold an election as required by this chapter to
4 obtain voter approval.

5 [Sections 8 .157-8 .200 reserved for expansion]

6 SUBCHAPTER E. GENERAL FINANCIAL PROVISIONS

7 Sec. 8 .201. ELECTIONS REGARDING TAXES OR BONDS. (a) The
8 district may issue, without an election, bonds and other
9 obligations secured by:

10 (1) revenue other than ad valorem taxes; or

11 (2) contract payments described by Section 8 .203.

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

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

20 Sec. 8 .202. OPERATION AND MAINTENANCE TAX. (a) If
21 authorized at an election held under Section 8 .201, the district
22 may impose an operation and maintenance tax on taxable property in
23 the district in accordance with Section 49.107, Water Code.

24 (b) The board shall determine the tax rate. The rate may not
25 exceed the rate approved at the election.

26 Sec. 8 .203. CONTRACT TAXES. (a) In accordance with
27 Section 49.108, Water Code, the district may impose a tax other than

1 an operation and maintenance tax and use the revenue derived from
2 the tax to make payments under a contract after the provisions of
3 the contract have been approved by a majority of the district voters
4 voting at an election held for that purpose.

5 (b) A contract approved by the district voters may contain a
6 provision stating that the contract may be modified or amended by
7 the board without further voter approval.

8 [Sections 8 .204-8 .250 reserved for expansion]

9 SUBCHAPTER F. BONDS AND OTHER OBLIGATIONS

10 Sec. 8 .251. AUTHORITY TO ISSUE BONDS AND OTHER
11 OBLIGATIONS. The district may issue bonds or other obligations
12 payable wholly or partly from ad valorem taxes, impact fees,
13 revenue, contract payments, grants, or other district money, or any
14 combination of those sources, to pay for any authorized district
15 purpose.

16 Sec. 8 .251. TAXES FOR BONDS. At the time the district
17 issues bonds payable wholly or partly from ad valorem taxes, the
18 board shall provide for the annual imposition of a continuing
19 direct ad valorem tax, without limit as to rate or amount, while all
20 or part of the bonds are outstanding as required and in the manner
21 provided by Sections 54.601 and 54.602, Water Code.

22 Sec. 8 .253. BONDS FOR ROAD PROJECTS. At the time of
23 issuance, the total principal amount of bonds or other obligations
24 issued or incurred to finance road projects and payable from ad
25 valorem taxes may not exceed one-fourth of the assessed value of the
26 real property in the district.

27 SECTION 2. The Venable Ranch Municipal Utility District No.

1 1 of Denton County initially includes all the territory contained
2 in the following area:

3 VENABLE PROPERTY DESCRIPTION:

4 TRACT 1

5 Being a tract of land situated in the George Smith Survey, Abstract
6 No. 1219, the S. Williams Survey, Abstract No. 1333, the M. McBride
7 Survey, Abstract No. 804, the N. McMillan Survey, Abstract No. 841,
8 the J. Cantwell Survey, Abstract No. 282, the T. Chambers Survey,
9 Abstract No. 223, the J. Moses Survey, Abstract No. 894, the J.
10 Wells Survey, Abstract No. 1426, the J. Wilburn Survey, Abstract
11 No. 1427, and the W. Boydston Survey, Abstract No. 117, Denton
12 County, Texas and being all of the following tracts of land conveyed
13 to Venable Royalty, LTD.; a called 10.69 acre tract by deed recorded
14 in Volume 5128, Page 563 of the Real Property Records of Denton
15 County, Texas (R.P.R.D.C.T.); a called 11.00 acre tract by deed
16 recorded in Volume 5144, Page 2973, R.P.R.D.C.T.; a called a called
17 29.089 acre tract by deed recorded in Volume 4077, Page 1372,
18 R.P.R.D.C.T.; a called 27.20 acre tract by deed recorded in Volume
19 5076, Page 822, R.P.R.D.C.T. (50% interest); a called 54.08 acre
20 tract by deed recorded in Volume 4867, Page 3255, R.P.R.D.C.T.; a
21 called 7.000 acre tract, called Parcel One, Tract I, a called 0.228
22 acre tract, called Parcel One, Tract II, and a called 14.586 acre
23 tract, called Parcel Two by deed recorded in Volume 4506, Page 1340
24 of the Deed Records of Denton County, Texas (D.R.D.C.T.); all of
25 Lots 16 and 17 of Scenic Acres by deed recorded in Volume 4399, Page
26 1845, R.P.R.D.C.T., said Scenic Acres being an addition to Denton
27 County, Texas according to the plat recorded in Cabinet B, Page 379

1 of the Map Records of Denton County, Texas (M.R.D.C.T.); all of the
2 following tracts of land conveyed to Venable Estate, LTD.; a called
3 4.02 acre tract by deed recorded in Instrument No. 2008-41088 of the
4 Official Records of Denton County, Texas (O.R.D.C.T.); a called
5 27.20 acre tract by deed recorded in Instrument No. 2004-101157,
6 O.R.D.C.T. (50% interest); all of the following recorded in
7 Instrument No. 2005-43578, O.R.D.C.T.; of Exhibit "A-1"; a called
8 48.9 acre tract, called First Tract; a called 70 acre tract, called
9 Second Tract; a called 40 acre tract, called Third Tract; a called
10 30 acre tract, called Fourth Tract; a called 70.80 acre tract,
11 called Fifth Tract; a called 70.62 acre tract, called Sixth Tract; a
12 called 53.83 acre tract, called Seventh Tract; a called 88 acre
13 tract, called Eighth Tract; a called 40 acre tract, called Ninth
14 Tract; a called 40 acre tract, called Tenth Tract; a called 54 acre
15 tract, called Eleventh Tract; a called 63 acre tract, called
16 Twelfth Tract; a called 55 acre tract, called Thirteenth Tract; a
17 called 50 acre tract, called Fourteenth Tract; a called 3 acre
18 tract, called Fifteenth Tract; a called 6 acre tract, called
19 Sixteenth Tract; a called 100 acre tract, called Seventeenth Tract;
20 a called 58 acre tract, called Eighteenth Tract; a called 29.37 acre
21 tract, called Nineteenth Tract; the remainder of a called 20 acre
22 tract, called Twentieth Tract; a called 80 acre tract, called
23 Twenty-First Tract; a called 3.5 acre tract, called Twenty-Second
24 Tract; a called 114.8 acre tract, called Twenty-Third Tract; a
25 called 412 acre tract, called Twenty-Fourth Tract; a called 40 acre
26 tract, called Twenty-Fifth Tract; a called 40 acre tract, called
27 Twenty-Sixth Tract; a called 65.93 acre tract, called

1 Twenty-Seventh Tract; of Exhibit "A-2"; First Tract; Second Tract;
2 and a called 118.3 acre tract, called Third Tract; all of Exhibit
3 "A-3", called 24 acres; all of Exhibit "A-6", called 70 acres; of
4 Exhibit "A-7"; a called 63 acre tract, called First Tract; and a
5 called 80 acre tract, called Second Tract; and all of Exhibit "A-8",
6 called 54.089 acres, and being more particularly described as
7 follows:

8 BEGINNING at a 1/2 inch iron rod found for the northeast corner of
9 said Venable 10.69 acre tract, said corner being in the west line of
10 the Texas and Pacific Railway Company right-of-way (80 foot wide
11 right-of-way);

12 THENCE along the west line of said Texas and Pacific Railway Company
13 right-of-way the following courses and distances:

14 South 07°41'12" West, a distance of 3421.85 feet to the beginning of
15 a tangent curve to the right;

16 Southwesterly along said tangent curve to the right having a
17 central angle of 18°23'37", a radius of 5679.58 feet, a chord
18 bearing of South 16°53'01" West, a chord distance of 1815.49 feet,
19 and an arc length of 1823.31 feet to a point at the end of said
20 curve;

21 South 26°04'49" West, a distance of 3713.98 feet to the southeast
22 corner of said Venable Exhibit "A-1" Twenty-Fourth Tract, said
23 point being in the approximate centerline of Black Jack Road;

24 THENCE with the approximate centerline of Black Jack Road and along
25 the south lines of said Venable Exhibit "A-1" Twenty-Fourth Tract
26 and Twentieth Tract, the following courses and distances:

27 North 89°23'03" West, passing at a distance of 88.61 feet the

1 northeast corner of Quail Ridge Estates, an addition to the City of
2 Aubrey, Texas according to the plat recorded in Cabinet T, Page 40,
3 M.R.D.C.T., and continuing for a total distance of 1122.68 feet to
4 the most northerly northwest corner of said Quail Ridge Estates;
5 North 89°59'13" West, a distance of 2643.79 feet to the northwest
6 corner of a called 15.000 acre tract of land, called Tract Eight,
7 conveyed to Old south Royalty Company by deed recorded in Volume
8 2138, Page 809, R.P.R.D.C.T. and the northeast corner of a called
9 15.28 Acre tract of land conveyed to Robert A. Foster and Etta J.
10 Luongo, by deed recorded in Document No. 2007-88559, O.R.D.C.T.;
11 South 89°49'29" West, passing at a distance of 39.40 feet a mag nail
12 found, and continuing for a total distance of 368.29 feet to the
13 southwest corner of said Venable Exhibit "A-1" Twentieth Tract,
14 said point being in the west line of Wilson Cemetery Road;
15 THENCE North 01°18'58" West, along the west line of said Venable
16 Exhibit "A-1" Twentieth Tract and the west line of said Wilson
17 Cemetery Road, passing at a distance of 8.98 feet a mag nail found
18 for the southeast corner of a called 25.196 acre tract of land
19 conveyed to Russell W. Streng and Truly W. Streng, by deed recorded
20 in Volume 4326, Page 1990, R.P.R.D.C.T., and continuing along said
21 west lines and the east line of said 25.196 acre tract for a total
22 distance of 224.04 feet to a point in a fence line at the southerly
23 corner of a called 0.100 acre tract of land conveyed to Russell W.
24 Streng and Truly W. Streng by deed recorded in Document No.
25 2012-53458, O.R.D.C.T.;
26 THENCE North 00°08'42" West, with said fence line along the west
27 line of said Wilson Cemetery Road, and along the east line of said

1 0.100 acre tract, a distance of 653.39 feet to the northeast corner
2 of said 0.100 acre tract and the southeast corner of a called 0.422
3 acre tract of land conveyed to Rodney Ivan Streng and Judith Ann
4 Streng, Trustees, or Their Successor Trustees Under The Rodney I.
5 Streng and Judith A. Streng Living Trust, by deed recorded in
6 Document No. 2012-53328, O.R.D.C.T.;

7 THENCE continuing along said fence line along the west line of said
8 Wilson Cemetery Road, and along the east line of said 0.422 acre
9 tract, the following courses and distances:

10 North 00°10'08" West, a distance of 816.15 feet to a point for
11 corner;

12 North 15°07'16" West, a distance of 23.99 feet to a point for corner;

13 North 54°47'59" West, a distance of 29.83 feet to the most northerly
14 corner of said 0.422 acre tract, said point being in the west line
15 of said Venable Exhibit "A-1" Twentieth Tract and east line of a
16 called 25.196 acre tract of land conveyed to Rodney I. Streng and
17 Judith A. Streng Family Trust, by deed recorded in Instrument
18 Number 2010-59229, O.R.D.C.T.;

19 THENCE North 01°18'58" West, a distance of 12.03 feet to a mag nail
20 found for the northwest corner of said Venable Exhibit "A-1"
21 Twentieth Tract and the northeast corner of said Streng Family
22 Trust 25.196 acre tract, said corner being in the south line of said
23 Venable Exhibit "A-1" Eighth Tract;

24 THENCE North 89°45'07" West, with said Wilson Cemetery Road, and
25 along the south line of said Venable Exhibit "A-1" Eighth Tract and
26 the north line of said Streng Family Trust 25.196 acre tract, a
27 distance of 1254.71 feet to a 1/2 inch iron rod found for the

1 southwest corner of said Venable Exhibit "A-1" Eighth Tract and the
2 northwest corner of said Streng Family Trust 25.196 acre tract,
3 said corner being in the east line of a called 5.30 acre tract of
4 land, called Tract Three, conveyed to Cedars Development, Inc. by
5 deed recorded in Instrument Number 2011-95252, O.R.D.C.T.;

6 THENCE North 01°20'47" West, with said Wilson Cemetery Road, and
7 along the west line of said Venable Exhibit "A-1" Eighth Tract and
8 the east line of said 5.30 acre tract, a distance of 573.91 feet to a
9 1/2 inch iron rod found for the northeast corner of said 5.30 acre
10 tract and the southeast corner of said Venable Exhibit "A-1"
11 Fourteenth Tract, said corner being at the intersection of Wilson
12 Cemetery Road with Grubbs Road;

13 THENCE North 88°33'37" West, with said Grubbs Road, and along the
14 south lines of said Venable Exhibit "A-1" Fourteenth Tract and
15 Fifteenth Tract, a distance of 1429.54 feet to a mag nail found for
16 the southwest corner of said Venable Exhibit "A-1" Fifteenth Tract,
17 and the southeast corner of a called 0.743 acre tract of land,
18 called Tract One, conveyed to Old South Royalty Company by deed
19 recorded in Volume 2138, Page 809, R.P.R.D.C.T.;

20 THENCE North 00°16'29" East, along the west line of said Venable
21 Exhibit "A-1" Fifteenth Tract and the east line of said 0.743 acre
22 tract, passing at a distance of 1078.75 feet the northeast corner of
23 said 0.743 acre tract and the most southerly southeast corner of a
24 called 352.393 acre tract of land, called Tract Three, conveyed to
25 Old South Royalty Company by deed recorded in Volume 2138, Page 809,
26 R.P.R.D.C.T., and continuing along said west line and the east line
27 of said 352.393 acre tract, for a total distance of 2079.16 feet to

1 a 1/2 inch iron rod with plastic cap stamped "J E Smith 3700" found
2 for the northwest corner of said Venable Exhibit "A-1" Fifteenth
3 Tract and an ell corner of said 352.393 acre tract;

4 THENCE South 89°57'36" East, along the north line of said Venable
5 Exhibit "A-1" Fifteenth Tract and a south line of said 352.393 acre
6 tract, a distance of 69.55 feet to a 1/2 inch iron rod with plastic
7 cap stamped "J E Smith 3700" found for the northeast corner of said
8 Venable Exhibit "A-1" Fifteenth Tract, the northwest corner of said
9 Venable Exhibit "A-1" Fourteenth Tract, the southwest corner of
10 said Venable Exhibit "A-1" Twelfth Tract, and the most easterly
11 southeast corner of said 352.393 acre tract;

12 THENCE North 00°07'55" West, along the west line of said Venable
13 Exhibit "A-1" Twelfth Tract and the east line of said 352.393 acre
14 tract, a distance of 1866.24 feet to a 1/2 inch iron rod with
15 plastic cap stamped "J E Smith 3700" found for the northeast corner
16 of said 352.393 acre tract and the southeast corner of said Venable
17 Exhibit "A-1" Nineteenth Tract;

18 THENCE along the south line of said Venable Exhibit "A-1"
19 Nineteenth Tract and the north line of said 352.393 acre tract the
20 following courses and distances:

21 South 84°01'58" West, a distance of 569.60 feet to a point for
22 corner;

23 South 89°43'26" West, a distance of 841.22 feet to a 1/2 inch iron
24 rod with plastic cap stamped "J E Smith 3700" found for the corner;

25 South 51°33'10" West, a distance of 179.90 feet to a 1/2 inch iron
26 rod with plastic cap stamped "J E Smith 3700" found for corner;

27 South 87°42'24" West, a distance of 225.93 feet to a 1/2 inch iron

1 rod with plastic cap stamped "J E Smith 3700" found for corner;
2 South $62^{\circ}36'29''$ West, a distance of 502.48 feet to a 1/2 inch iron
3 rod with plastic cap stamped "J E Smith 3700" found the southwest
4 corner of said Venable Exhibit "A-1" Nineteenth Tract and the
5 southeast corner of said Venable Exhibit "A-1" Fifth Tract;
6 THENCE North $89^{\circ}55'15''$ West, continuing along the north line of said
7 352.393 acre tract and the south lines of said Venable Exhibit "A-1"
8 Fifth Tract and Seventh Tract, passing at a distance of 4118.63 feet
9 a Corps. of Engineers concrete monument with brass disk found for
10 the northeast corner of Tract No. 2512E, conveyed to the United
11 States of America by deed recorded in County Clerk's File No.
12 95-R0068092, D.R.D.C.T., and continuing along the south line of
13 said Venable Exhibit "A-1" Seventh Tract and the north line of said
14 Tract No. 2512E, for a total distance of 4768.62 feet to a 5/8 inch
15 iron rod found for the northwest corner of said Tract No. 2512E,
16 said corner being in the east line of Tract No. 2512, conveyed to
17 the United States of America by deed recorded in County Clerk's File
18 No. 95-R0068092, D.R.D.C.T. ;
19 THENCE North $14^{\circ}20'32''$ East, along the east line of said Tract No.
20 2512, a distance of 116.96 feet to a 5/8 inch iron rod found for the
21 northeast corner of said Tract No. 2512;
22 THENCE South $89^{\circ}21'47''$ West, along the north line of said Tract No.
23 2512, passing at a distance of 63.04 feet the northwest corner of
24 said Tract No. 2512 and a northeast corner of Tract No. 2510,
25 conveyed to the United States of America by deed recorded in County
26 Clerk's File No. 97-R0083048, D.R.D.C.T., and continuing along a
27 north line of said Tract No. 2510, for a total distance of 325.98

1 feet to a 5/8 inch iron rod found for an ell corner of said Tract No.
2 2510, said corner being in the west line of said Venable Exhibit
3 "A-1" Sixth Tract and the east line of a called 2.73 acre tract of
4 land conveyed to Venable Estate, LTD., by deed recorded in
5 Instrument No. 2005-43578, O.R.D.C.T.;

6 THENCE North 00°37'33" West, along the east lines of said Tract No.
7 2510 and said Venable Exhibit "A-4", 2.73 acre tract and the west
8 line of said Venable Exhibit "A-1" Sixth Tract, a distance of
9 2548.77 feet to a Corps. of Engineers concrete monument with brass
10 disk found for the northeast corners of said Tract No. 2510 and said
11 Venable Exhibit "A-4", 2.73 acre tract, the Northwest corner of
12 said Venable Exhibit "A-1" Sixth Tract, the southwest corner of
13 said Venable Exhibit "A-1" Fourth Tract, and the southeast corner
14 of a called 331.388 acre tract of land conveyed to Robert G. McGraw
15 and Helen McGraw, by deed recorded in County Clerk's File No.
16 97-R0089771, D.R.D.C.T.;

17 THENCE North 00°44'14" West, along the west line of said Venable
18 Exhibit "A-1" Fourth Tract and the east line of said 331.388 acre
19 tract, a distance of 750.63 feet to a Corps. of Engineers concrete
20 monument with brass disk found for the northwest corner of said
21 Venable Exhibit "A-1" Fourth Tract and a northeast corner of said
22 331.388 acre tract, being in the south line of a called 119.83 acre
23 tract of land conveyed to Helen McGraw, by deed recorded in Volume
24 4407, Page 1179, R.P.R.D.C.T.;

25 THENCE South 89°47'07" East, along the north lines of said Venable
26 Exhibit "A-1" Fourth Tract and Third Tract, and the south line of
27 said 119.83 acre tract, a distance of 1787.66 feet to a 1/2 inch

1 iron rod found for a southeast corner of said 119.83 acre tract and
2 the southwest corner of said Venable Parcel Two, 14.586 acre tract,
3 said corner being in the approximate centerline of McKinney Bridge
4 Road;

5 THENCE with the approximate centerline of McKinney Bridge Road, and
6 with the northwesterly line of said Venable Parcel Two, 14.586 acre
7 tract, and the southeasterly line of said 119.83 acre tract, the
8 following courses and distances:

9 North $67^{\circ}10'55''$ East, a distance of 1377.39 feet to a 1/2 inch iron
10 rod found for corner;

11 North $36^{\circ}16'40''$ East, a distance of 261.33 feet to a 1/2 inch iron
12 rod with yellow plastic cap stamped "THROUGH CAP" found for corner;

13 North $49^{\circ}01'29''$ East, passing at a distance of 270.75 feet a 1/2 inch
14 iron rod found, and continuing for a total distance of 273.58 feet
15 to the most northerly corner of said Venable Parcel Two, 14.586 acre
16 tract, and the most easterly southeast corner of said 119.83 acre
17 tract, said corner being in the west line of the aforesaid Scenic
18 Acres;

19 THENCE South $00^{\circ}22'24''$ West, along the east line of said Venable
20 Parcel Two, 14.586 acre tract, and the west line of said Scenic
21 Acres, a distance of 714.48 feet to the northwest corner of Lot 17
22 of said Scenic Acres;

23 THENCE South $89^{\circ}37'31''$ East, along the north line of said Lot 17, a
24 distance of 206.82 feet to the most northerly northeast corner of
25 said Lot 17, said corner being in a 60 foot radius cul-de-sac
26 right-of-way line of Scenic Drive and being at the beginning of a
27 non-tangent curve to the left;

1 THENCE, southeasterly along said cul-de-sac right-of-way line and
2 with said non-tangent curve to the left having a central angle of
3 $165^{\circ}08'50''$, a radius of 60.00 feet, a chord bearing of South
4 $82^{\circ}18'25''$ East, a chord distance of 118.99 feet, passing at an arc
5 length of 72.26 feet the most easterly northeast corner of said Lot
6 17 and the most westerly northwest corner of Lot 16 of said Scenic
7 Acres, and continuing for a total arc length of 172.94 feet to the
8 most easterly northwest corner of said Lot 16, being in the south
9 right-of-way line of Scenic Drive (a 60 foot wide right-of-way);
10 THENCE North $74^{\circ}55'19''$ East, along the south right-of-way line of
11 said Scenic Drive, a distance of 18.10 feet to the northeast corner
12 of said Lot 16;
13 THENCE South $05^{\circ}05'59''$ West, along the east line of said Lot 16, a
14 distance of 422.16 feet to the southeast corner of said Lot 16, said
15 corner being in the south line of said Scenic Acres and the north
16 line of said Venable Exhibit "A-1" Third Tract;
17 THENCE South $89^{\circ}37'50''$ East, along the south line of said Scenic
18 Acres and the north lines of said Venable Exhibit "A-1" Third Tract
19 and Second Tract, a distance of 667.01 feet to a 1/2 inch iron rod
20 found for the southeast corner of said Scenic Acres and the
21 southwest corner of a called 39.04 acre tract of land conveyed to
22 Pete Kenny, by deed recorded in Instrument No. 2010-28786,
23 O.R.D.C.T.;
24 THENCE North $89^{\circ}55'56''$ East, along the north lines of said Venable
25 Exhibit "A-1" Second Tract and Seventeenth Tract, and the south
26 line of said 39.04 acre tract, a distance of 958.70 feet to a wood
27 corner post found for the southeast corner of said 39.04 acre tract

1 and an ell corner of said Venable Exhibit "A-1" Seventeenth Tract;
2 THENCE North 00°47'57" West, along the east line of said 39.04 acre
3 tract and the west lines of said Venable Exhibit "A-1" Seventeenth
4 Tract and Venable Exhibit "A-7" First Tract, a distance of 1748.72
5 feet to a 1/2 inch iron rod found for the northeast corner of said
6 39.04 acre tract and the southeast corner of said Venable Parcel
7 One, Tract I, 7.000 acre tract;
8 THENCE South 89°17'34" West, along the south line of said Venable
9 Parcel One, Tract I, and the north line of said 39.04 acre tract, a
10 distance of 72.46 feet to a 1/2 inch iron rod found for the
11 southwest corner of said Venable Parcel One, Tract I, and the
12 southeast corner of a called 7.000 acre tract of land conveyed to
13 Ronald G. Johnson and Wife, Hester L. Johnson, by deed recorded in
14 Volume 1191, Page 694, D.R.D.C.T.;
15 THENCE North 52°27'48" West, along the southwesterly line of said
16 Venable Parcel One, Tract I and the northeasterly line of said
17 Johnson 7.000 acre tract, a distance of 989.37 feet to the northwest
18 corner of said Venable Parcel One, Tract I, the southwest corner of
19 said Venable Parcel One, Tract II, 0.228 acre tract, the northeast
20 corner of said Johnson 7.000 acre tract, and the southeast corner of
21 a called 0.110 acre tract of land conveyed to Ronald G. Johnson et
22 ux, Hester L. Johnson, by deed recorded in Volume 1197, Page 860,
23 D.R.D.C.T.;
24 THENCE North 04°02'10" West, along the west line of said Venable
25 Parcel One, Tract II and the east line of said 0.110 acre tract, a
26 distance of 104.40 feet to the northwest corner of said Venable
27 Parcel One, Tract II and the northeast corner of said 0.110 acre

1 tract, said point being in the approximate centerline of McKinney
2 Bridge Road;
3 THENCE with the approximate centerline of said McKinney Bridge
4 Road, and along the northwesterly line of said Venable Parcel One,
5 Tract II the following courses and distances:
6 North 39°51'20" East, a distance of 56.10 feet to a point for corner;
7 North 20°28'10" East, a distance of 132.92 feet to the northeast
8 corner of said Venable Parcel One, Tract II, said corner being in
9 the west line of a called 103.4117 acre tract of land conveyed to E E
10 Ranches of Texas, Inc., by deed recorded in Volume 2256, Page 840,
11 R.P.R.D.C.T.;
12 THENCE South 00°18'17" East, along the east line of said Venable
13 Parcel One, Tract II and the west line of said 103.4117 acre tract,
14 a distance of 266.23 feet to the southeast corner of said Venable
15 Parcel One, Tract II and the most westerly southwest corner of said
16 103.4117 acre tract, said point being in the north line of said
17 Venable Parcel One, Tract I;
18 THENCE North 85°40'16" East, along the north line of said Venable
19 Parcel One, Tract I and a south line of said 103.4117 acre tract, a
20 distance of 774.60 feet to a concrete monument found for the
21 northeast corner of said Venable Parcel One, Tract I and an ell
22 corner of said 103.4117 acre tract;
23 THENCE South 00°41'49" East, along the east line of said Venable
24 Parcel One, Tract I and a west line of said 103.4117 acre tract, a
25 distance of 427.62 feet to the northwest corner of said Venable
26 Exhibit "A-7" First Tract and the most southerly southwest corner
27 of said 103.4117 acre tract;

1 THENCE North 89°37'44" East, along the north line of said Venable
2 Exhibit "A-7" First Tract and the south line of said 103.4117 acre
3 tract, passing at a distance of 25.00 a concrete monument found, and
4 continuing for a total distance of 1995.90 feet to a concrete
5 monument found for the northeast corner of said Venable Exhibit
6 "A-7" First Tract and the southeast corner of said 103.4117 acre
7 tract, said corner being in the west line of said Venable Exhibit
8 "A-7" Second Tract;

9 THENCE North 00°17'05" East, along the west line of said Venable
10 Exhibit "A-7" Second Tract and the east line of said 103.4117 acre
11 tract, a distance of 788.98 feet to a wood corner post found for the
12 northwest corner of said Venable Exhibit "A-7" Second Tract and an
13 ell corner of said 103.4117 acre tract;

14 THENCE South 89°29'26" East, along the north line of said Venable
15 Exhibit "A-7" Second Tract and a south line of said 103.4117 acre
16 tract, passing at a distance of 99.73 feet a wood corner post found
17 for the most easterly southeast corner of said 103.4117 acre tract
18 and the southwest corner of a called 51.9010 acre tract of land
19 conveyed to Helen K. McGraw, by deed recorded in County Clerk's File
20 No. 94-R0085683, D.R.D.C.T., and continuing along said north line
21 and the south line of said 51.9010 acre tract, for a total distance
22 of 1357.89 feet to a 1/2 inch iron rod found for the northeast
23 corner of said Venable Exhibit "A-7" Second Tract, the northwest
24 corner of said Venable Exhibit "A-1" Ninth Tract, the southeast
25 corner of said 51.9010 acre tract, and the southwest corner of Lot
26 28 of Yellow Rose Estates Subdivision, an addition to Denton
27 County, Texas according to the plat recorded in Cabinet L, Page 177,

1 M.R.D.C.T. ;
2 THENCE South 88°46'23" East, along the north line of said Venable
3 Exhibit "A-1" Ninth Tract and the south line of said Yellow Rose
4 Estates Subdivision, a distance of 1323.42 feet to a 1/2 inch iron
5 rod found for the northeast corner of said Venable Exhibit "A-1"
6 Ninth Tract and the northwest corner of Lot 10 of St. John's Place,
7 an addition to Denton County, Texas according to the plat recorded
8 in Cabinet L, Page 119, M.R.D.C.T. ;
9 THENCE South 00°48'05" West, along the east line of said Venable
10 Exhibit "A-1" Ninth Tract and the west line of said St. John's
11 Place, a distance of 1315.38 feet to a 1/2 inch iron rod found for
12 the southeast corner of said Venable Exhibit "A-1" Ninth Tract, the
13 northeast corner of said Venable Exhibit "A-1" Tenth Tract, the
14 northwest corner of said Venable Exhibit "A-1" Twenty-Fifth Tract,
15 and the southwest corner of Lot 9 of said St. John's Place ;
16 THENCE South 88°50'34" East, along the north line of said Venable
17 Exhibit "A-1" Twenty-Fifth Tract and the south line of said St.
18 John's Place, a distance of 978.68 feet to metal corner post found
19 for the southeast corner of Lot 8 of said St. John's Place, and the
20 southwest corner of a called 129.223 acre tract of land conveyed to
21 Texas Motor Speedway, Inc. d/b/a Texas International Raceways, by
22 deed recorded in County Clerk's File No. 96-R0079309, D.R.D.C.T. ;
23 THENCE South 88°46'04" East, along the north lines of said Venable
24 Exhibit "A-1" Twenty-Fifth Tract and Twenty-Sixth Tract and the
25 south line of said 129.223 acre tract, a distance of 1653.96 feet to
26 a metal corner post found for the northeast corner of said Venable
27 Exhibit "A-1" Twenty-Sixth Tract and the southeast corner of said

1 129.223 acre tract, said corner being in the west line of a called
2 71.114 acre tract of land, File No. F0072.00, conveyed to The Rudman
3 Partnership, by deed recorded in Volume 2844, Page 42,
4 R.P.R.D.C.T.;

5 THENCE South 01°46'53" West, along the east line of said Venable
6 Exhibit "A-1" Twenty-Sixth Tract and the west line of said 71.114
7 acre tract, passing at a distance of 789.91 feet a 1/2 inch iron rod
8 found for the southwest corner of said 71.114 acre tract and the
9 northwest corner of a called 61.36 acre tract of land conveyed to
10 Michelle Lynette Roberts, by deed recorded in Instrument No.
11 2008-40245, O.R.D.C.T., and continuing along said east line and the
12 west line of said 61.36 acre tract, for a total distance of 1296.74
13 feet to a wood corner post found for the southeast corner of said
14 Venable Exhibit "A-1" Twenty-Sixth Tract and the most westerly
15 southwest corner of said 61.36 acre tract, said corner being in the
16 north line of said Venable Exhibit "A-2" Third Tract;

17 THENCE along the north line of said Venable Exhibit "A-2" Third
18 Tract and the south line of said 61.36 acre tract, the following
19 courses and distances:

20 North 89°02'25" East, a distance of 1193.53 feet to a wood corner
21 post found for corner;

22 South 03°32'32" West, a distance of 565.50 feet to a wood corner post
23 found for corner;

24 South 85°40'05" East, passing at a distance of 1460.68 feet a wood
25 corner post found fort the most northerly northeast corner of said
26 Venable Exhibit "A-2" Third Tract, the northwest corner of said
27 Venable Exhibit "A-3", 24 acre tract, the most southerly southeast

1 corner of said 61.36 acre tract, and the most westerly southwest
2 corner of a called 18.78 acre tract of land conveyed to Zandra Bean,
3 by deed recorded in Volume 4229, Page 2901, R.P.R.D.C.T., and
4 continuing along the south line of said 18.78 acre tract for a total
5 distance of 1552.99 feet to a wood corner post found for and ell
6 corner of said 18.78 acre tract;

7 THENCE South 02°38'27" West, along a west line of said 18.78 acre
8 tract, a distance of 210.21 feet to a wood corner post found for the
9 most southerly southwest corner of said 18.78 acre tract;

10 THENCE South 87°34'17" East, along the south line of said 18.78 acre
11 tract, a distance of 925.13 feet to a 5/8 inch iron rod found for the
12 southeast corner of said 18.78 acre tract, said corner being in the
13 west line of said Venable 10.69 acre tract, and being in the
14 approximate centerline of Massey Road;

15 THENCE North 04°51'52" East, with the approximate centerline of said
16 Massey Road, and along the west line of said Venable 10.69 acre
17 tract and east line of said 18.78 acre tract, a distance of 228.51
18 feet to the northwest corner of said Venable 10.69 acre tract, from
19 which a 1/2 inch iron rod found bears North 87°55'27" West a distance
20 of 6.38 feet;

21 THENCE South 87°55'27" East, along the north line of said Venable
22 10.69 acre tract, passing at a distance of 24.76 feet a 1/2 inch
23 iron rod found in the east line of said Massey Road, and continuing
24 for a total distance of 526.66 feet to the POINT OF BEGINNING and
25 containing 2521.094 acres or 109,818,863 square feet of land, more
26 or less.

27 SAVE AND EXCEPT THE FOLLOWING TRACTS A, B, and C:

1 TRACT A
2 Being a tract of land situated in the J. Moses Survey, Abstract No.
3 894 and the N. McMillan Survey, Abstract No. 841, Denton County,
4 Texas, and consisting of the following; those tracts of land
5 conveyed to Patricia Ann Harmon Brockett, a 105 foot by 210 foot
6 tract, called Tract 1, a called 27.20 acre tract, called Tract 2,
7 and a called 26.23 acre tract, called Tract 3, by deed recorded in
8 Instrument No. 2011-9037, O.R.D.C.T.; a called 27.20 acre tract of
9 land conveyed to Willie Pearlene Harmon Johnson by deed recorded in
10 Volume 5033, Page 3166, R.P.R.D.C.T.; a called 0.5 acre tract of
11 land conveyed to J. R. Johnson and wife, Pearlene Johnson by deed
12 recorded in Volume 400, Page 32, D.R.D.C.T.; a called 1.000 acre
13 tract of land conveyed to Pearlene Johnson, et ux by deed recorded
14 in Volume 794, Page 219, D.R.D.C.T.; a called 1.001 acre tract of
15 land conveyed in deed to J.S. Dubose and/or Lee J. Brookshire, Jr.,
16 Trustees, by deed recorded in Volume 2015, Page 147, R.P.R.D.C.T.;
17 a called 3.046 acre tract of land conveyed to Tracy Glenn Henderson
18 and Linda Gail Henderson by deed recorded in Volume 4897, Page 3357,
19 R.P.R.D.C.T.; a called 1.001 acre tract of land conveyed to Michael
20 J. Behrend by deed recorded in Volume 3016, Page 596, R.P.R.D.C.T.;
21 a called 5.061 acre tract of land conveyed to Michael Jon Behrend by
22 deed recorded in County Clerk's File No. 94-R0003414, D.R.D.C.T.; a
23 called 1.000 acre tract of land conveyed to Brad Hines and Margaret
24 Hines by deed recorded in Volume 4991, Page 695, R.P.R.D.C.T.; the
25 remainder of a called 29.553 acre tract of land conveyed to L.Z.
26 Harmon, Sr., by deed recorded in Volume 5033, Page 3143,
27 R.P.R.D.C.T.; a called 2.116 acre tract of land conveyed to Wade

1 Franklin Lewis and Harry Lou Lewis, husband and wife, by deed
2 recorded in County Clerk's File No. 94-R008814, D.R.D.C.T.; a
3 called 1.000 acre tract of land, called Tract 1 and a called 1.00
4 acre tract of land, called Tract 2, conveyed to Brad Hines and Wife,
5 Margaret Hines, by deed recorded in Volume 4401, Page 1042,
6 R.P.R.D.C.T.; a called 1.000 acre tract of land conveyed to Hugo E.
7 Richter, Jr. and Wife, Jolene J., by deed recorded in Volume 733,
8 Page 574, D.R.D.C.T.; a called 1.01 acre tract of land conveyed to
9 Carol Puckett by deed recorded in Instrument No. 2007-96075,
10 R.P.R.D.C.T.; a called 0.724 acre tract of land conveyed to Marcus
11 Wayne Pierce, et ux, by deed recorded in Instrument No.
12 2004-104661, O.R.D.C.T.; a tract of land conveyed to Kenneth W.
13 Wilson and Wife, Carolyn Wilson by deed recorded in Volume 4873,
14 Page 2682, R.P.R.D.C.T.; a called 3.00 acre tract of land conveyed
15 to George Wayne Pierce and Wife, Sue Pierce by deed recorded in
16 Volume 719, Page 602, D.R.D.C.T.; a called 1.269 acre tract of land
17 conveyed to Kenneth W. Wilson and Wife, Carolyn Wilson by deed
18 recorded in Document No. 2011-95837, O.R.D.C.T.; and a called 0.254
19 acre tract of land conveyed to Black Rock Water Supply Corporation
20 by deed recorded in Volume 1788, Page 989, R.P.R.D.C.T., and being
21 more particularly described as follows:

22 BEGINNING at a 1/2 inch iron rod with yellow plastic cap stamped "H
23 & N 1849" found for the northwest corner of said 27.20 acre Patricia
24 Ann Harmon Brockett tract, called Tract 2, and the southwest corner
25 of the above mentioned 27.20 acre tract of land conveyed to Venable
26 Roaylty, Ltd., by deed recorded in Volume 5076, Page 822,
27 R.P.R.D.C.T. and to Venable Estate, Ltd., by deed recorded in

1 Instrument No. 2004-101157, O.R.D.C.T., said corner being in the
2 east line of the above mentioned Venable Exhibit "A-1" Twenty-First
3 Tract;

4 THENCE North 89°20'09" East, a distance of 1045.44 feet to a 1/2 inch
5 iron rod with yellow plastic cap stamped "H & N 1849" found for the
6 southeast corner of said Venable 27.20 acre tract, said corner
7 being in the west line of said 26.23 acre Patricia Ann Harmon
8 Brockett tract, called Tract 3;

9 THENCE North 0°38'15" West, along the east line of said Venable
10 27.20 acre tract and the west line of said 26.23 acre tract, a
11 distance of 1112.40 feet to the northeast corner of said Venable
12 27.20 acre tract and northwest corner of said 26.23 acre tract, said
13 corner being in the south line of the above mentioned Venable
14 Exhibit "A-8", 54.089 acre tract, being the same as the above
15 mentioned Venable 54.08 acre tract recorded in Volume 4867, Page
16 3255, R.P.R.D.C.T.;

17 THENCE South 88°18'52" East, along the south line of said Venable
18 Exhibit "A-8", 54.089 acre tract and the north line of said 26.23
19 acre tract, a distance of 907.17 feet to the southeast corner of
20 said Venable Exhibit "A-8", 54.089 acre tract and the northeast
21 corner of said 26.23 acre tract, said corner being in the west line
22 of the above mentioned Venable Exhibit "A-2" Second Tract;

23 THENCE South 0°33'39" West, along the west line of said Venable
24 Exhibit "A-2" Second Tract and the east line of said 26.23 acre
25 tract, a distance of 1151.30 feet to a wood corner post found for
26 the southwest corner of said Venable Exhibit "A-2" Second Tract and
27 the northwest corner of said Harmon 29.553 acre tract;

1 THENCE South 88°23'05" East, along the south line of said Venable
2 Exhibit "A-2" Second Tract and the north line of said 29.553 acre
3 tract, a distance of 555.23 feet to a 1/2 inch iron rod found for the
4 most westerly northeast corner of said 29.553 acre tract and the
5 northwest corner of said Pierce 3.00 acre tract;

6 THENCE South 88°18'08" East, continuing along the south line of said
7 Venable Exhibit "A-2" Second Tract and the north line of said Pierce
8 3.00 acre tract, a distance of 626.29 feet to a 1/2 inch iron rod
9 found for the northeast corner of said Pierce 3.00 acre tract and
10 the northwest corner of said Wilson 1.269 acre tract;

11 THENCE South 88°04'56" East, continuing along the south line of said
12 Venable Exhibit "A-2" Second Tract and the north lines of said
13 Wilson 1.269 acre tract and said Black Rock Water Supply
14 Corporation 0.254 acre tract, a distance of 365.79 feet to a wood
15 corner post found for the northeast corner of said Black Rock Water
16 Supply Corporation 0.254 acre tract and the northwest corner of the
17 above mentioned Venable Exhibit "A-6" 70 acre tract;

18 THENCE South 01°20'17" West, along the west line of said Venable
19 Exhibit "A-6" 70 acre tract and the east lines of said Black Rock
20 Water Supply Corporation 0.254 acre tract, said Harmon 29.553 acre
21 tract, and said Pierce 0.724 acre tract, passing at a distance of
22 1388.97 feet a 1/2 inch iron rod found in the north line of Richter
23 Road for the southeast corner of said Pierce 0.724 acre tract, and
24 continuing along said west line for a total distance of 1413.97 feet
25 to the southwest corner of said Venable Exhibit "A-6" 70 acre tract,
26 said corner being in the north line of the above mentioned Venable
27 Exhibit "A-1" Twenty-Fourth Tract;

1 THENCE North 88°16'47" West, along the north line of said Venable
2 Exhibit "A-1" Twenty-Fourth Tract, a distance of 1403.72 feet to
3 the most southerly southeast corner of said Lewis 2.116 acre tract,
4 from which a 1/2 inch iron rod found in the north line of Richter
5 Road bears North 00°28'03" East a distance of 25.01 feet;

6 THENCE North 88°01'16" West, continuing along the north line of said
7 Venable Exhibit "A-1" Twenty-Fourth Tract and the south lines of
8 said Lewis 2.116 acre tract, said Johnson 0.5 acre tract, and said
9 Johnson 27.20 acre tract, a distance of 2024.03 feet to a wood
10 corner post found for the southwest corner of said Johnson 27.20
11 acre tract, the northwest corner of said Venable Exhibit "A-1"
12 Twenty-Fourth Tract, the northeast corner of the above mentioned
13 Venable Exhibit "A-1" Eighth Tract, and the southeast corner of
14 said Venable Exhibit "A-1" Twenty-First Tract;

15 THENCE North 00°39'41" West, along the east line of said Venable
16 Exhibit "A-1" Twenty-First Tract and the west lines of said Johnson
17 27.20 acre tract and said 27.20 acre Patricia Ann Harmon Brockett
18 tract, a distance of 1401.57 feet to the POINT OF BEGINNING and
19 containing 135.931 acres or 5,921,167 square feet of land, more or
20 less.

21 TRACT B

22 Being a tract of land situated in the George Smith Survey, Abstract
23 No. 1219, Denton County, Texas, and being described as a 210 foot by
24 210 foot tract of land conveyed to Faith Assembly Church by deed
25 recorded in Instrument No. 2004-26872, O.R.D.C.T., and being more
26 particularly described as follows:

27 BEGINNING at the northeast corner of said Church tract, from which a

1 wood corner post found bears South 89°52'15" East a distance of
2 130.00 feet;

3 THENCE South 00°07'45" West, along the east line of said Church
4 tract, passing at a distance of 203.40 feet a wood corner post found
5 in the north line of Black Jack Road, and continuing along said east
6 line for a total distance of 210.00 feet to the southeast corner of
7 said Church tract;

8 THENCE North 89°52'15" West, along the south line of said Church
9 tract, a distance of 210.00 feet to the southwest corner of said
10 Church tract, said corner being in the approximate centerline of
11 Harmon Road;

12 THENCE North 00°07'45" East, with the approximate centerline of
13 Harmon Road and along the west line of said Church tract, a distance
14 of 210.00 feet to the northwest corner of said Church tract;

15 THENCE South 89°52'15" East, along the north line of said Church
16 tract, a distance of 210.00 feet to the POINT OF BEGINNING and
17 containing 1.012 acres or 44,100 square feet of land, more or less.

18 TRACT C

19 Being a tract of land situated in the J. Moses Survey, Abstract No.
20 894, Denton County, Texas, and being all of a called 2 acre tract of
21 land, conveyed to Trustees of Wilson Cemetery by deed recorded in
22 Volume 57, Page 402, D.R.D.C.T., and being more particularly
23 described as follows:

24 BEGINNING at a chain link fence corner post found for the northwest
25 corner of said Cemetery tract and the southwest corner of the above
26 mentioned Venable Exhibit "A-1" Twenty-Second Tract, said corner
27 being in the east line of the above mentioned Venable Exhibit "A-1"

1 Fourteenth Tract;
2 THENCE North 89°39'39" East, along the north line of said Cemetery
3 tract and the south line of said Venable Exhibit "A-1"
4 Twenty-Second Tract; passing at a distance of 288.86 feet a chain
5 link fence corner post found and continuing for a total distance of
6 305.55 feet to the northeast corner of said Cemetery tract, the
7 southwest corner of the above mentioned Venable Exhibit "A-1"
8 Twenty-First Tract, and the northwest corner of the above mentioned
9 Exhibit "A-1" Eighth Tract;
10 THENCE South 00°20'21" East, along the east line of said Cemetery
11 tract and the west line of said Venable Exhibit "A-1" Eighth Tract,
12 a distance of 285.28 feet to the southeast corner of said Cemetery
13 tract and the most easterly northeast corner of said Venable
14 Exhibit "A-1" Fourteenth Tract;
15 THENCE South 89°39'39" West, along the south line of said Cemetery
16 tract and a north line of said Venable Exhibit "A-1" Fourteenth
17 Tract; a distance of 305.55 feet to the southwest corner of said
18 Cemetery tract and an ell corner of said Venable Exhibit "A-1"
19 Fourteenth Tract, from which a chain link fence corner post found
20 bears North 30°04'24" East a distance of 9.80 feet;
21 THENCE North 00°20'21" West, along the west line of said Cemetery
22 tract and the east line of said Venable Exhibit "A-1" Fourteenth
23 Tract, a distance of 285.28 feet to the POINT OF BEGINNING and
24 containing 2.001 acres or 87,168 square feet of land, more or less.
25 VENABLE PROPERTY DESCRIPTION
26 TRACT 2
27 Being a tract of land situated in the T. Chambers Survey, Abstract

H.B. No. 3707

1 No. 223, Denton County, Texas, and being all the following tracts of
2 land conveyed to Venable Royalty, Ltd.; a called 4.37 acre tract of
3 land by deed recorded in Instrument No. 2003-193459 of the Official
4 Records of Denton County, Texas, and all of a called 4.35 acre tract
5 of land by deed recorded in Volume 4952, Page 1406 of the Real
6 Property Records of Denton County, Texas, and being more
7 particularly described as follows:

8 BEGINNING at a wood corner post found for the northwest corner of
9 said 4.35 acre tract and the southwest corner of a called 2.726 acre
10 tract of land conveyed to Dennard's Farm Supply Incorporated by
11 deed recorded in Instrument No. 2009-52074 of the Official Records
12 of Denton County, Texas, said corner being in the east line of the
13 Texas and Pacific Railway Company right-of-way (80 foot wide
14 right-of-way);

15 THENCE South $87^{\circ}59'39''$ East, along the north line of said 4.35 acre
16 tract and the south line of said 2.726 acre tract, a distance of
17 307.30 feet to the northeast corner of said 4.35 acre tract and the
18 southeast corner of said 2.726 acre tract, said corner being in the
19 west right-of-way line of State Highway 377 (a 120 foot wide
20 right-of-way), from which a metal corner post found bears North
21 $87^{\circ}59'39''$ West a distance of 1.44 feet, said point also being at the
22 beginning of a non-tangent curve to the right;

23 THENCE along the west right-of-way line of State Highway 377, the
24 following courses and distances:

25 Southwesterly, along said non-tangent curve to the right having a
26 central angle of $02^{\circ}03'24''$, a radius of 5669.58 feet, a chord
27 bearing of South $03^{\circ}44'56''$ West, a chord distance of 203.52 feet,

1 passing at an arc length of 203.12 feet a wood highway marker found
2 for the southeast corner of said 4.35 acre tract and being at the
3 intersection of the west right-of-way line of State Highway 377
4 with the northwesterly right-of-way line of Farm to Market 3524 (a
5 80 foot wide right-of-way), and continuing for a total an arc length
6 of 203.53 feet to the end of said curve;

7 South 04°46'38" West, passing at a distance of 570.19 feet the
8 northeast corner of said 4.37 acre tract, from which a 60d nail
9 found bears South 85°13'22" East a distance of 1.33 feet, and
10 continuing for a total distance of 1120.24 feet to the southeast
11 corner of said 4.37 acre tract, from which a 1/2 inch iron rod found
12 bears North 88°16'01" West a distance of 1.06 feet;

13 THENCE North 88°16'01" West, along the south line of said 4.37 acre
14 tract, a distance of 387.22 feet to the southwest corner of said
15 4.37 acre tract, said corner being in the east line of said Texas
16 and Pacific Railway Company right-of-way, from which a 1/2 inch
17 iron rod found bears North 88°16'01" West a distance of 1.30 feet,
18 said point also being at the beginning of a non-tangent curve to the
19 left;

20 THENCE along the west lines of said 4.35 acre tract and said 4.37
21 acre tract and the east line of said Texas and Pacific Railway
22 Company right-of-way, the following courses and distances:

23 Northeasterly along said non-tangent curve to the left having a
24 central angle of 03°06'33", a radius of 5779.58 feet, a chord
25 bearing of North 09°14'29" East, a chord distance of 313.59 feet,
26 and an arc length of 313.63 feet to the end of said curve;

27 North 07°41'12" East, passing at a distance of 91.78 feet the

1 northwest corner of said 4.37 acre tract in the southeasterly line
2 of said Farm to Market 3524, and passing at a distance of 204.92
3 feet a 1/2 inch iron rod with red plastic cap stamped "ALLIANCE"
4 found for the most southerly corner of said 4.35 acre tract in the
5 northwesterly right-of-way line of said Farm to Market 3524, and
6 continuing for a total distance of 1018.10 feet to the POINT OF
7 BEGINNING and containing 10.487 acres or 456,819 square feet of
8 land, more or less.

9 This document was prepared under 22 TAC §663.21, does not reflect
10 the results of an on the ground survey, and is not to be used to
11 convey or establish interests in real property except those rights
12 and interests implied or established by the creation or
13 reconfiguration of the boundary of the political subdivision for
14 which it was prepared.

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

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

25 (c) The Texas Commission on Environmental Quality has filed
26 its recommendations relating to this Act with the governor, the
27 lieutenant governor, and the speaker of the house of

1 representatives within the required time.

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

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