

AN ACT

relating to the creation or dissolution of certain special districts; providing authority to issue bonds; providing authority to impose an assessment, fee, or tax.

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 3918 to read as follows:

CHAPTER 3918. COMANCHE MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3918.001. DEFINITIONS. In this chapter:

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

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

(3) "County" means Denton County.

(4) "Director" means a board member.

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

Sec. 3918.002. NATURE OF DISTRICT. The Comanche Municipal Management District No. 1 is a special district created under Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution.

Sec. 3918.003. CONFIRMATION AND DIRECTORS' ELECTION REQUIRED. The initial directors shall hold an election to confirm the creation of the district and to elect five permanent directors as provided by Section 49.102, Water Code.

1 Sec. 3918.004. CITY CONSENT AND DEVELOPMENT AGREEMENT
2 EXECUTION REQUIRED. (a) The initial directors may not hold an
3 election under Section 3918.003 until the city has:

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

7 (2) entered into a development agreement with the
8 owners of the real property in the district under Section 212.172,
9 Local Government Code.

10 (b) The district is dissolved and this chapter expires
11 September 1, 2017, if:

12 (1) the city has not consented to the creation of the
13 district and to the inclusion of land in the district under
14 Subsection (a)(1) before that date; or

15 (2) the development agreement described by Subsection
16 (a)(2) is not entered into before that date.

17 Sec. 3918.005. PURPOSE; DECLARATION OF INTENT. (a) The
18 creation of the district is essential to accomplish the purposes of
19 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
20 Texas Constitution, and other public purposes stated in this
21 chapter. By creating the district, and in authorizing the city and
22 other political subdivisions to contract with the district, the
23 legislature has established a program to accomplish the public
24 purposes set out in Section 52-a, Article III, Texas Constitution.

25 (b) The creation of the district is necessary to promote,
26 develop, encourage, and maintain employment, commerce,
27 transportation, housing, tourism, recreation, the arts,

entertainment, economic development, safety, and the public welfare in the district.

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

Sec. 3918.006. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a) The district is created to serve a public use and benefit.

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

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

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

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

(2) eliminating unemployment and underemployment; and

(3) developing or expanding transportation and commerce.

(e) The district will:

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

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

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

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

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

19 Sec. 3918.007. INITIAL DISTRICT TERRITORY. (a) The
20 district is initially composed of the territory described by
21 Section 2 of the Act enacting this chapter.

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

26 (1) organization, existence, or validity;

27 (2) right to borrow money or issue any type of bonds or

other obligations described by Section 3918.203 for a purpose for which the district is created or to pay the principal of and interest on the bonds or other obligations;

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

(4) legality or operation; or

(5) right to contract.

Sec. 3918.008. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

(a) All or any part of the area of the district that is not in the city's corporate limits is eligible to be included in:

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

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

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

(4) an industrial district created under Chapter 42, Local Government Code.

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

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

(2) any other district purpose, including the right to pledge the money as security for any bonds or other obligations

1 issued by the district under Section 3918.203.

2 (c) All or any part of the area of the district that is
3 within the city's corporate limits is eligible to be included in:

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

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

8 (d) If the city creates a tax increment reinvestment zone
9 described by Subsection (c)(1), the city and the board of directors
10 of the zone, by contract, may allocate money deposited in the tax
11 increment fund between the city and the district to be used by the
12 city and the district for:

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

15 (2) any other district purpose, including the right to
16 pledge the money as security for any bonds or other obligations
17 issued by the district under Section 3918.203; and

18 (3) funding services provided by the city to the area
19 in the district.

20 (e) A tax increment reinvestment zone created by the city in
21 the district is not subject to the limitations provided by Section
22 311.006, Tax Code.

23 Sec. 3918.009. APPLICABILITY OF MUNICIPAL MANAGEMENT
24 DISTRICTS LAW. Except as otherwise provided by this chapter,
25 Chapter 375, Local Government Code, applies to the district.

26 Sec. 3918.010. CONSTRUCTION OF CHAPTER. This chapter shall
27 be liberally construed in conformity with the findings and purposes

1 stated in this chapter.

2 SUBCHAPTER B. BOARD OF DIRECTORS

3 Sec. 3918.051. GOVERNING BODY; TERMS. (a) The district is
4 governed by a board of five elected directors.

5 (b) Except as provided by Section 3918.052, directors serve
6 staggered four-year terms, with two or three directors' terms
7 expiring June 1 of each odd-numbered year.

8 Sec. 3918.052. INITIAL DIRECTORS. (a) On or after the
9 effective date of the Act enacting this chapter, the owner or owners
10 of a majority of the assessed value of the real property in the
11 district according to the most recent certified tax appraisal rolls
12 for the county may submit a petition to the city requesting that the
13 city appoint as initial directors the five persons named in the
14 petition. The city shall appoint as initial directors the five
15 persons named in the petition.

16 (b) Initial directors serve until the earlier of:

17 (1) the date permanent directors are elected under
18 Section 3918.003; or

19 (2) the fourth anniversary of the effective date of
20 the Act enacting this chapter.

21 (c) If permanent directors have not been elected under
22 Section 3918.003 and the terms of the initial directors have
23 expired, successor initial directors shall be appointed or
24 reappointed as provided by Subsection (d) to serve terms that
25 expire on the earlier of:

26 (1) the date permanent directors are elected under
27 Section 3918.003; or

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

3 (d) If Subsection (c) applies, the owner or owners of a
4 majority of the assessed value of the real property in the district
5 according to the most recent certified tax appraisal rolls for the
6 county may submit a petition to the city requesting that the city
7 appoint as successor initial directors the five persons named in
8 the petition. The city shall appoint as successor initial
9 directors the five persons named in the petition.

10 SUBCHAPTER C. POWERS AND DUTIES

11 Sec. 3918.101. GENERAL POWERS AND DUTIES. The district has
12 the powers and duties necessary to accomplish the purposes for
13 which the district is created.

14 Sec. 3918.102. IMPROVEMENT PROJECTS. The district may
15 provide, or it may enter into contracts with a governmental or
16 private entity to provide, the improvement projects described by
17 Subchapter C-1 or activities in support of or incidental to those
18 projects.

19 Sec. 3918.103. WATER DISTRICT POWERS. The district has the
20 powers provided by the general laws relating to conservation and
21 reclamation districts created under Section 59, Article XVI, Texas
22 Constitution, including Chapters 49 and 54, Water Code.

23 Sec. 3918.104. ROAD DISTRICT POWERS. The district has the
24 powers provided by the general laws relating to road districts and
25 road utility districts created under Section 52(b), Article III,
26 Texas Constitution, including Chapter 441, Transportation Code.

27 Sec. 3918.105. PUBLIC IMPROVEMENT DISTRICT POWERS. The

1 district has the powers provided by Chapter 372, Local Government
2 Code, to a municipality or county.

3 Sec. 3918.106. CONTRACT POWERS. The district may contract
4 with a governmental or private entity, on terms determined by the
5 board, to carry out a power or duty authorized by this chapter or to
6 accomplish a purpose for which the district is created.

7 Sec. 3918.107. EMERGENCY SERVICES. (a) This section
8 applies only to territory in the district:

9 (1) that is in the extraterritorial jurisdiction of
10 the city;

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

12 (3) that includes 100 or more residents.

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

17 Sec. 3918.108. NO TOLL ROADS. The district may not
18 construct, acquire, maintain, or operate a toll road.

19 Sec. 3918.109. NO EMINENT DOMAIN POWER. The district may
20 not exercise the power of eminent domain.

21 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

22 Sec. 3918.151. IMPROVEMENT PROJECTS AND SERVICES. The
23 district may provide, design, construct, acquire, improve,
24 relocate, operate, maintain, or finance an improvement project or
25 service using any money available to the district, or contract with
26 a governmental or private entity to provide, design, construct,
27 acquire, improve, relocate, operate, maintain, or finance an

improvement project or service authorized under this chapter or Chapter 375, Local Government Code.

Sec. 3918.152. BOARD DETERMINATION REQUIRED. The district may not undertake an improvement project unless the board determines the project:

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

(2) complies with the development agreement entered into under Section 3918.004(a)(2) or the parties to that development agreement agree to the project, in writing.

Sec. 3918.153. LOCATION OF IMPROVEMENT PROJECT. An improvement project may be inside or outside the district.

Sec. 3918.154. CITY REQUIREMENTS. (a) An improvement project in the corporate limits of the city must comply with any applicable requirements of the city, including codes and ordinances, that are consistent with the development agreement entered into under Section 3918.004(a)(2).

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

Sec. 3918.155. IMPROVEMENT PROJECT AND SERVICE IN DEFINABLE AREA. The district may undertake an improvement project or service that confers a special benefit on a definable area in the district and levy and collect a special assessment on benefited property in the district in accordance with:

(1) Chapter 372, Local Government Code; or

1 (2) Chapter 375, Local Government Code.

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

3 Sec. 3918.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The
4 board by resolution shall establish the number of directors'
5 signatures and the procedure required for a disbursement or
6 transfer of the district's money.

7 Sec. 3918.202. MONEY USED FOR IMPROVEMENTS OR SERVICES.
8 The district may undertake and provide an improvement project or
9 service authorized by this chapter using any money available to the
10 district.

11 Sec. 3918.203. BORROWING MONEY; OBLIGATIONS. (a) The
12 district may borrow money for a district purpose without holding an
13 election by issuing bonds, notes, time warrants, or other
14 obligations, or by entering into a contract or other agreement
15 payable wholly or partly from an assessment, a contract payment, a
16 grant, revenue from a zone created under Chapter 311 or 312, Tax
17 Code, other district revenue, or a combination of these sources.

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

19 (1) may bear interest at a rate determined by the
20 board; and

21 (2) may include a term or condition as determined by
22 the board.

23 Sec. 3918.204. ASSESSMENTS. (a) Except as provided by
24 Subsection (b), the district may impose an assessment on property
25 in the district to pay for an obligation described by Section
26 3918.203 in the manner provided for:

27 (1) a district under Subchapters A, E, and F, Chapter

1 375, Local Government Code; or

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

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

6 Sec. 3918.205. NOTICE OF ASSESSMENTS. (a) The board shall
7 annually file written notice with the secretary of the city that
8 specifies the assessments the district will impose in the
9 district's next fiscal year in sufficient clarity to describe the
10 assessments for the operation and maintenance of the district and
11 the assessments for the payment of debt service of obligations
12 issued or incurred by the district.

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

16 (c) The assessment roll must clearly state that the
17 assessments in the assessment roll are in addition to the ad valorem
18 taxes imposed by other taxing units that tax real property in the
19 district.

20 (d) The district shall generate and implement a program to
21 provide notification to a prospective purchaser of property in the
22 district of the assessments that have been approved and are imposed
23 by the district.

24 Sec. 3918.206. RESIDENTIAL PROPERTY NOT EXEMPT. Section
25 375.161, Local Government Code, does not apply to the district.

26 Sec. 3918.207. NO IMPACT FEES. The district may not impose
27 an impact fee.

1 Sec. 3918.208. NO AD VALOREM TAX. The district may not
2 impose an ad valorem tax.

3 SUBCHAPTER E. DISSOLUTION

4 Sec. 3918.251. DISSOLUTION BY CITY. (a) The city may
5 dissolve the district by ordinance after the city annexes the
6 district.

7 (b) Notwithstanding Subsection (a), the city may not
8 dissolve the district until:

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

11 (2) the city agrees to succeed to the rights and
12 obligations of the district.

13 Sec. 3918.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

14 (a) If the dissolved district has bonds or other obligations
15 outstanding secured by and payable from assessments or other
16 revenue, the city succeeds to the rights and obligations of the
17 district regarding enforcement and collection of the assessments or
18 other revenue.

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

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

23 (2) special revenue or assessment bonds or other
24 obligations issued by the city to refund the outstanding bonds or
25 obligations of the district.

26 Sec. 3918.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
27 After the city dissolves the district, the city assumes the

obligations of the district, including any bonds or other debt payable from assessments or other district revenue.

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

SECTION 2. The Comanche Municipal Management District No. 1 initially includes all the territory contained in the following area:

TRACT 1

248.67 ACRE

BEING a tract of land situated in the William Lumpkin Survey Abstract No. 730, Denton County, Texas, and also being all of a 173.545 acre tract as recorded in Volume 5347, Page 4702 of the Deed Records of Denton County, Texas, also being all of a 75.125 acre tract as recorded in Volume 4895, Page 1900 D.R.D.C.T. and being more particularly described by metes and bounds as follows:

BEGINNING at a capped 1/2 inch iron rod found for corner (controlling monument) at the northeast corner of said 173.545-acre tract;

THENCE South 1 degree 53 minutes 56 seconds West a distance of 2221.22 feet to a 1/2 inch iron rod set for corner in Bryan Road (gravel surface);

THENCE North 88 degrees 04 minutes 11 seconds West following Bryan Road a distance of 1267.37 feet to a 1/2 inch iron rod found for corner in the east line of a 75.125-acre tract;

THENCE South 02 degrees 13 minutes 34 seconds West a distance of 900.51 feet to a 1/2 inch iron rod found for corner at the northeast corner of a 52.63 acre tract as recorded in Volume 2261, Page 53,

1 D.R.D.C.T.;

2 THENCE North 89 degrees 19 minutes 31 seconds West following the
3 north line of said 52.63 acres tract a distance of 3578.05 feet to a
4 5/8 inch iron rod (bent) found for comer in the east line of a tract
5 conveyed to the United States of America as recorded in Volume 2585,
6 Page 305, D.R.D.C.T.;

7 THENCE North 02 degrees 15 minutes 46 seconds East following the USA
8 tract a distance of 243.40 feet to concrete monument stamped 1033-4
9 for corner;

10 THENCE North 02 degrees 18 minutes 26 seconds East following the USA
11 tract a distance of 349.95 feet to concrete monument stamped 1033-5
12 for comer;

13 THENCE North 36 degrees 42 minutes 11 seconds West following the USA
14 tract a distance of 396.06 feet to concrete monument stamped 1033-6
15 for comer on the east bank of a dry creek;

16 THENCE South 89 degrees 12 minutes 38 seconds East a distance of
17 201.16 feet to 1/2 inch iron rod found for corner;

18 THENCE North 00 degrees 47 minutes 22 seconds East a distance of
19 131.81 feet to a point for comer in a creek;

20 THENCE up said creek the following calls:

21 N 09'28'51" E 13.38'

22 N 07°11'52" E 163.03'

23 N 72°07'15" E 37.14'

24 S 63°04'41" E 103.03'

25 S 88°21'20" E 52.55'

26 N 04°13'19" E 21.33'

27 N 11°19'26" W 59.51'

H.B. No. 3914

1	N 18°42'11" E 87.30'
2	N 17°43'03" W 81.64'
3	N 74°51'43" E 136.16'
4	N 31°30'01" E 64.83'
5	S 88°00'53" E 66.68'
6	S 35°42'40" E 58.03'
7	S 82°36'34" E 31.64'
8	N 17°26'44" E 95.82'
9	S 42°05'36" E 150.73'
10	N 83°20'18" E 36.07'
11	N 05°26'09" E 107.43'
12	N 31°37'22" W 51.38'
13	N 20°57'03" E 66.43'
14	N 28°51'15" W 102.21'
15	N 71°19'55" E 53.49'
16	S 53°48'09" E 44.26'
17	N 85°29'09" E 65.70'
18	N 40°30'41" E 86.41'
19	N 78°32'11" E 40.09'
20	N 24°32'25" E 53.98'
21	N 77°19'49" E 92.67'
22	N 58°04'48" E 80.57'
23	S 32°29'24" E 38.45'
24	N 48°05'23" E 47.84'
25	N 25°13'19" E 47.92'
26	S 89°41'30" E 57.89'
27	S 78°26'24" E 91.22'

H.B. No. 3914

1	N 67°15'30" E 29.70'
2	S 23°35'53" E 132.38'
3	S 87°07'12" E 40.32'
4	N 00°43'32" W 44.48'
5	N 56°26'03" E 92.01'
6	S 51°37'41" E 87.66'
7	S 01°35'49" W 42.96'
8	S 59°48'32" E 8.73'
9	N 60°27'41" E 125.92'
10	N 44°01'02" E 75.88'
11	N 01°26'58" E 82.39'
12	N 73°27'50" E 73.60'
13	N 54°29'34" E 46.92'
14	N 81°58'33" E 46.29'
15	N 49°14'37" E 44.19'
16	N 53°45'54" W 113.00'
17	N 18°22'20" W 130.69'
18	N 29°43'26" E 28.51'
19	N 50°28'25" W 43.10'
20	N 17°32'30" W 68.50'
21	N 88°47'34" E 108.29'
22	S 55°53'19" E 47.42'
23	S 45°21'21" E 32.24'
24	N 52°55'59" E 49.96'
25	S 35°25'53" E 72.10'
26	N 24°00'28" E 43.50'
27	N 49°35'12" W 52.21'

H.B. No. 3914

1 N 07°23'52" E 54.05'
2 N 01°09'32" E 45.90'
3 N 84°16'29" E 94.67'
4 N 86°33'49" E 67.50'
5 S 74°49'52" E 56.94'
6 N 51°27'10" E 21.10'
7 N 21°28'46" W 35.20'
8 N 67°07'22" E 44.39'
9 S 30°10'20" E 49.02'
10 S 85°45'43" E 39.09'
11 N 18°14'15" E 39.69'
12 N 69°16'16" E 39.39'
13 S 49°20'27" E 59.65'
14 N 55°13'09" E 41.34'
15 N 40°35'34" W 70.10'
16 N 33°06'50" E 69.98'
17 N 66°20'41" E 42.96'
18 N 01°12'16" E 3.53'
19 THENCE North 86 degrees 41 minutes 34 seconds East a distance of
20 401.38 feet to a 1/2 inch iron rod set for comer;
21 THENCE South 88 degrees 18 minutes 26 seconds East a distance of
22 2105.22 feet to the POINT OF BEGINNING and containing 10,832,069
23 square feet or 248.67 acres of land, more or less.
24 RELEASE TRACT
25 100.582 ACRE TRACT
26 BEING a tract of land situated in the William Lumpkin Survey
27 Abstract No. 730, Denton County, Texas, and also being part of a

H.B. No. 3914

1 173.545 acre tract as recorded in Volume 5347, Page 4702 of the Deed
2 Records of Denton County, Texas, also being part of a 75.125 acre
3 tract as recorded in Volume 4895, Page 1900 D.R.D.C.T. and being
4 more particularly described by metes and bounds as follows:

5 BEGINNING at a capped 1/2 inch iron rod found for corner
6 (controlling monument) at the northeast corner of said 173.545-acre
7 tract;

8 THENCE South 1 degree 53 minutes 56 seconds West a distance of
9 2221.22 feet to a 1/2 inch iron rod set for corner in Bryan Road
10 (gravel surface);

11 THENCE North 88 degrees 04 minutes 11 seconds West following Bryan
12 Road a distance of 1267.37 feet to a 1/2 inch iron rod found for
13 corner in the east line of a 75.125-acre tract;

14 THENCE South 02 degrees 13 minutes 34 seconds West a distance of
15 528.88 feet to a 1/2 inch iron rod found for corner at the northeast
16 corner of a 52.63 acre tract as recorded in Volume 2261, Page 53,
17 D.R.D.C.T.;

18 THENCE North 89 degrees 19 minutes 31 seconds West following the
19 north line of said 52.63 acres tract a distance of 653.67 feet to a
20 point;

21 THENCE North 02 degrees 10 minutes 14 seconds East a distance of
22 769.82.40 feet to the beginning of a tangent curve to the right;

23 THENCE Northerly, along said tangent curve to the right which has a
24 chord that bears North 11 degrees 39 minutes 21 seconds East for
25 2017.05 feet, a central angle of 18 degrees 58 minutes 13 seconds
26 and a radius of 6120.00 feet, for an arc distance of 2026.29 feet to
27 the end of said curve;

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1 THENCE South 88 degrees 18 minutes 26 seconds East a distance of
2 1578.43 feet to the POINT OF BEGINNING and containing 4,381,338
3 square feet or 100.582 acres of land.

4 TRACT 2

5 52.631 ACRE TRACT

6 All that certain tract or parcel of land situated in the WILLIAM
7 LUMPKIN SURVEY, ABSTRACT NUMBER 73, County of DENTON, State of
8 Texas, said tract being all of a called 52.630 acre tract as
9 described in Deed 2261, Page 53 of the Real Property Records of the
10 County of DENTON, State of Texas, and being more fully described as
11 follows:

12 Beginning for the Northeast corner of the tract described herein at
13 a found 1/2 inch rebar said rebar being the Northeast corner of said
14 Layman tract, same being the Southeast corner of a called 75.125
15 acre tract as described in deed to Denton County 250 LP, filed 29
16 June 2004, and recorded in County Clerk's Number 2004-85167 of said
17 Real Property Records, and said rebar being on the West line of a
18 called 166.48 acre tract as described in deed to Jos. A. I. Worsham,
19 Trustee, filed 24 December 2003, and recorded in County Clerk's
20 Number 2003-205831 of said deed records, said rebar also being in
21 Bryan Road;

22 Thence: South 02 degrees 07 minutes 23 seconds West, with the East
23 line of said Layman tract, and with the West line of said Worsham
24 tract, and with said road, a distance of 616.86 feet to a found 1/2
25 inch rebar for the Southeast corner of said Layman tract, same being
26 the Northeast corner of Lot No. 2, a called 139.76 acre tract as
27 described in partition, dated 18 September 1899, and recorded in

H.B. No. 3914

1 Volume L, Page 587 of the District Court Minutes of DENTON County,
2 Texas, and further described in Boundary Agreement, filed 22 May
3 1985, and recorded in Volume 1640, Page 779 of said Real Property
4 Records;

5 Thence: North 89 degrees 19 minutes 30 seconds West, with the South
6 line of said Layman tract, and with the North line of said Lot 2, and
7 with the line as described in said Boundary Agreement, a distance of
8 3950.80 feet to a found Corps of Engineers concrete monument with a
9 brass cap marked 1033-1, 1034-5, dated 1966 for the Southwest
10 corner of said Layman tract, said monument being the East line of
11 USA Tract L-1033 (Lake Lewisville);

12 Thence: North 40 degrees 32 minutes 30 seconds East, with the West
13 line of said Layman tract, and with the East line of said USA tract,
14 and with a barbed wire fence, a distance of 299.74 feet to a found
15 Corps of Engineers concrete monument remains for an angle point in
16 the West line of said Layman tract;

17 Thence: North 40 degrees 28 minutes 28 seconds East, with the West
18 line of said Layman tract, and with the East line of said USA tract,
19 and with a barbed wire fence, a distance of 299.71 feet to a found
20 Corps of Engineers concrete monument with a brass cap marked
21 1033-3, dated 1966 for an angle point in the West line of said
22 Layman tract, same being an angle point in the East line of said USA
23 tract;

24 Thence: North 02 degrees 16 minutes 40 seconds East, with the West
25 line of said Layman tract, and with the East line of said USA tract,
26 and with a barbed wire fence, a distance of 156.12 feet to a found I
27 inch rebar by a pipe fence corner post for the Northwest corner of

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1 said Layman tract, same being the Southwest corner of said Denton
2 County 250 tract;

3 Thence: South 89 degrees 19 minutes 46 seconds East, with the North
4 line of said Layman tract, and with the South line of said Denton
5 County 250 tract, and with a barbed wire fence, and passing at
6 3550.64 feet a pipe fence corner post on the West side of said road,
7 and continuing on said course a total distance of 3578.04 feet to a
8 POINT OF BEGINNING and CONTAINING 52.613 acres of land.

9 RELEASE TRACT

10 9.257 ACRE TRACT

11 All that certain tract or parcel of land situated in the WILLIAM
12 LUMPKIN SURVEY, ABSTRACT NUMBER 73, County of DENTON, State of
13 Texas, said tract being part of a called 52.630 acre tract as
14 described in Deed 2261, Page 53 of the Real Property Records of the
15 County of DENTON, State of Texas, and being more fully described as
16 follows:

17 Beginning for the Northeast corner of the tract described herein at
18 a found 1/2 inch rebar said rebar being the Northeast corner of said
19 Layman tract, same being the Southeast corner of a called 75.125
20 acre tract as described in deed to Denton County 250 LP, filed 29
21 June 2004, and recorded in County Clerk's Number 2004-85167 of said
22 Real Property Records, and said rebar being on the West line of a
23 called 166.48 acre tract as described in deed to Jos. A. I. Worsham,
24 Trustee, filed 24 December 2003, and recorded in County Clerk's
25 Number 2003-205831 of said deed records, said rebar also being in
26 Bryan Road;

27 Thence: South 02 degrees 07 minutes 23 seconds West, with the East

1 line of said Layman tract, and with the West line of said Worsham
2 tract, and with said road, a distance of 616.86 feet to a found 1/2
3 inch rebar for the Southeast corner of said Layman tract, same being
4 the Northeast corner of Lot No.2, a called 139.76 acre tract as
5 described in partition, dated 18 September 1899, and recorded in
6 Volume L, Page 587 of the District Court Minutes of DENTON County,
7 Texas, and further described in Boundary Agreement, filed 22 May
8 1985, and recorded in Volume 1640, Page 779 of said Real Property
9 Records;

10 Thence: North 89 degrees 19 minutes 30 seconds West, with the South
11 line of said Layman tract, and with the North line of said Lot 2, and
12 with the line as described in said Boundary Agreement, a distance of
13 654.18 feet a point;

14 Thence: North 02 degrees 10 minutes 14 seconds East, a distance of
15 616.82 feet to a point;

16 Thence: South 89 degrees 19 minutes 46 seconds East, with the North
17 line of said Layman tract, and with the South line of said Denton
18 County 250 tract, and with a barbed wire fence, a distance of 653.67
19 feet to a POINT OF BEGINNING and CONTAINING 9.257 acres of land.

20 SECTION 3. Subtitle C, Title 4, Special District Local Laws
21 Code, is amended by adding Chapter 3919 to read as follows:

22 CHAPTER 3919. OLD CELINA MUNICIPAL MANAGEMENT DISTRICT NO. 1

23 SUBCHAPTER A. GENERAL PROVISIONS

24 Sec. 3919.001. DEFINITIONS. In this chapter:

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

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

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

1 (4) "Director" means a board member.

2 (5) "District" means the Old Celina Municipal
3 Management District No. 1.

4 Sec. 3919.002. CREATION AND NATURE OF DISTRICT. The Old
5 Celina Municipal Management District No. 1 is a special district
6 created under Sections 52 and 52-a, Article III, and Section 59,
7 Article XVI, Texas Constitution.

8 Sec. 3919.003. PURPOSE; LEGISLATIVE FINDINGS. (a) The
9 creation of the district is essential to accomplish the purposes of
10 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
11 Texas Constitution, and other public purposes stated in this
12 chapter. By creating the district and in authorizing the city and
13 other political subdivisions to contract with the district, the
14 legislature has established a program to accomplish the public
15 purposes set out in Section 52-a, Article III, Texas Constitution.

16 (b) The creation of the district is necessary to promote,
17 develop, encourage, and maintain employment, commerce,
18 transportation, housing, tourism, recreation, the arts,
19 entertainment, economic development, safety, and the public
20 welfare in the district.

21 (c) This chapter and the creation of the district may not be
22 interpreted to relieve the city or county from providing the level
23 of services provided to the area in the district as of the effective
24 date of the Act enacting this chapter. The district is created to
25 supplement and not to supplant the city and county services
26 provided in the district.

27 Sec. 3919.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)

1 The district is created to serve a public use and benefit.

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

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

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

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

15 (2) eliminate unemployment and underemployment; and

16 (3) develop or expand transportation and commerce.

17 (e) The district will:

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

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

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

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

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

9 Sec. 3919.005. INITIAL DISTRICT TERRITORY. (a) The
10 district is initially composed of the territory described by
11 Section 4 of the Act enacting this chapter.

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

16 (1) organization, existence, or validity;

17 (2) right to contract;

18 (3) authority to borrow money or issue bonds or other
19 obligations described by Section 3919.203 or to pay the principal
20 and interest of the bonds or other obligations;

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

23 (5) legality or operation.

24 Sec. 3919.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.
25 (a) All or any part of the area of the district is eligible to be
26 included in:

27 (1) a tax increment reinvestment zone created under

1 Chapter 311, Tax Code;

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

4 (3) an enterprise zone created under Chapter 2303,
5 Government Code.

6 (b) If the city creates a tax increment reinvestment zone
7 described by Subsection (a), the city and the board of directors of
8 the zone, by contract with the district, may grant money deposited
9 in the tax increment fund to the district to be used by the district
10 for:

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

13 (2) any other district purpose, including the right to
14 pledge the money as security for any bonds or other obligations
15 issued by the district under Section 3919.203.

16 (c) If the city creates a tax increment reinvestment zone
17 described by Subsection (a), the city may determine the percentage
18 of the property in the zone that may be used for residential
19 purposes and is not subject to the limitations provided by Section
20 311.006, Tax Code.

21 Sec. 3919.007. APPLICABILITY OF MUNICIPAL MANAGEMENT
22 DISTRICT LAW. Except as provided by this chapter, Chapter 375,
23 Local Government Code, applies to the district.

24 Sec. 3919.008. FORM OF CITY APPROVAL. (a) A statutory
25 requirement relating to the duty of the district to obtain the
26 approval or consent of the city in a manner other than the manner
27 described by Subsection (b) before the district takes an action,

1 including a requirement prescribed by Section 42.042 or Chapter
2 375, Local Government Code, or Chapter 54, Water Code, does not
3 apply to the district.

4 (b) If a statute, including this chapter, requires the
5 district to obtain the city's approval or consent before taking an
6 action, the district may not take that action unless the action is
7 authorized by a city resolution or ordinance approved by a majority
8 of the governing body of the city.

9 Sec. 3919.009. CONSTRUCTION OF CHAPTER. This chapter shall
10 be liberally construed in conformity with the findings and purposes
11 stated in this chapter.

12 SUBCHAPTER B. BOARD OF DIRECTORS

13 Sec. 3919.051. GOVERNING BODY; TERMS. (a) The district is
14 governed by a board of five directors composed of:

15 (1) three directors appointed by the governing body of
16 the city;

17 (2) the city manager; and

18 (3) the city's chief financial officer.

19 (b) Appointed directors serve staggered terms of four
20 years, with one or two directors' terms expiring May 31 of each
21 even-numbered year.

22 Sec. 3919.052. QUALIFICATIONS OF DIRECTOR. (a) Sections
23 375.063 and 375.072(a) and (c), Local Government Code, do not apply
24 to a director.

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

27 (c) Notwithstanding any other law:

1 (1) an officer or employee of the city may serve as a
2 director of the district;

3 (2) a member of the governing body of the city may
4 serve as a director of the district; and

5 (3) a person who qualifies to serve as a director is
6 qualified to participate in all votes pertaining to the business of
7 the district.

8 Sec. 3919.053. VACANCY. The governing body of the city
9 shall appoint a director to fill a vacancy on the board for the
10 remainder of the unexpired term.

11 Sec. 3919.054. DIRECTOR'S OATH OR AFFIRMATION. A director
12 shall file the director's oath or affirmation of office with the
13 district, and the district shall retain the oath or affirmation in
14 the district records.

15 Sec. 3919.055. OFFICERS. The board shall elect from among
16 the directors a chair, a vice chair, and a secretary.

17 Sec. 3919.056. COMPENSATION; EXPENSES. (a) The district
18 shall compensate as provided by Section 49.060, Water Code, each
19 director who is not a member of the governing body of the city or an
20 employee of the city.

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

24 Sec. 3919.057. LIABILITY INSURANCE. The district may
25 obtain and pay for comprehensive general liability insurance
26 coverage from a commercial insurance company or other source that
27 protects and insures the directors against personal liability and

1 from all claims for actions taken as directors or actions and
2 activities taken by the district or by others acting on its behalf.

3 Sec. 3919.058. BOARD MEETINGS. The board shall hold
4 meetings at a place accessible to the public.

5 Sec. 3919.059. REMOVAL OF DIRECTORS. The governing body of
6 the city may remove a director appointed under Section
7 3919.051(a)(1).

8 Sec. 3919.060. INITIAL DIRECTORS. (a) The initial board
9 consists of the following directors:

10 (1) Mike Forman, city manager;

11 (2) Jay Toutounchian, city chief financial officer;

12 and

13 (3) three directors appointed by the governing body of
14 the city.

15 (b) Of the initial directors, the term of one director
16 appointed under Subsection (a)(3) expires May 31, 2016, and the
17 terms of the other two directors appointed under Subsection (a)(3)
18 expire May 31, 2014.

19 (c) The governing body of the city shall determine which
20 director's term expires May 31, 2016, and which directors' terms
21 expire May 31, 2014.

22 (d) This section expires September 1, 2016.

23 SUBCHAPTER C. POWERS AND DUTIES

24 Sec. 3919.101. 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. 3919.102. IMPROVEMENT PROJECTS. The district may

1 provide, or it may enter into contracts with a governmental or
2 private entity to provide, the improvement projects described by
3 Subchapter C-1 or activities in support of or incidental to those
4 projects.

5 Sec. 3919.103. WATER DISTRICT POWERS. (a) Except as
6 provided by Subsection (b), the district has the powers provided by
7 the general laws relating to conservation and reclamation districts
8 created under Section 59, Article XVI, Texas Constitution,
9 including Chapters 49 and 54, Water Code.

10 (b) The district may not provide wholesale or retail water
11 or wastewater service.

12 (c) The district shall display a design selected by the city
13 on a water tower or tank the district constructs or finances. The
14 district may not display the name or logo of the district or of any
15 other entity on the water tower or tank.

16 Sec. 3919.104. ROAD PROJECT POWERS; LIMITATION. The
17 district has the road project powers provided by Chapter 375, Local
18 Government Code, except that the district may not impose an ad
19 valorem tax under Section 375.0921, Local Government Code.

20 Sec. 3919.105. 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. 3919.106. CONTRACT POWERS. The district may contract
24 with a governmental or private entity, on terms determined by the
25 board, to carry out a power or duty authorized by this chapter or to
26 accomplish a purpose for which the district is created.

27 Sec. 3919.107. LIMITATIONS ON EMERGENCY SERVICES POWERS.

1 Sections 49.216 and 49.351, Water Code, do not apply to the
2 district.

3 Sec. 3919.108. ECONOMIC DEVELOPMENT. The district may
4 engage in activities that accomplish the economic development
5 purposes of the district.

6 Sec. 3919.109. ADDING OR REMOVING TERRITORY. As provided
7 by Subchapter J, Chapter 49, Water Code, the board may add territory
8 inside the boundaries of the city or the extraterritorial
9 jurisdiction of the city to the district or remove territory inside
10 the boundaries of the city or the extraterritorial jurisdiction of
11 the city from the district, except that:

12 (1) the addition or removal of the territory must be
13 approved by the city;

14 (2) the addition or removal may not occur without
15 petition by the owners of the territory being added or removed; and

16 (3) territory may not be removed from the district if
17 bonds or other obligations of the district payable wholly or partly
18 from assessments assessed on the territory are outstanding.

19 Sec. 3919.110. NO TOLL ROADS OR MASS TRANSIT. The district
20 may not construct, acquire, maintain, or operate a toll road or mass
21 transit system.

22 Sec. 3919.111. NO EMINENT DOMAIN POWER. The district may
23 not exercise the power of eminent domain.

24 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

25 Sec. 3919.151. IMPROVEMENT PROJECTS AND SERVICES. Except
26 as otherwise provided by this chapter, the district may provide,
27 design, construct, acquire, improve, relocate, operate, maintain,

1 or finance an improvement project or service using any money
2 available to the district, or contract with a governmental or
3 private entity to provide, design, construct, acquire, improve,
4 relocate, operate, maintain, or finance an improvement project or
5 service authorized under this chapter or Chapter 372 or 375, Local
6 Government Code.

7 Sec. 3919.152. BOARD DETERMINATION REQUIRED. The district
8 may not undertake an improvement project unless the board
9 determines the project is necessary to accomplish a public purpose
10 of the district.

11 Sec. 3919.153. LOCATION OF IMPROVEMENT PROJECT. An
12 improvement project may be located or provide service inside or
13 outside the district.

14 Sec. 3919.154. CITY REQUIREMENTS. (a) An improvement
15 project in the city must comply with any applicable requirements of
16 the city, including codes and ordinances.

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

20 Sec. 3919.155. ADDITIONAL CITY POWERS REGARDING
21 IMPROVEMENT PROJECTS. (a) The city may:

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

24 (2) by ordinance or resolution authorize the district
25 to own, encumber, maintain, and operate an improvement project or
26 convey the project to the city at a later date.

27 (b) The district shall immediately comply with any city

ordinance or resolution adopted under this section.

Sec. 3919.156. IMPROVEMENT PROJECT AND SERVICE IN DEFINABLE AREA. The district may undertake an improvement project or service that confers a special benefit on a definable area in the district and levy and collect a special assessment on benefited property in the district in accordance with:

(1) Chapter 372, Local Government Code; or

(2) Chapter 375, Local Government Code.

Sec. 3919.157. CONTRACTS. A contract to design, construct, acquire, improve, relocate, operate, maintain, or finance an improvement project is considered a contract for a good or service under Subchapter I, Chapter 271, Local Government Code.

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

Sec. 3919.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The board by resolution shall establish the number of directors' signatures and the procedure required for a disbursement or transfer of the district's money.

Sec. 3919.202. MONEY USED FOR IMPROVEMENTS OR SERVICES. The district may undertake and provide an improvement project or service authorized by this chapter using any money available to the district.

Sec. 3919.203. BORROWING MONEY; OBLIGATIONS. (a) The district may borrow money for a district purpose, including the acquisition or construction of improvement projects authorized by this chapter and the reimbursement of a person who develops or owns an improvement project authorized by this chapter, without holding an election by issuing bonds, notes, time warrants, or other

obligations, or by entering into a contract or other agreement payable wholly or partly from an assessment, a contract payment, a grant, other district revenue, or a combination of these sources.

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

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

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

Sec. 3919.204. ASSESSMENTS. (a) Except as provided by Subsection (b), the district may impose an assessment on property in the district to pay for an obligation described by Section 3919.203 in the manner provided for:

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

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

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

Sec. 3919.205. NOTICE OF ASSESSMENTS. (a) The board shall annually file written notice with the secretary of the city that specifies the assessments the district will impose in the district's next fiscal year in sufficient clarity to describe the assessments for the operation and maintenance of the district and the assessments for the payment of debt service of obligations issued or incurred by the district.

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

1 (c) The assessment roll must clearly state that the
2 assessments in the assessment roll are in addition to the ad valorem
3 taxes imposed by other political subdivisions that tax real
4 property in the district.

5 (d) The district shall generate and implement a program to
6 provide notice modeled on the notice described by Section
7 49.452(c), Water Code, to a prospective purchaser of property in
8 the district of the assessments that have been approved and are
9 imposed by the district.

10 Sec. 3919.206. RESIDENTIAL PROPERTY NOT EXEMPT. Section
11 375.161, Local Government Code, does not apply to the district.

12 Sec. 3919.207. NO IMPACT FEES. The district may not impose
13 an impact fee.

14 Sec. 3919.208. NO AD VALOREM TAX. The district may not
15 impose an ad valorem tax.

16 SUBCHAPTER E. DISSOLUTION

17 Sec. 3919.251. DISSOLUTION BY CITY. (a) The city may
18 dissolve the district by ordinance.

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

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

22 (2) the city agrees to succeed to the rights and
23 obligations of the district.

24 Sec. 3919.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

25 (a) If the dissolved district has bonds or other obligations
26 outstanding secured by and payable from assessments or other
27 revenue, the city succeeds to the rights and obligations of the

district regarding enforcement and collection of the assessments or other revenue.

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

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

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

Sec. 3919.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a) After the city dissolves the district, the city assumes the obligations of the district, including any bonds or other debt payable from assessments or other district revenue.

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

SECTION 4. The Old Celina Municipal Management District No. 1 initially includes all the territory contained in the following area:

TRACT 1 (40.233 ACRES):

All that certain tract or parcel of land situated in the Henry Bentley Survey, Abstract Number 124 and the B.B.B. & C.R.R. Survey, Abstract Number 132, County of Collin, State of Texas, said tract being all of a called 30.45 acre tract as described in deed to Dorothea Cornelius, filed 24 April 2007, and recorded in county clerks number 07-000549120 of the deed records of the County of Collin, State of Texas, and said tract being part of a called 11.13 acre tract as described in deed to Cornelius Family Revocable

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Trust, filed 24 April 2007, and recorded In county clerks number 07-000549090 of said deed records, and being more fully described as follows;

Beginning for the southwest corner of the tract being described herein at a found 1/2 inch rebar, said rebar being the southwest corner of said Cornelius 30 acre tract, some being the southeast corner of a called 99.028 acre tract as described in deed to Old Celina, Ltd filed 11 June 2002, and recorded in volume 5208 page 3408 of said deed records, said rebar also being on the north line of a called 73.558 acre tract as described in deed to Old Celina, Ltd, filed 11 June 2002, and recorded in volume 5208 page 3382 of said deed records;

Thence: North 00 degrees 28 minutes 22 seconds West, with the west line of said Cornelius 30 acre tract, and with the east line of said Old Celina 99 acre tract, a distance of 867.05 feet to a found 3/8 Inch rebar for the northwest corner of said Cornelius 30 acre tract, same being the southwest corner of a called 39.02 acre tract as described in deed to the City of Celina, filed 10 October 2000, and recorded in volume 4770 page 2324 of said deed records;

Thence: North 88 degrees 39 minutes 42 seconds East, with the south line of said City tract, a distance of 1561.03 feet to a set 1/2 inch steel square tubing for the southeast corner of said City tract, some being the southwest corner of a called 0.8024 acre tract as described in deed to the City of Celina; filed 01 September 2004, and recorded in volume 5744 page 4860 of said deed records;

Thence: North 88 degrees 29 minutes, 00 seconds East, with the south line of said City tract, a distance of 224.07 feet to a set 1/2 inch

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1 steel square tubing for the northeast corner of this tract, said
2 tubing being on the west right of way line of Farm to Market Road
3 Number 428, and said tubing being in a curve to the left having a
4 central angle of 01 degrees 37 minutes 20 seconds, and a radius of
5 1190.91 feet and a chord bearing of South 40 degrees 42 minutes 20
6 seconds fast, and a chord distance of 33.72 feet;
7 Thence: With said curve to the left and with the west line of said
8 road an arc length of 33.72 feet to a set 1/2 inch steel square
9 tubing for the end of said curve;
10 Thence: South 41 degrees 31 minutes 00 seconds East, with the west
11 line of said road a distance of 20.40 feet to a set 1/2 inch steel
12 square tubing for the start of a curve to the right having a central
13 angle of 40 degrees 02 minutes 00 seconds, and a radius of 1101.03
14 feet, and a chord bearing of South 21 degrees 30 minutes 00 seconds
15 fast, and a chord distance- of 753.75 feet;
16 Thence: With said curve to the right and with the west line of said
17 road an arc length of 769.31 feet to a set 1/2 inch steel square.
18 Tubing for the end of said curve;
19 Thence: .South 01 degrees 29 minutes 00 seconds East, with the west
20 line of said road, a distance of 129.80 feet to a set 1/2 inch steel
21 square tubing for the southeast corner of this tract, same being the
22 northeast corner of Exhibit "C" a called 28.15 acre tract as
23 described in Partition Deed to Sandra Short Osborne, filed 12 March
24 1986, and recorded In volume 2325 page 801 of said deed records;
25 Thence: South 88 degrees 54 minutes 08 seconds West, with the north
26 line of said Osborne tract, a distance of 1332.93 feet to a found 1
27 inch pipe by a pipe fence corner post for file northwest corner of

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1 Tract One a called 15.66 acre tract as described in deed to Jerry L.
2 Moore, filed 24 October 1994; and recorded in county clerks number
3 94-0095870 of said deed records, same being the northeast corner of
4 a called 16.141 acre tract as described in deed to Old Celina Ltd.,
5 filed 11 June 2002, and recorded in volume 5208 page 3366 of said
6 deed records;

7 Thence: South 89 degrees 05 minutes 50 seconds West, with the north
8 line of said Old Celina 16 acre tract, a distance of 759.97 feet to
9 the POINT OF BEGINNING and containing 40.233 acres of land.

10 TRACT 2 (0.837 ACRES):

11 All that certain tract or parcel of land situated in the B.B.B. &
12 C.R.R. Survey, Abstract Number 132, County of Collin, State of
13 Texas, said tract being part of a called 11.13 acre tract as
14 described in deed to Cornelius Family Revocable Trust, filed 24
15 April 2007, and recorded in county clerks number 07-000549090 of
16 the deed records of the County of Collin, State of Texas, and being
17 more fully described as follows:

18 Beginning for the southeast corner of the tract being described
19 herein at a set 1/2 inch steel square tubing on the east line of said
20 Cornelius tract in a county road said tubing being a southwest
21 corner of a called 107:207 acre tract as described to deed to Martha
22 Ann King and Peggy Sue Earthman filed 29 December 1992, and recorded
23 in county clerks number 92-0091305 of said deed records, said
24 tubing also being on the east right of way line of Farm to Market
25 Road Number 428,

26 Thence: South 88 degrees 31 minutes 00 seconds West, with the east
27 line of said road a distance of 45.05 feet to a set 1/2 Inch steel

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1 square tubing for the start of a curve to the left having a central
2 angle of 16 degrees 36 minutes 28 seconds, and a radius of 1191.03
3 feet, and a chord bearing of North 32 degrees 12 minutes 35 seconds
4 attest, and a chord distance of 344.03 feet;

5 Thence: With-said curve to the left and with the east line of said
6 road, an arc length 345.23 feet to a set 1/2 inch steel square
7 tubing for the northwest corner of this tract, said tubing being in
8 Collin County Road Number 56;

9 Thence: North 88 degrees 29 minutes 00 seconds East, with the north
10 line of said Cornelius tract, and with said road a distance of
11 220.82 feet to a set 1/2 inch steel square tubing for the northeast
12 corner of said Cornelius tract, and said tubing being on the west
13 line of said King tract, said tubing also being at this intersection
14 of said county roads;

15 Thence: South 01 degrees 29 minutes 00 seconds East, with the east
16 line of said Cornelius tract, and with the west line of said King
17 tract, and with the center of said county road, a distance of
18 295.86 feet to the POINT OF BEGINNING and containing 0.837 of an
19 acre of land

20 TRACT 3 (38.545 ACRES):

21 BEING a tract of land situated in Collin County, Texas and being in
22 the Henry Bentley Survey, Abstract No. 124 and being A part of that
23 certain tract of land known as Tract One, conveyed to Clifford Gee
24 McKnight, as recorded in Volume 2430, Page 665, of the Deed Records
25 of Collin County, Texas. (D.R.C.C.T.) and being more particularly
26 described by metes and bounds as follows:

27 BEGINNING at a 2 1/2 inch iron pipe found for corner, said corner

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1 being in the south, right-of-way line of F.M. Highway No. 455 (a
2 public thoroughfare) and also being the northeast corner of a tract
3 of land conveyed to Rex Glendenning, et ux, as recorded in Volume
4 4408, Page 1763, D.R.C.C.T.:

5 THENCE North 88 degrees 23 minutes 45 seconds East along said south
6 right-of-way line, a distance of 885.98 foot to a 3/8-inch iron rod
7 found for corner, said corner being the northwest corner of a tract
8 of land conveyed to Hassan Badii, as recorded in Volume 2031, Page
9 943, D.R.C.C.T.;

10 THENCE South 00 degrees 48 minutes 00 seconds East along the weal
11 line of said Badii tract, and along the west line of a tract of land
12 conveyed to Stephen Harold Mills, as recorded in Volume 4987, Page
13 3011. D.R.C.C.T. and the west line of a tract of land conveyed to
14 the City of Celina, as recorded in Volume 4770, Page 2324,
15 D.R.C.C.T., a distance of 2150.90 feet to a 5/8-inch iron rod found
16 for an ell comer of said City of Celina tract;

17 THENCE South 89 degrees 02 minutes 12 seconds West along the most
18 southerly north line of said City of Celina tract, a distance of
19 881.92 feet to 1/2-inch iron rod with cap stamped "ALLIANCE" found
20 for corner, said corner being on the east line of the aforementioned
21 Glendenning tract;

22 THENCE North 00 degrees 54 minutes 23 seconds West along the east
23 line of said Glendenning tract, a distance of 2140.98 foot to the
24 POINT OF BEGINNING;

25 CONTAINING a computed area of 1,896,815 square feet or 43.545 acres
26 of land.

27 SAVE AND EXCEPT the following 5.00 acres to the City of Celina for

1 Park Purposes:

2 BEING all that certain tract or parcel of land situated in the H.
3 BENTLEY SURVEY, Abstract No. 124 in the City of Celina, Collin
4 County, Texas and being out of a 44.50 acre tract of land described
5 in deed to Clifford Gee McKnight, recorded in Volume 2430, Page 665
6 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being
7 more particularly described as follows:

8 BEGINNING of a 1/2-inch iron rod found at the southeast corner of
9 said McKnight tract of land, being an ell corner for a 39.02 acre
10 tract of land described in deed to the City of Celina, recorded in
11 Volume 4770. Page 2324, D.R.C.C.T.;

12 THENCE S 89°03'24" W, along the common line of said McKnight and City
13 of Celina tracts, a distance of 881.83 feet to a 1/2-inch iron rod
14 found for a corner on the easterly line of a 99.028 acre tract of
15 land described in deed to Rex Glendenning, recorded In Volume 4408,
16 Page 1763, D.R.C.C.T.;

17 THENCE N 01°05'22" W, along the common line of said McKnight and
18 Glendenning tracts, a distance of 246.81 feet to a 1/2-inch capped
19 iron rod (stamped "SRA 3225") set for a corner;

20 THENCE N 89°03'24" E, departing said common line, a distance of
21 883.07 feet to a 1/2-inch capped iron rod (stamped "SRA 3225") set
22 for a corner on the westerly line of the aforesaid City of Celina
23 tract of land;

24 THENCE S 00°48'00" E, along the common line of sold McKnight and City
25 of Celina tracts, a distance of 246.81 feet to the POINT OF
26 BEGINNING and containing 217,600 square feet or 5.000 acres of
27 land, more or less.

1 Leaving an net area of 38.545 acres.
2 TRACT 4 (99.028 ACRES):
3 THENCE South 88 degrees 18 minutes 39 seconds West following the
4 north line of said 73.558 acres a distance of 824.02 feet to 2 inch
5 iron pipe found for corner at the northeast corner of said 73.558
6 acre tract;
7 THENCE South 88 degrees 30 minutes 52 seconds West a distance of
8 2900.39 feet to wood fence post in the creek for corner;
9 THENCE North 00 degrees 59 minutes 11 seconds West a distance of
10 421.72 feet to 1/2 inch iron rod found for corner at the southwest
11 corner of a 75.0307 acre tract as recorded in County Clerk No.
12 94-0092806 of Collin County, Texas;
13 THENCE North 87 degrees 43 minutes 39 seconds East following the
14 south line of said 75.0307 acre tract a distance of 2922.26 feet to
15 a 1 inch iron pipe found for corner at an ell corner of said 75.0307
16 acre tract;
17 THENCE North 00 degrees 48 minutes 41 seconds West following the
18 east line of said 75.0307 acre tract a distance of 3339.14 feet to a
19 60d nail found for corner in County Road No. 8;
20 THENCE North 88 degrees 19 minutes 00 seconds East following said
21 County Road No. 8 a distance of 75.37 feet to a 60d nail found for
22 corner in the south ROW line of said FM No. 455, said 60d nail also
23 being in a curve to the left with a chord bearing of South 80 degrees
24 57 minutes 03 seconds East and a chord distance of 241.64 feet;
25 THENCE along said curve to the left following the south ROW line of
26 said FM No. 455 through a central angle of 21 degrees 27 minutes 53
27 seconds a radius distance of 648.80 feet and an arc distance of

1 243.06 feet to a 1/2 inch iron rod set for corner;
2 THENCE North 88 degrees 19 minutes 00 seconds East following the
3 south ROW line of FM No. 455 a distance of 483.09 feet to the POINT
4 OF BEGINNING and containing 4,313,677 square feet or 99.028 acres
5 of land, more or less.

6 TRACT 5 (93.523 ACRES):
7 SITUATED in Collin County, Texas, in the George Wiley Survey,
8 Abstract No. 988, and the Samuel McCullough Survey, Abstract No.
9 593, being a resurvey of the 73.32 acre FIRST TRACT and the SECOND
10 TRACT as described in a deed from Annie S. Yager to T.S. Yager, et al
11 dated August 7, 1981, recorded in Volume 1421, Page 15 of the Collin
12 County, Deed Records, being described by metes and bounds as
13 follows:

14 BEGINNING at an iron pipe found in the north R.O.W. line of Farm
15 Road No. 428, at the northeast corner of the 1.622 acres R.O.W.,
16 Ref. V. 491, P. 47, at the southwest corner of the Rex Glendenning
17 73.558 acres, Ref. V. 3968, P. 2169;

18 Thence westerly with said north R.O.W. line (the north line of said
19 1.622 acres) as follows:

20 South 89 degrees 05 minutes west, 17.5 feet;

21 South 88 degrees 43 minutes west, 1552.31 feet with said north
22 R.O.W. line (the north line of said 1.622 acres) to an iron pin set
23 at the northwest corner of said 1.622 acres, and at the southeast
24 corner of the Robert L. King 86.849 acres, Ref. V. 1560, P. 259;

25 Thence north 0 degrees 43 minutes 22 seconds west, 2594.58 feet with
26 the west line of said 73.32 acre tract and the east line of said
27 86.849 acre tract to an iron pin set at the northwest corner of said

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1 73.32 acre tract and the northeast corner of said 86.849 acres, same
2 being in the south line of the Douglas Parker 99.288 acres;
3 Thence north 88 degrees 40 minutes east, 1569.81 feet with the north
4 line of said 73.32 acre tract and the north line of said SECOND
5 TRACT and with the south line of said 99.288 acres to a 2" iron pipe
6 found at the northeast corner of-said SECOND TRACT and the
7 northwest corner of said 73.558 acre tract;
8 Thence south 0 degrees 43 minutes 23 seconds east, 2596.06 feet with
9 the east line of said SECOND TRACT and the west line of said 73.558
10 acre tract to the PLACE OF BEGINNING and containing 93.523 acres of
11 land.

12 TRACT 6 (16.141):

13 BEING a tract of land situated in the Samuel McCullough Survey,
14 Abstract No, 593, Collin County, Texas and also being all of a 16
15 acre tract as recorded in County Clerks No. 94-0111727, and being
16 more particularly described by metes and bounds as follows:

17 BEGINNING at a 1/2 inch iron rod set for corner, said iron rod being
18 in the north Right of Way line of F. M. 428, said iron rod also being
19 the most southwest corner of a tract conveyed to Randall L. & wife
20 Bonnie P. Moore as recorded in Volume 995, Page 219 of the Deed
21 Records of Collin County, Texas;

22 THENCE North 89 degrees 04 minutes 23 seconds West following the
23 north ROW line of said F.M. No. 428 a distance of 30.53 feet to a 1/2
24 inch iron rod found;

25 THENCE North 00 degrees 44 minutes 59 seconds East a distance of
26 2604.08 feet to a 1/2 inch iron rod found for corner,

27 THENCE South 89 degrees 26 minutes 08 seconds East a distance of

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1 350.00 feet to a axle found for corner;
2 THENCE South 00 degrees 43 minutes 06 seconds West a distance of
3 1947.51 feet to a 1/2 inch iron rod found for corner in the north
4 line of said Moore tract;
5 THENCE North 89 degrees 19 minutes 15 seconds West following the
6 north line of said Moore tract a distance of 319.00 feet to a 1/2
7 inch iron rod set for corner;
8 THENCE South 0 degrees 53 minutes 01 seconds West following the west
9 line of said Moore tract a distance of 657.40 feet to the POINT OF
10 BEGINNING and containing 703,115 square feet or 16.141 acres of
11 land.
12 TRACT 7 (73.558 ACRES):
13 BEING a tract of land situated in the Samuel McCullough Survey,
14 Abstract No. 593, Collin County, Texas and also being part of a
15 73.32 acre tract as recorded in Volume 348, Page 8 of the Deed
16 Records of Collin County, Texas, and also being all of a 21 acre
17 tract as recorded in Volume 577, Page 246 of the Deed Records of
18 Collin County, Texas, and being more particularly described by
19 metes and bounds as follows:
20 BEGINNING at a 1/2 inch iron rod set for corner, said iron rod being
21 in the North right of way line of F.M 428, said iron rod also being
22 the most Southwest corner of a 16 acre tract as recorded in County
23 Clerks No. 94-0111727;
24 THENCE North 89 deg. 04 min. 23 sec. West following the North ROW
25 line of said F.M. No. 428 a distance of 1231.00 feet to a 1/2 inch
26 square iron rod found for corner at the Southeast corner of a tract
27 conveyed to T.S. Yager and wife, Margret Yager in Volume 1231, Page

1 724, D.R.C.C.T.;
2 THENCE North 00 deg. 41 min. 20 sec. East following the East line of
3 said Yager tract a distance of 2596.00 feet to a 2 inch iron pipe
4 found for corners
5 THENCE South 89 deg. 26 min, 56 sec. East a distance of 1233.75 feet
6 to a 1/2 inch iron rod found for corner at the Northwest corner of
7 said 16 acre tract,
8 THENCE South 0 deg. 44 min. 59 sec. West following the West line of
9 said 16 acres a distance of 2604.08 feet to the POINT OF BEGINNING
10 and containing 3,204,138 square feet or 73.558 acres of land.
11 TRACT 8 (72.9923 ACRES):
12 THENCE, continuing along the South line of said 5.1038 acre tract,
13 South 01 degrees 04 minutes 28 seconds East, a distance of 31.35
14 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped
15 "Pitts 4595" set for corner;
16 THENCE, continuing along said South line, North 88 degrees 55
17 minutes 32 seconds East a distance of 366.53 feet, to a 1/2 inch
18 iron rod with a yellow plastic cap stamped "Pitts 4595" set for
19 corner on the West line of a 99.2888 acre tract of land conveyed to
20 Douglas Barker, as recorded in Volume 1343, Page 599, Deed Records,
21 Collin County, Texas;
22 THENCE, along said West line of a 99.2888 acre tract, South 00
23 degrees 46 minutes 58 seconds East a distance of 2,099.44 feet, to a
24 5/8 inch iron pipe found for the Southeast corner of said 99.301
25 acre tract and being an ell corner of said 99.2888 acre tract;
26 THENCE, along the North line of said 99.2888 acre tract, South 87
27 degrees 44 minutes 58 seconds West a distance of 2,922.24 feet, to a

1 1/2 inch iron rod found for corner;
2 THENCE, generally along a fence row, North 00 degrees 55 minutes 08
3 seconds West a distance of 788.48 feet, to a 1/2 inch iron rod found
4 in the crotch of three large Hackberry trees at the junction of the
5 evidence of an old North-South fence and evidence of an old fence
6 from the East, and being on the South line of a 73.047 acre tract as
7 conveyed to Douglas Barker, as recorded in Volume 1159, Page 423,
8 Deed Records, Collin County, Texas;
9 THENCE, along the South line of said 73.047 acre tract, North 87
10 degrees 45 minutes 55 seconds East a distance of 2,144.18 feet, to a
11 5/8 inch iron rod found for the Southeast corner of said 73.047 acre
12 tract;
13 THENCE, along the East line of said 73.047 acre tract, North 01
14 degrees 47 minutes 07 seconds West a distance of 437.83 feet, to a
15 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set
16 for corner;
17 THENCE, continuing along the East line of said 73.047 acre tract,
18 North 01 degrees 09 minutes 50 seconds West a distance of 366.97
19 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped
20 "Pitts 4595" set for the Southwest corner of a 5.0227 acre tract as
21 conveyed to Robert Jake Jones and Virginia C. Jones;
22 THENCE, along the South line of said 5.0227 acre tract, North 88
23 degrees 55 minutes 32 seconds East a distance of 365.91 feet, to a
24 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set
25 for the Southeast corner of said 5.0227 acre tract;
26 THENCE, along the East line of said 5.0227 acre tract, North 01
27 degrees 04 minutes 28 seconds West a distance of 438.70 feet, to the

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1 point of curvature of a curve to the left having a central angle of
2 65 degrees 18 minutes 41 seconds and a radius of 120.00 feet;
3 THENCE, continuing along said East line and said curve to the left,
4 for an arc length of 136.79 feet to a 1/2 inch iron rod with a yellow
5 plastic cap stamped "Pitts 4595" set for corner;
6 THENCE, along the North line of said 5.0227 acre tract, North 66
7 degrees 23 minutes 09 seconds West a distance of 326.99 feet, to the
8 Northernmost corner of said 5.0227 acre tract;
9 THENCE, North 01 degrees 09 minutes 50 seconds West a distance of
10 66.08 feet, to the POINT OF BEGINNING and containing 72.9923 acres
11 of land, more or less.
12 TRACT 9 (28.28 ACRES):
13 Situated in the Samuel McCullough Survey, Abstract No. 593 and the
14 BBB & CRR Co. Survey, Abstract No. 132 in Collin County, Texas, and
15 being a called 28.15 Acre tract of land that was conveyed to Mildred
16 Graham Short in Partition Deed recorded in Volume 2325, Page 801 of
17 the Land Records of Collin County, Texas, being more particularly
18 described by metes and bounds to-wit.
19 BEGINNING at an Iron Pin found being the Southwest corner of said
20 tract;
21 THENCE North 1 degree 05 minutes 30 seconds West with the West line
22 of said tract 1561.28 feet to an Iron Pin set;
23 THENCE South 69 degrees 51 minutes 27 seconds East with the North
24 line of said tract 1066.72 feet to an Iron Pin set in the West
25 right-of-way line of FM Hwy. 428;
26 THENCE with said right-of-way line as follows:
27 South 1 degree 29 minutes East 82.92 feet an Iron Pin set; South 0

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1 degrees 20 minutes West 316.0 feet an Iron Pin set; South 7 degrees
2 08 minutes West 264.4 feet an Iron Pin set;
3 South 18 degrees 24 minutes West 94.2 feet to an Iron Pin set, being
4 the P.C. of a curve to the right having a central angle of 64 degrees
5 08 minutes 34 seconds radius of 773.5 feet and a chord bearing of
6 South 57 degrees 30 minutes 40 seconds West;
7 THENCE with said curve 865.95 feet to an Iron Pin set;
8 THENCE South 89 degrees 31 minutes West with said right-of-way line
9 216.6 feet to the place of beginning, containing 28.28 acres.

10 TRACT 10 (157.54 ACRES):

11 SITUATED in the BBB & CPR Co. Survey, Abstract No. 132 in Collin
12 County, Texas, and being a called 158.83 acre tract of land
13 described in Substitute Trustee's Deed recorded in Volume 2998,
14 gage 191, of the Land Records of Collin County, Texas, being more
15 particularly described by metes and bounds to-wit:

16 BEGINNING at a point at the intersection of the South line of
17 the BBB & CRR Co. Survey, and the West R.O.W. line of the St. Louis -
18 San Francisco and Texas Railroad;

19 THENCE SOUTH 89 degrees 52 minutes West with the South line of
20 said survey, same being the centerline of County Road 55, 951.4 feet
21 to an iron pin;

22 THENCE NORTH 0 degrees 37 minutes West with an old
23 established fence being the East line of a tract of Land described
24 in Volume 28491 Page 861, 203.4 feet to a corner post;

25 THENCE SOUTH 89 degrees 39 minutes West with said fence, same
26 being the North line of said tract 206.86 feet to a corner post;

27 THENCE SOUTH 0 degrees 18 minutes East with said fence 202.63

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1 feet to an iron pin in the centerline of County Road 55;
2 THENCE SOUTH 89 degrees 52 minutes West with said road 1971.8
3 feet to an iron pin found;
4 THENCE NORTH 0 degrees 03 minutes West with said County Road
5 1196 feet to an iron pin found;
6 THENCE SOUTH 89 degrees 58 minutes East 45.25 feet to an iron
7 pin found;
8 THENCE in a Northerly direction with the East R.O.W. line of
9 FM Highway 428 as follows:
10 NORTH 0 degrees 13 minutes West 183.6 feet a concrete marker;
11 NORTH 2 degrees 49 minutes East 200.13 feet a concrete
12 marker;
13 NORTH 1 degree 23 minutes West 468.59 feet to an iron pin
14 found;
15 THENCE SOUTH 89 degrees 47 minutes 24 seconds East with an
16 established fence 2048.6 feet to an iron pin found;
17 THENCE SOUTH 1 degrees 02 minutes West with a fence 283.82 feet to
18 an iron pin found;
19 THENCE EASTERLY with an old fence as follows:
20 NORTH 89 degrees 43 minutes East 197.4 feet;
21 NORTH 138 degrees 35 minutes East 324 feet;
22 SOUTH 68 degrees 25 minutes East 205 feet;
23 SOUTH 82 degrees 14 minutes East 146.2 feet to an iron pin
24 found.
25 THENCE NORTH 0 degrees 13 minutes East with a fence 962.42
26 feet to an iron pin found;
27 THENCE NORTH 88 degrees 56 minutes East with a fence 533.9

1 feet to an iron pin found;

2 THENCE SOUTH 0 degrees 06 minutes East 135.64 feet to an iron
3 pin found;

4 THENCE SOUTH 87 degrees 45 minutes East 176.4 feet to an iron
5 pin found in the West R.O.W. line of the St. Louis - San Francisco
6 and Texas Railroad, '

7 THENCE SOUTH 11 degrees 51 minutes West with said R.O.W line
8 2547 feet to the place of beginning,

9 CONTAINING 157.54 acres.

10 TRACT 11 (0.95 ACRES):

11 SITUATED in the B.B.B. & C. RR. Co. Survey, Abstract No. 132,
12 Collin County, Texas, and being more particularly described as
13 follows:

14 BEGINNING at an iron rod set for the Southeast corner of the
15 herein described tract, said iron rod is located West 980 feet from
16 the intersection of the middle of a county road and the West line of
17 the S.L.S.F. & T. Railroad Right-of-Way;

18 THENCE West with the middle of the said county road for a
19 distance of 208.8 feet to an iron rod set for corner;

20 THENCE North 00 degrees 04 minutes West for a distance of
21 198.3 feet to a fence corner found for corner;

22 THENCE South 89 degrees 58 minutes East for a distance of
23 108.1 feet to a fence corner found for corner;

24 THENCE 141 South 00 degrees 17 minutes-East for a distance of
25 198.2 feet to the PLACE OF BEGINNING, CONTAINING 0.95 acres of land,
26 more or less.

27 TRACT 12 (68.112 ACRES):

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1 BEING all that certain tract or parcel of land situated in the
2 B.B.B. & C.R.R. Survey, Abstract No. 132, County of Collin, State of
3 Texas; said tract being part of a called 81.85 acre tract as shown
4 by Deed to E. L. Higgins, dated April 8, 1987, and recorded in
5 Volume 2599, Page 900 of the Deed Records of the County of Collin,
6 State of Texas, and being more fully described as follows:

7 BEGINNING for the Southwest corner of the tract being described
8 herein at a found 1/2 inch rebar by a fence corner post, said rebar
9 being the Southwest corner of said Higgins tract, and an ell corner
10 of a called 157.83 acre tract as shown by Substitute's Deed and
11 recorded in Volume 2998, Page 196 of said Deed Records;

12 THENCE North 00 degrees 43 minutes 13 seconds East, with the West
13 line of said Higgins tract, a distance of 282.98 feet to a found 1/2
14 inch rebar for a corner;

15 THENCE North 00 degrees 17 minutes 49 seconds West, with the West
16 line of said Higgins tract, a distance of 2303.19 feet to a found
17 1/2 inch rebar for a corner in Collin County Road Number 56 (a
18 gravel surfaced public road);

19 THENCE South 85 degrees 53 minutes 29 seconds East, a distance of
20 19.49 feet to a found 1/2 inch rebar for a corner;

21 THENCE North 00 degrees 01 minutes 05 seconds East, with the West
22 line of said Higgins tract, and in said road, a distance of 744.59
23 feet to a found 1/2 inch rebar for a corner;

24 THENCE South 87 degrees 53 minutes 54 seconds East, with the North
25 line of said Higgins tract, and along the North line of Cedar Street
26 (an asphalt surfaced public street), a distance of 672.70 feet to a
27 set 1/2 inch steel square tubing for a corner;

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1 THENCE South 00 degrees 01 minutes 29 seconds West, with the West
2 line of a 10 foot wide concrete alley part of the way, a distance of
3 824.71 feet to a set 1/2 inch steel square tubing for a corner;
4 THENCE South 87 degrees 14 minutes 21 seconds East, with the South
5 line of a 10 foot wide concrete alley part of the way, a distance
6 708.19 feet to a set 1/2 inch steel square tubing for a corner on the
7 East line of said Higgins tract, and the West line of a called 22.74
8 acre tract as shown by Deed to E. L. Higgins dated April 8, 1987; and
9 recorded in Volume 2599, Page 892 of said Deed Records;
10 THENCE South 00 degrees 00 minutes 40 seconds East, with the East
11 line of said Higgins tract, and the West line of said 22.74 acre
12 tract, a distance of 1562.30 feet to a found 1/2 inch rebar for a
13 corner;
14 THENCE South 89 degrees 04 minutes 33 seconds West, with an old
15 fence and tree line, a distance of 533.74 feet to a found 1/2 inch
16 rebar for a corner;
17 THENCE South 00 degrees 06 minutes 14 seconds West, with an old
18 fence and tree line, a distance of 963.27 feet to a set 1/2 inch
19 steel square tubing for a corner;
20 THENCE North 76 degrees 30 minutes 57 seconds West, a distance of
21 411.39 feet to a set 1/2 inch steel square tubing for a corner;
22 THENCE South 87 degrees 43 minutes 31 seconds West, a distance of
23 186.92 feet to a set 1/2 inch steel square tubing for a corner;
24 THENCE South 89 degrees 58 minutes 09 seconds West, a distance of
25 268.63 feet to the POINT OF BEGINNING and containing 81.528 acres of
26 land.
27 SAVE AND EXCEPT the following tract:

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1 BEING all that certain called 13.416 acre tract of land from Rex
2 Glendenning, etux to Celina Independant School District, by deed
3 recorded in Volume 5086, Page 5064, Deed Records, Collin County,
4 Texas, and being all of Lot 1, Block A, Celina Elementary Addition,
5 an addition to the City of Celina, Collin County, Texas, according
6 to the plat thereof recorded in Cabinet P, Page 144, Map Records,
7 Collin County, Texas.

8 Leaving a net area of 68.112 acres.

9 TRACT 13 (22.741 ACRES):

10 BEING all that certain tract or parcel of land situated in the
11 B.B.B. & C.R.R. Survey, Abstract Number 132, County of Collin,
12 State of Texas; said tract being shown by Deed to E. L. Higgins,
13 dated April 8, 1987, and recorded in Volume 2599, Page 892 of the
14 Deed Records of the County of Collin, State of Texas, and being more
15 fully described as follows:

16 BEGINNING for the Northeast corner of the tract being described
17 herein at a set 1/2 inch steel square tubing by a fence corner post,
18 said tubing being the Northeast corner of said Higgins tract, and on
19 the West right-of-way line of the St. Louis, San Francisco & Texas
20 Railroad;

21 THENCE South 11 degrees 58 minutes 12 seconds West, with the East
22 line of said Higgins tract, and the West line of said Railroad
23 right-of-way, a distance of 2313.40 feet to a set 1/2 inch steel
24 square tubing for a corner;

25 THENCE South 73 degrees 35 minutes 22 seconds West, a distance of
26 20.00 feet to a set 1/2 inch steel square tubing for a corner;

27 THENCE South 29 degrees 22 minutes 23 seconds West, a distance of

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1 320.00 feet to a set 1/2 inch steel square tubing for a corner;
2 THENCE South 88 degrees 37 minutes 53 seconds West, a distance of
3 62.38 feet to a .fence corner-post for the Southwest corner of said
4 Higgins tract;
5 THENCE North 00 degrees 01 minutes 25 seconds East, with the West
6 line of said Higgins tract, a distance of 135.91 feet to a found 1/2
7 inch rebar for .corner;
8 THENCE North 00 degrees 00 minutes 40 seconds West, with the West
9 line of said Higgins tract, a distance of 1567.31 feet to a found
10 1/2 inch rebar for a corner;
11 THENCE North 00 degrees 02 minutes 00 seconds East, with the West
12 line of said Higgins tract, a distance of 421.32 feet to a found 1/2
13 inch rebar for a corner;
14 THENCE-North 89 degrees 30 minutes 57 seconds East, a distance of
15 311.57 feet to a fence corner post for a corner;
16 THENCE North 00 degrees 03 minutes 04 seconds West, a distance of
17 416.61 feet to a fence corner post for a corner;
18 THENCE North 89 degrees 15 minutes 06 seconds East, a distance of
19 407.15 feet to the POINT OF BEGINNING and containing 22.741 acres of
20 land.
21 TRACT 14 (46.743 ACRES):
22 SITUATED in Collin County, Texas, in the Collin County School Land
23 Survey, Abstract No. 167, being a resurvey of the 33.62 acre First
24 Tract and the 6.26 acre Second Tract as described in a deed from
25 B.F. Gearhart and Alice Gearhart to R. L. Willard dated August 9,
26 1909, recorded in Volume 206, Page 493 of the Collin County Deed
27 Records, and, the land owned and claimed by B.F. Willard and Joe

1 Frank Willard, being described by metes and bounds as follows:
2 BEGINNING at a 1/2" iron pin set beside a corner post at the
3 southwest corner of said 6.26 acre tract, at an ell corner of the
4 Don Thomas Glendenning Family Trust 77.7100 acres, Ref. V. 4444, P.
5 2963;
6 Thence North, with the west line of said 6.26 acre tract, an east
7 line of said 77.7100 acre tract, with an old fence, passing a 1/2"
8 iron pin set on the north side of a corner post at 374.49 feet and
9 continuing in all 419.87 feet to a PK nail set at the northwest
10 corner of said 6.26 acre tract, the northeast corner of said 77.7100
11 acre tract, in the center of the asphalt paved County Road No. 55
12 and in the south line of the Rex K. Glendenning 156.54 acres, Ref.
13 V. 3788, P. 205;
14 Thence North 89 degrees 42 minutes 17 seconds East, 1554.87 feet
15 with the north line of said 6.26 acre tract, the north line of said
16 33.62 acre tract, the south line of said 156.54 acre tract and with
17 the center of said County Road No. 55 to a PK nail set at the
18 northeast corner of said 33.62 acre tract, the southeast corner of
19 said 156.54 acre tract and in the west R.O.W. line of the Burlington
20 Northern Railroad;
21 Thence South 11 degrees 43 minutes 44 seconds West, with the east
22 line of said 33.62 acre tract and with said west R.O.W. line,
23 passing a 1/2" iron pin set in said line at 61.35 feet and
24 continuing in all 2810.81 feet to a 1/2" iron pin set in said west
25 R.O.W. line, on the west side of a cross-tie corner post at the
26 southeast corner of said 33.62 acre tract and the northeast corner
27 of the Eugene Stone 4.66 acres, Ref. V. 810, P. 64;

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1 Thence South 89 degrees 38 minutes 16 seconds West, with the south
2 line of said 33.62 acre tract, the north line of said 4.66 acre
3 tract and with the evidence of an old fence, passing a 1/2 inch iron
4 pin set beside an old post at 250.96 feet and continuing in all
5 359.86 feet to a 1/2" iron pin set at the southwest corner of said
6 33.62 acre tract, the northwest corner of said 4.66 acre tract, in
7 the east line of said 77.7100 acre tract and on the west side of
8 County Dirt Road No. 1117;

9 Thence North, with the west line of said 33.62 acre tract, the east
10 line of said 77.7100 acre tract, coming to the center of said Dirt
11 Road at approximately 200 feet and continuing with the center of
12 said County Road No. 1117, in all 2331.25 feet to a 1/2" iron pin set
13 in the center of said Dirt Road at the southeast corner of said 6.26
14 acre tract and in the west line of said 33.62 acre tract;

15 Thence South 89 degrees 33 minutes 55 seconds West with the south
16 line of said 6.26 acre tract, with a north line of said 77.7100 acre
17 tract, passing a 1/2" iron pin set beside a corner post at 19.4 feet
18 and continuing with an old fence in all 623.64 feet to the PLACE OF
19 BEGINNING and containing 46.743 acres of land.

20 TRACT 15 (49.985 ACRES):

21 BEING all that certain tract or parcel of land lying and being
22 situated in Collin County, Texas; a part of the COLLIN COUNTY SCHOOL
23 LAND SURVEY, ABSTRACT NO. 167, and being and including all that
24 certain tract said to contain 50.00 acres as described in a deed
25 from Charlie Ann Tate Lewis to Shaul C. Baruch, Trustee, recorded in
26 V

27 BEING all that certain tract or parcel of land lying and being

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1 situated in Collin County, Texas, a part of the COLLIN COUNTY SCHOOL
2 LAND SURVEY, ABSTRACT NO. 167, and being and including all that
3 certain tract said to contain 50.00 acres as described in a deed
4 from Charlie Ann Tate Lewis to Shaul C. Baruch, Trustee, recorded in
5 Volume 2751, Page 693 of the Land Records of Collin County, said
6 tract or parcel of land is herein described as follows: to wit:
7 BEGINNING at an 1/2 inch iron rod found on the West right-of-way
8 line of State Highway No. 289 for the Northeast corner of said
9 called 50.00 acre tract, said corner being on the North line of a
10 called 118 acre tract described:-in a deed to L. L. Lewis recorded
11 .in Volume. 206, Page 196 of the Deed Records of Collin County, said
12 corner also being in the center of a County Road running in'an
13 Easterly and Westerly direction;
14 THENCE along the West right-of-way line of said State Highway No.
15 289, South 01: degrees 10 minutes 04 seconds East 831.09 feet to an
16 1/2 inch .iron rod found for corner;
17 THENCE South 88 degrees 53 minutes 04 seconds West 208.08 feet to an
18 1/2 inch-iron rod found-for corner;
19 THENCE South 01 degrees 05 minutes 21 seconds East 480.06 feet to an
20 1/2 inch iron rod found for corner, said corner being the Northeast
21 corner of a called 66.115 acre tract described in a deed to Charlie
22 Ann Tate Lewis-as recorded in Volume 3049, Page 833 of the Land
23 Records of :Collin County;
24 THENCE South 88 degrees 49 minutes 17 seconds West along the South
25 line hereof, common with the North line of said called 66.115 acre
26 tract, a distance of 1667.09 feet to an 1/2 inch iron rod found In
27 the East right-of-way line of the Burlington Northern and Santa Fe

1 Railroad;

2 THENCE along last named line, North 10 degrees 40 minutes 49.
3 seconds East. 1337.71 feet to an 1 inch iron rod found in the center
4 of said County Road;

5 THENCE North 88 degrees 45 minutes 30 seconds East a distance of
6 1601.17 feet to the PLACE OF BEGINNING and containing 49.985 acres
7 of land, more or less.

8 TRACT 16 (3.305 ACRES):

9 All that certain tract or parcel of land situated in Lot B of
10 Subdivision number 14 of the Collin County School Land Survey
11 A-167, County of Collin State of Texas as shown on plat recorded in
12 Volume 03, Page 118 of the Deed Records of Collin County, Texas, and
13 said tract being the remaining tract of a called 118 acre tract as
14 described in deed to L.L. Lewis filed 10 November 1916 and recorded
15 in Volume 206, Page 196 of said Deed Records and being more fully
16 described as follows:

17 Beginning for the northeast corner of the tract being described
18 herein at a found 1/2 inch rebar with a plastic cap marked Alliance,
19 said rebar being the northeast remainder corner of said Lewis
20 tract, same being the most easterly southeast corner of a called
21 49.985 acre tract as described in deed to Old Celina. Ltd. filed 11
22 July 2002 and recorded in Volume 5208, Page 3398 of said Deed
23 Records and said rebar being on the west line of State Highway
24 Number 289;

25 Thence South 01 degrees 27 minutes 19 seconds East, with the west
26 line of said highway a distance of 30.62 feet to a wood right of way
27 monument for an angle point in the west line of said highway;

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1 Thence South 01 degrees 56 minutes 18 seconds East, with the west
2 line of said highway, a distance of 316.17 feet to a found 1/2 inch
3 rebar with a plastic cap marked Alliance for an angle point in the
4 west line of said highway;

5 Thence South 00 degrees 23 minutes 33 seconds East, with the west
6 line of said highway a distance of 333.51 feet to a found 1/2 inch
7 rebar with a plastic cap marked Alliance for the southeast
8 remainder corner of said Lewis tract, same being the most easterly
9 northeast corner of a called 66.020 acre tract as described in deed
10 to Old Celina Ltd. filed 31 July 2003, and recorded in Volume 5471,
11 Page 1109 of said Deed Records;

12 Thence South 88 degrees 49 minutes 36 seconds West, with the north
13 line of said Old Celina 66 acre tract, a distance of 209.37 feet to a
14 found 1/2 inch rebar with a plastic cap marked Alliance for the
15 southwest remainder corner of said Lewis tract; same being an ell
16 corner of said Old Celina 66 acre tract;

17 Thence North 01 degrees 10 minutes 27 seconds West, with the east
18 line of said Old Celina 66 acre tract and passing the most northerly
19 northeast corner of said Old Celina 66 acre tract, same being the
20 most southerly southeast corner of said Old Celina 49.985 acre
21 tract and continuing on said course with the east line of said Old
22 Celina 49.985 acre tract a distance of 680.17 feet to a found 1/2
23 inch rebar with a plastic cap marked Alliance for the northwest
24 remainder corner of said Lewis tract, same being an ell corner of
25 said Old Celina 49.985 acre tract

26 Thence North 88 degrees 48 minutes 36 seconds East, with the south
27 line of said Old Celina 49.985 acre tract a distance of 209.56 feet

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1 to the POINT OF BEGINNING and containing 3.305 acres of land, more
2 or less.

3 TRACT 17 (66.020 ACRES):

4 Being a tract of land situated in the Collin County School Land
5 Survey, Abstract No. 14, Abstract No. 167, Collin County, Texas,
6 and being the same tract of land as described n the deed to Charlie
7 Ann Tate Lewis according to the deed recorded in Volume 3049, Page
8 633 of the Deed Records of Collin County, Texas, (D.R.C.C.T.) and
9 being more particularly described as follows:

10 BEGINNING of a 1/2 inch iron rod found at the northwest corner of
11 said Lewis tract, said iron rod also lying on east right-of-way line
12 of the S.O. & S.F. Railroad;

13 THENCE North 88 degrees 49 minutes 19 seconds East, along the common
14 line of said Lewis tract, and a tract of land conveyed to Rex
15 Glendenning according to the deed recorded in Volume 4476, Page 280
16 D.R.C.C.T., (for a distance of 1.67.42 feet to a 1/2 inch iron rod
17 found at a common interior Interior corner of same;

18 THENCE South 01 degrees 10 minutes 41 seconds East to leaving said
19 common line, for a distance of 197.35 feet to a 5/8 inch iron rod
20 with cap stamped R.P.L.S. 5430 set for corner;

21 THENCE North 88 degrees 48 minutes 28 seconds East for a distance of
22 206.70 feet to a 5/8 inch iron rod with cap stamped R.L.P.S. 5430
23 set on the West right-of--way line of State Highway No. 289;

24 THENCE South 01 degrees 13 minutes 34 seconds East along said West
25 right-of-way line, for a distance of 1,242.72 feet to a 5/8 iron rod
26 with cap stampoed R.P.L.S. 5420 set at the Southeast corner of the
27 aforementioned Lewis tract;

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1 THENCE South 88 degrees 53 minutes 32 seconds West leaving said west
2 right-of-way line along the south line of said Lewis tract passing
3 at a distance of 538.88 feet a 1/2 inch iron rod found near the
4 intersection of a barbed wire fence, and continuing with said fence
5 passing at a distance of 2,032.87 feet a 3/8 inch iron rod found,
6 and continuing for a total distance of 2,179.17 to a 5/8 inch iron
7 rod with cap stamped R.P.L.S. 5430 set at the southwest corner of
8 said Lewis tract, and also lying on the east right-of-way line of
9 the aforementioned S.L. & S.F. Railroad;

10 THENCE North 10 degrees 41 minutes 21 seconds East along said East
11 right-of-way line, for a distance of 1,468.61 feet to the PLACE OF
12 BEGINNING, and containing 2,875.811 square feet or 66.020 acres of
13 land.

14 TRACT 18 (13.50 ACRES):

15 BEING a 13.50 acre tract of land situated in the COLLIN COUNTY
16 SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas,
17 and a portion of a called 38 acre tract of land as conveyed to Dan P.
18 Stone, by deed recorded in Volume 831, Page 82, of the Deed Records
19 of Collin County, Texas, and being more particularly described as
20 follows:

21 BEGINNING at a 1/2 inch iron rod found for the Northeast corner of
22 said called 38 acre tract, said point also being the Northwest
23 corner of a called 16 acre tract of land as conveyed to Candice
24 Chen, by deed recorded in Volume 5836, Page 545 of the Deed Records
25 of Collin County, Texas, said iron rod also being in the South line
26 of a tract of land conveyed to Old Celina, Ltd., by deed recorded in
27 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;

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1 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
2 line of said 38 acre tract, and said Chen tract as recorded in
3 Volume 5836, Page 545, a distance of 473.70 feet to a point for
4 corner;

5 THENCE North 90 degrees 00 minutes 00 seconds West, through the
6 interior of said called 38 acre tract, a distance of 1244.34 feet to
7 a point for corner, said point being in the East line of said called
8 38 acre tract, same being in the West line of a tract of land
9 conveyed to Ayala Metro Park Properties, Ltd., as recorded in
10 Volume 5431, Page 6738, of the Deed Records of Collin County, Texas;

11 THENCE North 00 degrees 19 minutes 12 seconds West, along the common
12 line of said called 38 acre tract, and said Ayala Metro Park
13 Properties, a distance of 473.64 feet to a 1/2 inch iron rod found
14 for corner, said point being the Northwest corner of said called 38
15 acre tract, same being the Northeast corner of said Ayala Metro Park
16 Properties, Ltd. tract, and being in the South line of said Old
17 Celina, Ltd. tract;

18 THENCE South 90 degrees 00 minutes 00 seconds East, along the common
19 line of said 38 acre tract, and said Old Celina, Ltd. tract, a
20 distance of 1238.92 feet to the POINT OF BEGINNING and containing
21 588,075 square feet or 13.50 acres of computed land, more or less.

22 TRACT 19 (5.50 ACRES):

23 BEING a 5.50 acre tract of land situated in the COLLIN COUNTY SCHOOL
24 LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas, and a
25 portion of a called 38 acre tract of land as conveyed to Dan P. Stone
26 by deed recorded in Volume 831, Page 82, of the Deed Records of
27 Collin County, Texas, and being more particularly described as

1 follows:

2 COMMENCING at a 1/2 inch iron rod found for the Northeast corner of
3 the said called 38 acre tract, said point also being the Northwest
4 corner of a called 16 acre tract of land as conveyed to Candice
5 Chen, by deed recorded in Volume 5836, Page 545, of the Deed Records
6 of Collin County, Texas, said iron rod also being in the South line
7 of a tract of land conveyed to Old Celina, Ltd., by deed recorded In
8 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
9 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
10 line of said called 38 acre tract, and said Chen tract as recorded
11 in Volume 5836, Page 545, a distance of 473.70 feet to the POINT OF
12 BEGINNING;

13 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
14 line of said called 38 acre tract, and said Chen tract as recorded
15 in Volume 5836, Page 545, passing a 3/8 inch iron rod found for the
16 Southwest corner of said Chen tract, same being the Northwest corner
17 of a tract of land conveyed to Candice Chen, by deed recorded in
18 Volume 5836, Page 552, of the Deed Records of Collin County, Texas,
19 and continuing along the common line of said called 38 acre tract
20 and said Chen tract as recorded in Volume 5836, Page 552, passing a
21 3/8 Inch Torn rod found for the Southwest corner of said Chen tract
22 as recorded in Volume 5836, Page 552, same being the Northwest
23 corner of a tract of land conveyed to Candice Chen, by deed recorded
24 In Volume 5836, Page 560, of the Deed Records of Collin County,
25 Texas, and continuing a total distance of 846.30 feet to a 1/2 inch
26 iron rod found for corner, said point being the Southeast corner of
27 said Stone tract, same being the Southwest corner of said Chen tract

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1 recorded in Volume 5836, Page 560, said point being in the
2 centerline of County Road No. 53, said point also being in the North
3 line of a called 40 acre tract of land described by the deed
4 recorded in Volume 682, Page 259, of the Deed Records of Collin
5 County, Texas;

6 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
7 line of said called 38 acre tract, and said called 40 acre tract,
8 and the center line of County Road No. 53, a distance of 287.84 feet
9 to a point for corner;

10 THENCE North 00 degrees 19 minutes 12 seconds West, through the
11 interior of said called 38 acre tract, a distance of 847.56 feet to
12 a point for corner;

13 THENCE South 90 degrees 00 minutes 00 seconds East, through the
14 interior of said called 38 acre tract, a distance of 278.16 feet to
15 the POINT OF BEGINNING and containing 239,668 square feet or 5.50
16 acres of computed land, more or less.

17 TRACT 20 (9.425 ACRES):

18 Being a 9.425 acre tract of land situated in the COLLIN COUNTY
19 SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas,
20 and a portion of a called 38 acre tract of land as conveyed to Dan P.
21 Stone, by deed recorded in Volume 831, Page 82, of the Deed Records
22 of Collin County, Texas, and being more particularly described as
23 follows:

24 COMMENCING at a 1/2 Inch iron rod found for the northeast corner of
25 the said called 38 acre tract, said point also being the Northwest
26 corner of a called 16 acre tract of land as conveyed to Candice
27 Chen, by deed recorded In Volume 5836, Page 545, of the Deed Records

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1 of Collin County, Texas, said iron rod also being in the south line
2 of a tract of land conveyed to Old Celina, Ltd., by deed recorded in
3 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
4 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
5 line of said Stone tract, and said Chen tract as recorded In Volume
6 5836, Page 545, a distance of 473.70 feet to a point for corner,
7 THENCE North 90 degrees 00 minutes 00 seconds West, through the
8 interior of said called 38 acre tract, a distance of 761.90 feet to
9 a point for corner, said point being the POINT OF BEGINNING;
10 THENCE South 00 degrees 19 minutes 12 seconds East, through the
11 interior of said called 38 acre tract, a distance of 849.86 feet to
12 a point for corner, said point being In the South line of said
13 called 38 acre tract, same being In the center line of County Road
14 No. 53, same being in the North line of a called 40 acre tract of
15 land described by the deed recorded in Volume 682, Page 259, of the
16 Deed Records of Collin County, Texas;
17 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
18 line of said called 38 acre tract, and said called 40 acre tract,
19 and the center line of County Road No. 53, a distance of 482.43 feet
20 to a 1/2 inch iron rod found for corner, said point being the
21 Southwest corner of said called 38 acre tract;
22 THENCE North 00 degrees 19 minutes 12 seconds West, along the West
23 line of said called 38 acre tract, passing the Southeast corner of a
24 tract of land conveyed to Ayala Metro Park Properties, Ltd., as
25 recorded in Volume 5431, Page 6738, of the Deed Records of Collin
26 County, Texas, at a distance of 22.29 feet, and continuing along the
27 common line of said called 38 acre tract, and said Ayala Metro Park

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1 Properties, Ltd. tract, a total distance of 852.15 feet to a point
2 for corner;
3 THENCE North 90 degrees 00 minutes 00 seconds East, through the
4 interior of said called 38 acre tract, a distance of 482.44 feet to
5 the POINT OF BEGINNING and containing 410,551 square feet or 9.425
6 acres of computed land, more or less.
7 TRACT 21 (0.784 ACRES):
8 All that certain tract or parcel of land situated in Lot 8 of
9 Subdivision 14 of the Collin County School Lands, Abstract Number
10 167, County of Collin, State of Texas, according to plat of the same
11 recorded in volume 03 page 118 of the deed records of Collin County,
12 Texas, said tract being part of the monumented tract on the ground
13 of a called 8.772 acre tract as described to deed to Ryno Materials,
14 Inc., filed 21 April 2006, and recorded in county clerks number
15 06-000536590 of the deed records of the County of Collin, State of
16 Texas, and being more fully described as follows,
17 Beginning for the northeast corner of the tract being described
18 herein at a found 3/8 inch rebar, said rebar being the northeast
19 corner of said Ryno tract, same being the northwest corner of a
20 called 7,646 acre tract as described in deed to Ayala Metro Park
21 Properties,, filed 04 July 2003, and recorded in volume 5431 page
22 6738 of said deed records, said rebar also being on the south line
23 of a caled 66.02 acre tract as described in deed to Old Celina, Ltd,
24 filed 31 July 2005, and recorded in volume 5471 page 1109 of said
25 deed records;
26 Thence: South 00 degrees 07 minutes 36 seconds West, with the
27 monumented east line of said Ryno tract, a distance of 201.95 feet

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1 to a set 1/2 inch steel square tubing, for the southeast corner of
2 this tract;

3 Thence: North 89 degrees 05 minutes 00 seconds West, a distance of
4 191.73 feet to a set 1/2 inch steel square tubing for the southwest
5 corner of this tract, said tubing being on the west line of said
6 Ryno tract, same being the east line of the Burlington Northern
7 ,Railroad,

8 Thence: North 12 degrees 48 minutes 09 seconds East, with the east
9 line of said railroad a distance of 206.40 feet to a set 1/2 inch
10 steel square tubing for the northwest corner of said Ryno tract,
11 same being the southwest corner of said Old Celina tract, and said
12 tubing being South 24 degrees 24 minutes 28 seconds West, a distance
13 of 5.89 feet from a found 1/2 Inch rebar with a plastic cap marked
14 Wisdom 3646;

15 Thence, South 89 degrees 04 minutes 00 seconds East, with the north
16 line of said Ryno tract, and with the south line of said Old Celina
17 tract, a distance of 146.45 feet to the POINT OF BEGINNING and
18 containing 0.784 of an acre of land

19 TRACT 22 (5.500 ACRES):

20 All that certain tract or parcel of land situated in Lot 8 of
21 Subdivision 14 of the Collin County School Lands, Abstract Number
22 167, County of Collin State of Texas, according to plat of the same
23 recorded in volume 03 page 118 of the deed records of Collin County,
24 Texas, sold tract being part of the monumented tract on the ground
25 of a called 8.772 acre tract as described in deed to Ryno
26 .Materials, Inc., filed 21 April 2006, and recorder! in county
27 clerks number 06-000536590 of the deed records of the County of

1 Collin, State of Texas, and being more fully described as follows:
2 Beginning for the northeast corner of the tract being described
3 herein at a set 1/2 inch steel square tubing, said tubing being an
4 the monumented east line of said Ryno tract, and said tubing being
5 South 00 degrees 07 minutes 36 seconds West, a distance of 651.67
6 feet from a found 3/8 inch rebar, said rebar being the northeast
7 corner of said Ryno tract, same being the northwest corner of a
8 called 7.646 acre tract as described in deed to Ayala Metro Park
9 Properties, filed 04 June 2003, and recorded in volume 5431 page
10 6738 of said deed records, said rebar also being on the south line
11 of a caled 66.02 acre tract at described in deed to Old Celina, Ltd,
12 filed 31 July 2003, and recorded In volume 5471 page 1109 of said
13 deed records;
14 Thence: South 00 degrees 07 minutes 36 seconds West, with the
15 monumented east line of-raid Ryno tract and passing at 648.22 feet a
16 found 1/2 inch rebar with a plastic cap marked Wisdom 3646 on the
17 north side of Collin County Road Number 53, and continuing on said
18 course a total distance of 674.50 feet to a point for the southeast
19 corner of this tract;
20 Thence: North 89 degrees 05 minutes 00 seconds West, with the south
21 line of said Ryno tract, and with said road a distance of 393.80
22 feet to a set railroad spike for the most southerly southwest corner
23 of said Ryno tract;
24 Thence. North 12 degrees 48 minutes 34 seconds West, with the
25 monumented west line of sold Ryno tract, and passing at 24.11 feet a
26 found "X" in a concrete wall on the north side of said road and
27 continuing on said course, a total distance of 178.85 feet to a

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1 found 1/2 inch rebar with a plastic cap marked Wisdom 3646 for the
2 monumented ell corner of said Ryno tract;
3 Thence: North 89 degrees 02 minutes 33 seconds West, with the
4 monumented south line of said Ryno tract, a distance of 50 06 feet
5 to a found 1/2 inch rebar with a plastic cap marked Wisdom 3646 for
6 the monumented most westerly southwest corner of said Ryno tract,
7 said rebar being the east line of the Burlington Northern Railroad.
8 Thence: North 12 degrees 48 minutes 09 seconds East, with the east
9 line of said railroad a distance of 510.33 feet to a set 1/2 inch
10 steel square tubing for the northwest corner of this tract;
11 Thence: South 89 degrees 05 minutes 00 seconds East, a distance of
12 292,60 feet to the POINT OF BEGINNING and containing 5.500 acres of
13 land
14 TRACT 23 (2.500 ACRES):
15 All that certain tract or parcel of land situated in Lot 8 of
16 Subdivision 14 of the Collin County School Lands, Abstract Number
17 167, County of Collin State of Texas, according to plat of the same
18 recorded In volume 03 page 118 of the deed records of Collin County,
19 Texas, .said tract being part of the monumented tract on the ground
20 of a called 8.772 acre tract as described in deed to Ryno Materials,
21 Inc., filed 21 April 2006, and recorded In county clerks number
22 06-000536590 of the deed records of the County of Collin; State of
23 Texas, and being more fully described as follows:
24 Beginning for the northeast corner of the it-act being described
25 herein at a set 1/2 inch steel square tubing, said tubing being on
26 the monumented east line of said Ryno tract, and said tubing being
27 South 00 degrees 07 minutes 36 seconds West, a distance of 201.95

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1 feet from a found 3/8 inch rebar, said rebar being the northeast
2 corner of said Ryno tract, same being the northwest corner of a
3 called 7 646 acre tract as described in deed to Ayala Metro, Park
4 Properties, filed 04 June 2003, and recorded in volume 5431 page
5 6738 of said deed records, said re bar also being on the south line
6 of a caled 66 02 acre tract as described in deed to Old Celina Ltd,
7 filed 31 July 2005, and recorded in volume 547,1 page 1109 of said
8 deed recasts;

9 Thence:. South 00 degrees 07 minutes 36 seconds West, with the
10 monumented east line of said Ryno tract, a distance of 449.72 feet
11 to a set 1/2 inch steel square tubing for the southeast corner of
12 this tract;

13 Thence: North 89 degrees 05 minutes 00 seconds West, a distance of
14 292.60 feet to a set 1/2 inch steel square tubing for the southwest
15 corner of this tract, said tubing being on the west line of said
16 Ryno tract, same being the east line of the Burlington Northern
17 Railroad;

18 Thence: North 12 degrees 48 minutes 69 seconds East, with the east
19 line of said railroad, a distanee of 439.53 feet to a set 1/2 inch
20 steel square tubing for the northwest corner of this tract;

21 Thence: South 89 degrees 05 minutes 00 seconds East, a distance of
22 191.75 feet to the POINT OF BEGINNING and containing 2.500 acres of
23 land.

24 TRACT 24 (50.596 ACRES):

25 BEING a tract of land situated in the COLLIN COUNTY SCHOOL LAND
26 SURVEY, ABSTRACT NO. 167, Collin County, Texas, and also being part
27 of a 125.871 acre tract as recorded in Volume 1775, Page 454 of the

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1 Deed Records of Collin County, Texas, and being more particularly
2 described by metes and bounds as follows:

3 BEGINNING at a 1/2 inch iron rod set for corner at the Northeast
4 corner of 70.0 acre tract as recorded in Volume 2868, Page 203, Deed
5 Records, Collin County, Texas, said iron rod also being in the West
6 line of a 72.00 acre tract as recorded in Volume 2532, Page 562,
7 Deed Records, Collin County, Texas;

8 THENCE South 89 degrees 56 minutes 19 seconds West following the
9 North line of said 70 acre tract a distance of 2266.24 feet to a 1/2
10 inch iron rod set for corner at the Northwest corner of said 70.00
11 acre tract, said iron rod also being in the East right of way line of
12 State Highway No. 289 a variable-width ROW;

13 THENCE following the-East ROW line of State Highway No. 289:

14 North 18 degrees 10 minutes 56 seconds East, 24.17 feet 1/2
15 inch iron rod set;

16 North 19 degrees 19 minutes 00 seconds East, 254.08 feet 1/2
17 inch iron rod set;

18 North 89 degrees 46 minutes 00 seconds East, 103.11 feet-1/2
19 inch iron rod set;

20 North 02 degrees 20 minutes 00 seconds West, 35.64 feet 1/2
21 inch iron rod set;

22 North 04 degrees 18 minutes 00 seconds West, 170.90 feet 1/2
23 inch iron rod set;

24 North 18 degrees 11 minutes 00 seconds East, 122.11 feet 1/2
25 inch iron rod set;

26 North 12 degrees 28 minutes 00 seconds East, 8.23feet 1/2
27 inch iron rod set for the southwest corner of Lot 2, Block A,

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1 Cattlemans Crossing, an addition to the City of Celina, Collin
2 County, Texas, according to the plat thereof recorded in Cabinet R,
3 Slide 670, Map Records, Collin County, Texas;

4 THENCE through the interior of said called 125.871 acre tract, and
5 along the south and east lines of said Lot 2 as follows:

6 North 88 deg. 04 min. 32 sec. West, a distance of 372.79 feet
7 to a point for the southeast corner of said Lot 2;

8 North 18 deg. 11 min. 00 sec. East, a distance of 602.60 feet
9 to a point for the northeast corner of a right-of-way dedication by
10 said Cattlemans Crossing plat for County Road No. 98, same being in
11 the north line of said called 125.871 acre tract, same being in the
12 South line of a 8.755 acre tract as recorded in Volume 814, Page
13 808, Deed Records, Collin County, Texas;

14 THENCE North 88 degrees 04 minutes 32 seconds East following the
15 South line of said 8.755 acre tract a distance of 151.20 feet to a
16 1/2 inch iron rod found for corner at the Southeast corner of said
17 8.755 acre tract, said iron rod also being at the Southwest corner
18 of a 117.12 acre tract as recorded in Volume 2532, Page 562, Deed
19 Records, Collin County, Texas;

20 THENCE North 88 degrees 56 minutes 39 seconds East following the
21 South line of said 117.12 acre tract a distance of 1312.82 feet to a
22 5/8 inch iron rod found for corner at the Northwest corner of said
23 72.00 acre tract;

24 THENCE South 01 degree 01 minute 35 seconds East following the West
25 line of said 72.00 acre tract a distance of 1205.28 feet to the
26 POINT OF BEGINNING and containing 2,203,976 square feet or 50.596
27 acres of land, more or less.

1 TRACT 25 (2.54 ACRES):
2 BEING a 2.54 acre tract of land situated in the Collin County School
3 Land Survey, Abstract No. 167, in the City of Celina, COLLIN County,
4 Texas, and being portion of a tract of a called 125.871 acre tract
5 of land conveyed to Old Celina, Ltd. by deed recorded in Volume
6 1775, Page 454, of the Deed Records of Collin County, Texas, and
7 being all of Lot 1, Block A, Cattlemans Crossing, an addition to the
8 City of Celina, Collin County, Texas, according to the plat thereof
9 recorded in Cabinet R, Slide 670, Map Records, Collin County,
10 Texas, and being more particularly described as follows:
11 BEGINNING at a 5/8 inch iron rod found for the Southwest corner of a
12 called 8.755 acre tract of land recorded in Volume 814, Page 808, of
13 the Deed Records of COLLIN County, Texas, same being in the East
14 right-of-way line of State Highway No. 289 (a variable width
15 right-of-way), same being the northwest corner of said Lot 1;
16 THENCE North 88 degrees 04 minutes 32 seconds East, along the South
17 line of said called 8.755 acre tract, and along the north line of
18 said Lot 1, a distance of 340.00 feet to a 1/2 inch iron rod set for
19 the northeast corner of said Lot 1, same being the most northerly
20 northwest corner of Lot 2, of said Cattlemans Crossing;
21 THENCE South 18 degrees 11 minutes 00 seconds West, along the common
22 line of said Lot 1, and said Lot 2, a distance of 284.12 feet to a
23 point for the southeast corner of said Lot 1;
24 THENCE South 88 degrees 04 minutes 32 seconds West, continuing
25 along the common line of said Lot 1, and said Lot 2, a distance of
26 329.74 feet to a point for the southwest corner of said Lot 1 and the
27 most westerly northwest corner of said Lot 2, same being in the east

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1 right-of-way line of aforesaid State Highway No. 289;
2 THENCE North 14 degrees 22 minutes 00 seconds East, along the East
3 right-of-way line of said State Highway No. 289, a distance of
4 144.72 feet to a 1/2 inch iron rod set for corner;
5 THENCE North 18 degrees 11 minutes 00 seconds East, along the East
6 right-of-way line of said State Highway No. 289, a distance of
7 200.09 feet to the POINT OF BEGINNING and CONTAINING 110,400 square
8 feet or 2.54 acres of computed land, more or less.
9 TRACT 26 (70.802 ACRES):
10 SITUATED in the State of Texas, County of Collin, being part of the
11 Collin County School Land Survey, Abstract No. 167, being the
12 resurvey of a called 70.00 acre tract of land recorded in Volume
13 2868, Page 203 of the Collin County Land Records with said premises
14 being more particularly described as follows:
15 BEGINNING at a 1/2-inch iron rod found marking the northeast corner
16 of said 70.00 acre tract, the southeast corner of a 55.718 acre
17 tract surveyed by David Surdukan dated October 4, 1999, said
18 beginning corner also being in the west line of a 74.00 acre tract
19 recorded in Volume 314, Page 534 of the Collin County Deed Records;
20 THENCE with the east line of said 70.00 acre tract and the west line
21 of said 74.00 acre tract as follows:
22 South 00 degrees 39 minutes 50 seconds East, 557.47 feet;
23 South 09 degrees 53 minutes 25 seconds West, 11.80 feet;
24 South 01 degrees 00 minutes 34 seconds East, 860.79 feet to a
25 railroad spike found in the asphalt of County Road No. 91 marking
26 the southeast corner of said 70.00 acre tract and being in the north
27 line of a 21.970 acre tract recorded under Volume 4388, Page 2079 of

1 the Collin County Land Records;
2 THENCE along County Road No. 91, the south line of said 70.00 acre
3 tract, the north line of said 21.970 acre tract and the north line
4 of 10.476 acre tract recorded in volume 788, Page 714 of the Collin
5 County Deed Records, South 88 degrees 29 minutes 47 seconds West,
6 1302.22 feet to a railroad spike found marking the most southerly
7 southeast corner of said 70.00 acre tract;
8 THENCE with a west line of said 70.00 acre tract and an east line of
9 a 40.886 acre tract recorded under County Clerk No. 93-0018472 of
10 the Collin County Land Records, North 01 degrees 05 minutes 25
11 seconds West, 428.80 feet to a 5/8-inch iron rod found marking the
12 most northerly northeast corner of said 40.886 acre tract;
13 THENCE with a south line of said 70.00 acre tract and the north line
14 of said 40.886 acre tract, South 88 degrees 24 minutes 24 seconds
15 West, 777.67 feet to a 1/2 inch iron rod found marking the southeast
16 corner of an abandoned 60-foot road right-of-way;
17 THENCE with the south line of said abandoned road right-of-way,
18 South 88 degrees 26 minutes 57 seconds West, 544.48 feet to a
19 3/8-inch iron rod found in the east right-of-way line of State
20 Highway 289 (variable R.O.W.) marking the southwest corner of said
21 road abandonment;
22 THENCE with the east right-of-way line of State Highway No. 289 and
23 the west line of said 70.00 acre tract as follows:
24 North 17 degrees 47 minutes 47 seconds East, 63.75 feet to a
25 1/2-inch iron found;
26 North 17 degrees 14 minutes 00 seconds East, 284.05 feet to a
27 1/2-inch iron rod set;

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1 North 18 degrees 11 minutes 00 seconds East, 775.83 feet to a
2 1/2-inch iron rod found marking the northwest corner of said 70.00
3 acre tract and the southwest corner of the aforementioned 55.718
4 acre tract;

5 THENCE with the north line of said 70.00 acre tract and the south
6 line of said 55.718 acre tract, North 89 degrees 56 minutes 19
7 seconds East, 2266.24 feet to the point of beginning and containing
8 70.802 gross acres of land.

9 TRACT 27 (9.425 ACRES):

10 BEING a 9.425 acre tract of land situated in the Collin County
11 School Land Survey No. 14, Abstract No. 167, Collin County, Texas,
12 and a portion of a called 38 acre tract of land as conveyed to Don P.
13 Stone, by deed recorded in Volume 831, Page 82, of the Deed Records
14 of Collin County, Texas, and being more particularly described as
15 follows:

16 COMMENCING at a 1/2 inch iron rod found for the northeast corner of
17 the said called 38 acre tract, said point also being the Northwest
18 corner of a called 16 acre tract of land as conveyed to Candice
19 Chen, by deed recorded In Volume 5836, Page 545, of the Deed Records
20 of Collin County, Texas, said iron rod also being in the south line
21 of a tract of land conveyed to Old Celina, Ltd. by deed recorded in
22 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
23 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
24 line of said called 38 acre tract., and said Chen tract as recorded
25 in Volume 5836, Page 545, a distance of 473.70 feet to a point for
26 corner;

27 THENCE North 90 degrees 00 minutes 00 seconds West, 278.16 feet to

1 the POINT OF BEGINNING;
2 THENCE South 00 degrees 19 minutes 12 seconds East, through the
3 interior of said called 38 acre tract, a distance of 847.56 feet to
4 a point for corner, said point being in the south line of said
5 called 38 acre tract, same being in the center line of County Road
6 No. 53, said point also being in the north line of a called 40 acre
7 tract of land described by the deed recorded in Volume 682, Page
8 259, of the Deed Records of Collin County, Texas;
9 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
10 line of said 38 acre tract, and said called 40 acre tract, and the
11 center line of County Road No. 53, a distance of 483.73 feet to a
12 point for corner;
13 THENCE North 00 degrees 19 minutes 12 seconds West, through the
14 interior of said called 38 acre tract, a distance of 849.86 feet to
15 a point for corner;
16 THENCE South 90 degrees 00 minutes 00 seconds East, through the
17 interior of said called 38 acre tract, a distance of 483.74 feet to
18 the POINT OF BEGINNING and containing 410,545 square feet or 9.425
19 acres of computed land.

20 SECTION 5. Subtitle F, Title 6, Special District Local Laws
21 Code, is amended by adding Chapter 8469 to read as follows:

22 CHAPTER 8469. VENABLE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF

23 DENTON COUNTY

24 SUBCHAPTER A. GENERAL PROVISIONS

25 Sec. 8469.001. DEFINITIONS. In this chapter:

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

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

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

3 (4) "Director" means a board member.

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

6 Sec. 8469.002. NATURE OF DISTRICT. The district is a
7 municipal utility district created under Section 59, Article XVI,
8 Texas Constitution.

9 Sec. 8469.003. CONFIRMATION AND DIRECTORS' ELECTION
10 REQUIRED. The temporary directors shall hold an election to
11 confirm the creation of the district and to elect five permanent
12 directors as provided by Section 49.102, Water Code.

13 Sec. 8469.004. CONSENT OF CITY REQUIRED. The temporary
14 directors may not hold an election under Section 8469.003 until:

15 (1) the city has consented by ordinance or resolution
16 to the creation of the district and to the inclusion of land in the
17 district; and

18 (2) the city and an owner or owners of land in the
19 district have entered into a development agreement under Section
20 212.172, Local Government Code.

21 Sec. 8469.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT.

22 (a) The district is created to serve a public purpose and benefit.

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

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

26 (2) Section 52, Article III, Texas Constitution, that
27 relate to the construction, acquisition, improvement, operation,

1 or maintenance of macadamized, graveled, or paved roads, or
2 improvements, including storm drainage, in aid of those roads.

3 Sec. 8469.006. INITIAL DISTRICT TERRITORY. (a) The
4 district is initially composed of the territory described by
5 Section 6 of the Act enacting this chapter.

6 (b) The boundaries and field notes contained in Section 6 of
7 the Act enacting this chapter form a closure. A mistake made in the
8 field notes or in copying the field notes in the legislative process
9 does not affect the district's:

10 (1) organization, existence, or validity;

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

14 (3) right to impose a tax; or

15 (4) legality or operation.

16 SUBCHAPTER B. BOARD OF DIRECTORS

17 Sec. 8469.051. GOVERNING BODY; TERMS. (a) The district is
18 governed by a board of five elected directors.

19 (b) Except as provided by Section 8469.052, directors serve
20 staggered four-year terms.

21 Sec. 8469.052. TEMPORARY DIRECTORS. (a) On or after
22 September 1, 2013, the owner or owners of a majority of the assessed
23 value of the real property in the district may submit a petition to
24 the commission requesting that the commission appoint as temporary
25 directors the five persons named in the petition. The commission
26 shall appoint as temporary directors the five persons named in the
27 petition.

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

2 (1) the date permanent directors are elected under
3 Section 8469.003; or

4 (2) September 1, 2017.

5 (c) If permanent directors have not been elected under
6 Section 8469.003 and the terms of the temporary directors have
7 expired, successor temporary directors shall be appointed or
8 reappointed as provided by Subsection (d) to serve terms that
9 expire on the earlier of:

10 (1) the date permanent directors are elected under
11 Section 8469.003; or

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

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

21 SUBCHAPTER C. POWERS AND DUTIES

22 Sec. 8469.101. GENERAL POWERS AND DUTIES. The district has
23 the powers and duties necessary to accomplish the purposes for
24 which the district is created.

25 Sec. 8469.102. MUNICIPAL UTILITY DISTRICT POWERS AND
26 DUTIES. The district has the powers and duties provided by the
27 general law of this state, including Chapters 49 and 54, Water Code,

1 applicable to municipal utility districts created under Section 59,
2 Article XVI, Texas Constitution.

3 Sec. 8469.103. AUTHORITY FOR ROAD PROJECTS. Under Section
4 52, Article III, Texas Constitution, the district may design,
5 acquire, construct, finance, issue bonds for, improve, operate,
6 maintain, and convey to this state, a county, or a municipality for
7 operation and maintenance macadamized, graveled, or paved roads, or
8 improvements, including storm drainage, in aid of those roads.

9 Sec. 8469.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
10 road project must meet all applicable construction standards,
11 zoning and subdivision requirements, and regulations of each
12 municipality in whose corporate limits or extraterritorial
13 jurisdiction the road project is located.

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

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

22 Sec. 8469.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
23 OR RESOLUTION. The district shall comply with all applicable
24 requirements of any ordinance or resolution that is adopted under
25 Section 54.016 or 54.0165, Water Code, and that consents to the
26 creation of the district or to the inclusion of land in the
27 district.

1 Sec. 8469.106. DIVISION OF DISTRICT. (a) The district may
2 be divided into two or more new districts only if the district:

3 (1) has no outstanding bonded debt; and

4 (2) is not imposing ad valorem taxes.

5 (b) This chapter applies to any new district created by the
6 division of the district, and a new district has all the powers and
7 duties of the district.

8 (c) Any new district created by the division of the district
9 may not, at the time the new district is created, contain any land
10 outside the area described by Section 6 of the Act creating this
11 chapter.

12 (d) The board, on its own motion or on receipt of a petition
13 signed by the owner or owners of a majority of the assessed value of
14 the real property in the district, may adopt an order dividing the
15 district.

16 (e) The board may adopt an order dividing the district
17 before or after the date the board holds an election under Section
18 8469.151 to authorize the issuance of bonds.

19 (f) An order dividing the district must:

20 (1) name each new district;

21 (2) include the metes and bounds description of the
22 territory of each new district;

23 (3) appoint temporary directors for each new district;
24 and

25 (4) provide for the division of assets and liabilities
26 between or among the new districts.

27 (g) On or before the 30th day after the date of adoption of

1 an order dividing the district, the district shall file the order
2 with the commission and record the order in the real property
3 records of each county in which the district is located.

4 (h) Any new district created by the division of the district
5 shall hold a confirmation and directors' election as required by
6 Section 8469.003.

7 (i) Any new district created by the division of the district
8 must hold an election as required by this chapter to obtain voter
9 approval before the district may impose a maintenance tax or issue
10 bonds payable wholly or partly from ad valorem taxes.

11 (j) If the creation of the new district is confirmed, the
12 new district shall provide the election date and results to the
13 commission.

14 Sec. 8469.107. FIREFIGHTING SERVICES. Notwithstanding
15 Section 49.351(a), Water Code, the district may, as authorized by
16 Section 59(f), Article XVI, Texas Constitution, and Section 49.351,
17 Water Code:

18 (1) establish, operate, and maintain a fire
19 department;

20 (2) contract with another political subdivision for
21 the joint operation of a fire department; or

22 (3) contract with any other person to perform
23 firefighting services in the district and may issue bonds and
24 impose taxes to pay for the department and the activities.

25 Sec. 8469.108. FEES AND CHARGES. (a) The district may
26 adopt and enforce all necessary charges, mandatory fees, or
27 rentals, in addition to taxes, for providing or making available

1 any district facility or service, including firefighting
2 activities provided under Section 8469.107.

3 (b) To enforce payment of an unpaid fee or charge due to the
4 district, on the request of the district, a retail public utility,
5 as defined by Section 13.002, Water Code, providing water or sewer
6 service to a customer in the district shall terminate the service.

7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

8 Sec. 8469.151. ELECTIONS REGARDING TAXES OR BONDS.

9 (a) The district may issue, without an election, bonds and other
10 obligations secured by:

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

12 (2) contract payments described by Section 8469.153.

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

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

21 Sec. 8469.152. OPERATION AND MAINTENANCE TAX. (a) If
22 authorized at an election held under Section 8469.151, the district
23 may impose an operation and maintenance tax on taxable property in
24 the district in accordance with Section 49.107, Water Code.

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

27 Sec. 8469.153. CONTRACT TAXES. (a) In accordance with

1 Section 49.108, Water Code, the district may impose a tax other than
2 an operation and maintenance tax and use the revenue derived from
3 the tax to make payments under a contract after the provisions of
4 the contract have been approved by a majority of the district voters
5 voting at an election held for that purpose.

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

9 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

10 Sec. 8469.201. 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. 8469.202. 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. 8469.203. 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.

SUBCHAPTER F. ANNEXATION BY CITY

Sec. 8469.251. EFFECT OF ANNEXATION BY CITY.

(a) Notwithstanding any other law, if all of the territory of the district is annexed by the city into the corporate limits of the city before the date of the election held to confirm the creation of the district and the district is confirmed at that election, the district may not be dissolved and continues in existence following annexation until:

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

(2) the board adopts a resolution consenting to the dissolution of the district.

(b) Notwithstanding Section 54.016(f)(2), Water Code, an allocation agreement between the city and the district that provides for the allocation of the taxes or revenues of the district and the city following the date of inclusion of the district's territory in the corporate limits of the city may provide that the total annual ad valorem taxes collected by the city and the district from taxable property within the city's corporate limits may exceed the city's ad valorem tax on that property.

SECTION 6. The Venable Ranch Municipal Utility District No. 1 of Denton County initially includes all the territory contained in the following area:

VENABLE PROPERTY DESCRIPTION:

TRACT 1

Being a tract of land situated in the George Smith Survey, Abstract

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1 No. 1219, the S. Williams Survey, Abstract No. 1333, the M. McBride
2 Survey, Abstract No. 804, the N. McMillan Survey, Abstract No. 841,
3 the J. Cantwell Survey, Abstract No. 282, the T. Chambers Survey,
4 Abstract No. 223, the J. Moses Survey, Abstract No. 894, the J.
5 Wells Survey, Abstract No. 1426, the J. Wilburn Survey, Abstract
6 No. 1427, and the W. Boydston Survey, Abstract No. 117, Denton
7 County, Texas and being all of the following tracts of land conveyed
8 to Venable Royalty, LTD.; a called 10.69 acre tract by deed recorded
9 in Volume 5128, Page 563 of the Real Property Records of Denton
10 County, Texas (R.P.R.D.C.T.); a called 11.00 acre tract by deed
11 recorded in Volume 5144, Page 2973, R.P.R.D.C.T.; a called a called
12 29.089 acre tract by deed recorded in Volume 4077, Page 1372,
13 R.P.R.D.C.T.; a called 27.20 acre tract by deed recorded in Volume
14 5076, Page 822, R.P.R.D.C.T. (50% interest); a called 54.08 acre
15 tract by deed recorded in Volume 4867, Page 3255, R.P.R.D.C.T.; a
16 called 7.000 acre tract, called Parcel One, Tract I, a called 0.228
17 acre tract, called Parcel One, Tract II, and a called 14.586 acre
18 tract, called Parcel Two by deed recorded in Volume 4506, Page 1340
19 of the Deed Records of Denton County, Texas (D.R.D.C.T.); all of
20 Lots 16 and 17 of Scenic Acres by deed recorded in Volume 4399, Page
21 1845, R.P.R.D.C.T., said Scenic Acres being an addition to Denton
22 County, Texas according to the plat recorded in Cabinet B, Page 379
23 of the Map Records of Denton County, Texas (M.R.D.C.T.); all of the
24 following tracts of land conveyed to Venable Estate, LTD.; a called
25 4.02 acre tract by deed recorded in Instrument No. 2008-41088 of the
26 Official Records of Denton County, Texas (O.R.D.C.T.); a called
27 27.20 acre tract by deed recorded in Instrument No. 2004-101157,

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1 O.R.D.C.T. (50% interest); all of the following recorded in
2 Instrument No. 2005-43578, O.R.D.C.T.; of Exhibit "A-1"; a called
3 48.9 acre tract, called First Tract; a called 70 acre tract, called
4 Second Tract; a called 40 acre tract, called Third Tract; a called
5 30 acre tract, called Fourth Tract; a called 70.80 acre tract,
6 called Fifth Tract; a called 70.62 acre tract, called Sixth Tract; a
7 called 53.83 acre tract, called Seventh Tract; a called 88 acre
8 tract, called Eighth Tract; a called 40 acre tract, called Ninth
9 Tract; a called 40 acre tract, called Tenth Tract; a called 54 acre
10 tract, called Eleventh Tract; a called 63 acre tract, called
11 Twelfth Tract; a called 55 acre tract, called Thirteenth Tract; a
12 called 50 acre tract, called Fourteenth Tract; a called 3 acre
13 tract, called Fifteenth Tract; a called 6 acre tract, called
14 Sixteenth Tract; a called 100 acre tract, called Seventeenth Tract;
15 a called 58 acre tract, called Eighteenth Tract; a called 29.37 acre
16 tract, called Nineteenth Tract; the remainder of a called 20 acre
17 tract, called Twentieth Tract; a called 80 acre tract, called
18 Twenty-First Tract; a called 3.5 acre tract, called Twenty-Second
19 Tract; a called 114.8 acre tract, called Twenty-Third Tract; a
20 called 412 acre tract, called Twenty-Fourth Tract; a called 40 acre
21 tract, called Twenty-Fifth Tract; a called 40 acre tract, called
22 Twenty-Sixth Tract; a called 65.93 acre tract, called
23 Twenty-Seventh Tract; of Exhibit "A-2"; First Tract; Second Tract;
24 and a called 118.3 acre tract, called Third Tract; all of Exhibit
25 "A-3", called 24 acres; all of Exhibit "A-6", called 70 acres; of
26 Exhibit "A-7"; a called 63 acre tract, called First Tract; and a
27 called 80 acre tract, called Second Tract; and all of Exhibit "A-8",

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1 called 54.089 acres, and being more particularly described as
2 follows:

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

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

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

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

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

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

22 North 89°23'03" West, passing at a distance of 88.61 feet the
23 northeast corner of Quail Ridge Estates, an addition to the City of
24 Aubrey, Texas according to the plat recorded in Cabinet T, Page 40,
25 M.R.D.C.T., and continuing for a total distance of 1122.68 feet to
26 the most northerly northwest corner of said Quail Ridge Estates;

27 North 89°59'13" West, a distance of 2643.79 feet to the

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1 northwest corner of a called 15.000 acre tract of land, called Tract
2 Eight, conveyed to Old south Royalty Company by deed recorded in
3 Volume 2138, Page 809, R.P.R.D.C.T. and the northeast corner of a
4 called 15.28 Acre tract of land conveyed to Robert A. Foster and
5 Etta J. Luongo, by deed recorded in Document No. 2007-88559,
6 O.R.D.C.T.;

7 South 89°49'29" West, passing at a distance of 39.40 feet a
8 mag nail found, and continuing for a total distance of 368.29 feet
9 to the southwest corner of said Venable Exhibit "A-1" Twentieth
10 Tract, said point being in the west line of Wilson Cemetery Road;
11 THENCE North 01°18'58" West, along the west line of said Venable
12 Exhibit "A-1" Twentieth Tract and the west line of said Wilson
13 Cemetery Road, passing at a distance of 8.98 feet a mag nail found
14 for the southeast corner of a called 25.196 acre tract of land
15 conveyed to Russell W. Streng and Truly W. Streng, by deed recorded
16 in Volume 4326, Page 1990, R.P.R.D.C.T., and continuing along said
17 west lines and the east line of said 25.196 acre tract for a total
18 distance of 224.04 feet to a point in a fence line at the southerly
19 corner of a called 0.100 acre tract of land conveyed to Russell W.
20 Streng and Truly W. Streng by deed recorded in Document No.
21 2012-53458, O.R.D.C.T.;

22 THENCE North 00°08'42" West, with said fence line along the west
23 line of said Wilson Cemetery Road, and along the east line of said
24 0.100 acre tract, a distance of 653.39 feet to the northeast corner
25 of said 0.100 acre tract and the southeast corner of a called 0.422
26 acre tract of land conveyed to Rodney Ivan Streng and Judith Ann
27 Streng, Trustees, or Their Successor Trustees Under The Rodney I.

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Streng and Judith A. Streng Living Trust, by deed recorded in Document No. 2012-53328, O.R.D.C.T.;

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

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

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

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

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

THENCE North 89°45'07" West, with said Wilson Cemetery Road, and along the south line of said Venable Exhibit "A-1" Eighth Tract and the north line of said Streng Family Trust 25.196 acre tract, a distance of 1254.71 feet to a 1/2 inch iron rod found for the southwest corner of said Venable Exhibit "A-1" Eighth Tract and the northwest corner of said Streng Family Trust 25.196 acre tract, said corner being in the east line of a called 5.30 acre tract of

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1 land, called Tract Three, conveyed to Cedars Development, Inc. by
2 deed recorded in Instrument Number 2011-95252, O.R.D.C.T.;
3 THENCE North 01°20'47" West, with said Wilson Cemetery Road, and
4 along the west line of said Venable Exhibit "A-1" Eighth Tract and
5 the east line of said 5.30 acre tract, a distance of 573.91 feet to a
6 1/2 inch iron rod found for the northeast corner of said 5.30 acre
7 tract and the southeast corner of said Venable Exhibit "A-1"
8 Fourteenth Tract, said corner being at the intersection of Wilson
9 Cemetery Road with Grubbs Road;
10 THENCE North 88°33'37" West, with said Grubbs Road, and along the
11 south lines of said Venable Exhibit "A-1" Fourteenth Tract and
12 Fifteenth Tract, a distance of 1429.54 feet to a mag nail found for
13 the southwest corner of said Venable Exhibit "A-1" Fifteenth Tract,
14 and the southeast corner of a called 0.743 acre tract of land,
15 called Tract One, conveyed to Old South Royalty Company by deed
16 recorded in Volume 2138, Page 809, R.P.R.D.C.T.;
17 THENCE North 00°16'29" East, along the west line of said Venable
18 Exhibit "A-1" Fifteenth Tract and the east line of said 0.743 acre
19 tract, passing at a distance of 1078.75 feet the northeast corner of
20 said 0.743 acre tract and the most southerly southeast corner of a
21 called 352.393 acre tract of land, called Tract Three, conveyed to
22 Old South Royalty Company by deed recorded in Volume 2138, Page 809,
23 R.P.R.D.C.T., and continuing along said west line and the east line
24 of said 352.393 acre tract, for a total distance of 2079.16 feet to
25 a 1/2 inch iron rod with plastic cap stamped "J E Smith 3700" found
26 for the northwest corner of said Venable Exhibit "A-1" Fifteenth
27 Tract and an ell corner of said 352.393 acre tract;

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

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

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

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

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

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

25 South 87°42'24" West, a distance of 225.93 feet to a 1/2 inch
26 iron rod with plastic cap stamped "J E Smith 3700" found for corner;

27 South 62°36'29" West, a distance of 502.48 feet to a 1/2 inch

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

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1 "A-1" Sixth Tract and the east line of a called 2.73 acre tract of
2 land conveyed to Venable Estate, LTD., by deed recorded in
3 Instrument No. 2005-43578, O.R.D.C.T.;
4 THENCE North 00°37'33" West, along the east lines of said Tract No.
5 2510 and said Venable Exhibit "A-4", 2.73 acre tract and the west
6 line of said Venable Exhibit "A-1" Sixth Tract, a distance of
7 2548.77 feet to a Corps. of Engineers concrete monument with brass
8 disk found for the northeast corners of said Tract No. 2510 and said
9 Venable Exhibit "A-4", 2.73 acre tract, the Northwest corner of
10 said Venable Exhibit "A-1" Sixth Tract, the southwest corner of
11 said Venable Exhibit "A-1" Fourth Tract, and the southeast corner
12 of a called 331.388 acre tract of land conveyed to Robert G. McGraw
13 and Helen McGraw, by deed recorded in County Clerk's File No.
14 97-R0089771, D.R.D.C.T.;
15 THENCE North 00°44'14" West, along the west line of said Venable
16 Exhibit "A-1" Fourth Tract and the east line of said 331.388 acre
17 tract, a distance of 750.63 feet to a Corps. of Engineers concrete
18 monument with brass disk found for the northwest corner of said
19 Venable Exhibit "A-1" Fourth Tract and a northeast corner of said
20 331.388 acre tract, being in the south line of a called 119.83 acre
21 tract of land conveyed to Helen McGraw, by deed recorded in Volume
22 4407, Page 1179, R.P.R.D.C.T.;
23 THENCE South 89°47'07" East, along the north lines of said Venable
24 Exhibit "A-1" Fourth Tract and Third Tract, and the south line of
25 said 119.83 acre tract, a distance of 1787.66 feet to a 1/2 inch
26 iron rod found for a southeast corner of said 119.83 acre tract and
27 the southwest corner of said Venable Parcel Two, 14.586 acre tract,

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1 said corner being in the approximate centerline of McKinney Bridge
2 Road;

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

7 North 67°10'55" East, a distance of 1377.39 feet to a 1/2 inch
8 iron rod found for corner;

9 North 36°16'40" East, a distance of 261.33 feet to a 1/2 inch
10 iron rod with yellow plastic cap stamped "THROUGH CAP" found for
11 corner;

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

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

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

27 THENCE, southeasterly along said cul-de-sac right-of-way line and

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

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1 THENCE North 00°47'57" West, along the east line of said 39.04 acre
2 tract and the west lines of said Venable Exhibit "A-1" Seventeenth
3 Tract and Venable Exhibit "A-7" First Tract, a distance of 1748.72
4 feet to a 1/2 inch iron rod found for the northeast corner of said
5 39.04 acre tract and the southeast corner of said Venable Parcel
6 One, Tract I, 7.000 acre tract;

7 THENCE South 89°17'34" West, along the south line of said Venable
8 Parcel One, Tract I, and the north line of said 39.04 acre tract, a
9 distance of 72.46 feet to a 1/2 inch iron rod found for the
10 southwest corner of said Venable Parcel One, Tract I, and the
11 southeast corner of a called 7.000 acre tract of land conveyed to
12 Ronald G. Johnson and Wife, Hester L. Johnson, by deed recorded in
13 Volume 1191, Page 694, D.R.D.C.T.;

14 THENCE North 52°27'48" West, along the southwesterly line of said
15 Venable Parcel One, Tract I and the northeasterly line of said
16 Johnson 7.000 acre tract, a distance of 989.37 feet to the northwest
17 corner of said Venable Parcel One, Tract I, the southwest corner of
18 said Venable Parcel One, Tract II, 0.228 acre tract, the northeast
19 corner of said Johnson 7.000 acre tract, and the southeast corner of
20 a called 0.110 acre tract of land conveyed to Ronald G. Johnson et
21 ux, Hester L. Johnson, by deed recorded in Volume 1197, Page 860,
22 D.R.D.C.T.;

23 THENCE North 04°02'10" West, along the west line of said Venable
24 Parcel One, Tract II and the east line of said 0.110 acre tract, a
25 distance of 104.40 feet to the northwest corner of said Venable
26 Parcel One, Tract II and the northeast corner of said 0.110 acre
27 tract, said point being in the approximate centerline of McKinney

1 Bridge Road;
2 THENCE with the approximate centerline of said McKinney Bridge
3 Road, and along the northwesterly line of said Venable Parcel One,
4 Tract II the following courses and distances:
5 North 39°51'20" East, a distance of 56.10 feet to a point for
6 corner;
7 North 20°28'10" East, a distance of 132.92 feet to the
8 northeast corner of said Venable Parcel One, Tract II, said corner
9 being in the west line of a called 103.4117 acre tract of land
10 conveyed to E E Ranches of Texas, Inc., by deed recorded in Volume
11 2256, Page 840, 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;

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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

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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
21 corner post found for corner;

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

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

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

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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

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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"
3 Twenty-First 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;

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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

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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"

Fourteenth Tract;
THENCE North 89°39'39" East, along the north line of said Cemetery tract and the south line of said Venable Exhibit "A-1" Twenty-Second Tract; passing at a distance of 288.86 feet a chain link fence corner post found and continuing for a total distance of 305.55 feet to the northeast corner of said Cemetery tract, the southwest corner of the above mentioned Venable Exhibit "A-1" Twenty-First Tract, and the northwest corner of the above mentioned Exhibit "A-1" Eighth Tract;
THENCE South 00°20'21" East, along the east line of said Cemetery tract and the west line of said Venable Exhibit "A-1" Eighth Tract, a distance of 285.28 feet to the southeast corner of said Cemetery tract and the most easterly northeast corner of said Venable Exhibit "A-1" Fourteenth Tract;
THENCE South 89°39'39" West, along the south line of said Cemetery tract and a north line of said Venable Exhibit "A-1" Fourteenth Tract; a distance of 305.55 feet to the southwest corner of said Cemetery tract and an ell corner of said Venable Exhibit "A-1" Fourteenth Tract, from which a chain link fence corner post found bears North 30°04'24" East a distance of 9.80 feet;
THENCE North 00°20'21" West, along the west line of said Cemetery tract and the east line of said Venable Exhibit "A-1" Fourteenth Tract, a distance of 285.28 feet to the POINT OF BEGINNING and containing 2.001 acres or 87,168 square feet of land, more or less.

VENABLE PROPERTY DESCRIPTION

1 TRACT 2

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

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

17 THENCE South 87°59'39" East, along the north line of said 4.35 acre
18 tract and the south line of said 2.726 acre tract, a distance of
19 307.30 feet to the northeast corner of said 4.35 acre tract and the
20 southeast corner of said 2.726 acre tract, said corner being in the
21 west right-of-way line of State Highway 377 (a 120 foot wide
22 right-of-way), from which a metal corner post found bears North
23 87°59'39" West a distance of 1.44 feet, said point also being at the
24 beginning of a non-tangent curve to the right;

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

27 Southwesterly, along said non-tangent curve to the right

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1 having a central angle of $02^{\circ}03'24''$, a radius of 5669.58 feet, a
2 chord bearing of South $03^{\circ}44'56''$ West, a chord distance of 203.52
3 feet, passing at an arc length of 203.12 feet a wood highway marker
4 found for the southeast corner of said 4.35 acre tract and being at
5 the intersection of the west right-of-way line of State Highway 377
6 with the northwesterly right-of-way line of Farm to Market 3524 (a
7 80 foot wide right-of-way), and continuing for a total an arc length
8 of 203.53 feet to the end of said curve;

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

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

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

25 Northeasterly along said non-tangent curve to the left having
26 a central angle of $03^{\circ}06'33''$, a radius of 5779.58 feet, a chord
27 bearing of North $09^{\circ}14'29''$ East, a chord distance of 313.59 feet,

1 and an arc length of 313.63 feet to the end of said curve;

2 North 07°41'12" East, passing at a distance of 91.78 feet the
3 northwest corner of said 4.37 acre tract in the southeasterly line
4 of said Farm to Market 3524, and passing at a distance of 204.92
5 feet a 1/2 inch iron rod with red plastic cap stamped "ALLIANCE"
6 found for the most southerly corner of said 4.35 acre tract in the
7 northwesterly right-of-way line of said Farm to Market 3524, and
8 continuing for a total distance of 1018.10 feet to the POINT OF
9 BEGINNING and containing 10.487 acres or 456,819 square feet of
10 land, more or less.

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

17 SECTION 7. (a) If this Act does not receive a two-thirds
18 vote of all the members elected to each house, Subchapter C, Chapter
19 8469, Special District Local Laws Code, as added by Section 5 of
20 this Act, is amended by adding Section 8469.109 to read as follows:

21 Sec. 8469.109. NO EMINENT DOMAIN POWER. The district may
22 not exercise the power of eminent domain.

23 (b) This section is not intended to be an expression of a
24 legislative interpretation of the requirements of Subsection (c),
25 Section 17, Article I, Texas Constitution.

26 SECTION 8. The Parker County Utility District No. 1 is
27 dissolved.

1 SECTION 9. The following laws are repealed:

2 (1) Chapter 7208, Special District Local Laws Code;
3 and

4 (2) Section 1.04, Chapter 1273, Acts of the 75th
5 Legislature, Regular Session, 1997.

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

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

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

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

24 SECTION 11. This Act takes effect September 1, 2013.

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President of the Senate

Speaker of the House

I certify that H.B. No. 3914 was passed by the House on May 14, 2013, by the following vote: Yeas 143, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 3914 on May 23, 2013, by the following vote: Yeas 138, Nays 1, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 3914 was passed by the Senate, with amendments, on May 21, 2013, by the following vote: Yeas 30, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor