

By: Fallon

H.B. No. 3916

Substitute the following for H.B. No. 3916:

By: Stickland

C.S.H.B. No. 3916

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the Comanche Municipal Management
3 District No. 1; providing authority to issue bonds; providing
4 authority to impose assessments or fees.

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

6 SECTION 1. Subtitle C, Title 4, Special District Local Laws
7 Code, is amended by adding Chapter 3918 to read as follows:

8 CHAPTER 3918. COMANCHE MUNICIPAL MANAGEMENT DISTRICT NO. 1

9 SUBCHAPTER A. GENERAL PROVISIONS

10 Sec. 3918.001. DEFINITIONS. In this chapter:

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

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

13 (3) "County" means Denton County.

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

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

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

21 Sec. 3918.003. CONFIRMATION AND DIRECTORS' ELECTION
22 REQUIRED. The initial directors shall hold an election to confirm
23 the creation of the district and to elect five permanent directors
24 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,

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

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

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

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

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

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

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

24 (2) eliminating unemployment and underemployment; and

25 (3) developing or expanding transportation and
26 commerce.

27 (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

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

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

6 (4) legality or operation; or

7 (5) right to contract.

8 Sec. 3918.008. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

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

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

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

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

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

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

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

26 (2) any other district purpose, including the right to
27 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

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

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

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

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

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

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

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

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

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

1 (2) Chapter 375, Local Government Code.

2 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

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

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

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

8 TRACT 1

9 248.67 ACRE

10 BEING a tract of land situated in the William Lumpkin Survey
11 Abstract No. 730, Denton County, Texas, and also being all of a
12 173.545 acre tract as recorded in Volume 5347, Page 4702 of the Deed
13 Records of Denton County, Texas, also being all of a 75.125 acre
14 tract as recorded in Volume 4895, Page 1900 D.R.D.C.T. and being
15 more particularly described by metes and bounds as follows:

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

19 THENCE South 1 degree 53 minutes 56 seconds West a distance of
20 2221.22 feet to a 1/2 inch iron rod set for comer in Bryan Road
21 (gravel surface);

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

25 THENCE South 02 degrees 13 minutes 34 seconds West a distance of
26 900.51 feet to a 1/2 inch iron rod found for comer at the northeast
27 comer 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'

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'

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'

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

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 comer 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 comer at the northeast
16 comer 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;

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

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

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

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

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

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

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

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