

By: Parker

H.B. No. 3942

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Riverwalk Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments or fees.

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 3926 to read as follows:

CHAPTER 3926. RIVERWALK MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3926.001. DEFINITIONS. In this chapter:

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

(2) "City" means the Town of Flower Mound.

(3) "County" means Denton County.

(4) "Director" means a board member.

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

Sec. 3926.002. NATURE OF DISTRICT. The Riverwalk 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. 3926.003. 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. 3926.004. CITY CONSENT AND DEVELOPMENT AGREEMENT  
2 EXECUTION REQUIRED. (a) The initial directors may not hold an  
3 election under Section 3926.003 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.

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

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

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

16       Sec. 3926.005. PURPOSE; DECLARATION OF INTENT. (a) The  
17 creation of the district is essential to accomplish the purposes of  
18 Sections 52 and 52-a, Article III, and Section 59, Article XVI,  
19 Texas Constitution, and other public purposes stated in this  
20 chapter. By creating the district, and in authorizing the city and  
21 other political subdivisions to contract with the district, the  
22 legislature has established a program to accomplish the public  
23 purposes set out in Section 52-a, Article III, Texas Constitution.

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

1 welfare in the district.

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

8 Sec. 3926.006. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)  
9 The district is created to serve a public use and benefit.

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

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

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

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

23 (2) eliminating unemployment and underemployment; and

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

26 (e) The district will:

27 (1) promote the health, safety, and general welfare of

1 residents, employers, potential employees, employees, visitors,  
2 and consumers in the district, and of the public;

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

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

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

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

18 Sec. 3926.007. INITIAL DISTRICT TERRITORY. (a) The  
19 district is initially composed of the territory described by  
20 Section 2 of the Act enacting this chapter.

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

25 (1) organization, existence, or validity;

26 (2) right to borrow money or issue any type of bonds or  
27 other obligations described by Section 3926.203 for a purpose for

1 which the district is created or to pay the principal of and  
2 interest on the bonds or other obligations;

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

5 (4) legality or operation; or

6 (5) right to contract.

7 Sec. 3926.008. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

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

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

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

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

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

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

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

25 (2) any other district purpose, including the right to  
26 pledge the money as security for any bonds or other obligations  
27 issued by the district under Section 3926.203.

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

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

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

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

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

14           (2) any other district purpose, including the right to  
15 pledge the money as security for any bonds or other obligations  
16 issued by the district under Section 3926.203; and

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

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

22       Sec. 3926.009. APPLICABILITY OF MUNICIPAL MANAGEMENT  
23 DISTRICTS LAW. Except as otherwise provided by this chapter,  
24 Chapter 375, Local Government Code, applies to the district.

25       Sec. 3926.010. CONSTRUCTION OF CHAPTER. This chapter shall  
26 be liberally construed in conformity with the findings and purposes  
27 stated in this chapter.

SUBCHAPTER B. BOARD OF DIRECTORS

Sec. 3926.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five elected directors.

(b) Except as provided by Section 3926.052, directors serve staggered four-year terms, with two or three directors' terms expiring June 1 of each odd-numbered year.

Sec. 3926.052. INITIAL DIRECTORS. (a) On or after the effective date of the Act enacting this chapter, the owner or owners of a majority of the assessed value of the real property in the district according to the most recent certified tax appraisal rolls for the county may submit a petition to the city requesting that the city appoint as initial directors the five persons named in the petition. The city may appoint as initial directors the five persons named in the petition.

(b) Initial directors serve until the earlier of:

(1) the date permanent directors are elected under Section 3926.003; or

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

(c) If permanent directors have not been elected under Section 3926.003 and the terms of the initial directors have expired, successor initial directors shall be appointed or reappointed as provided by Subsection (d) to serve terms that expire on the earlier of:

(1) the date permanent directors are elected under Section 3926.003; or

(2) the fourth anniversary of the date of the

1 appointment or reappointment.

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

9 SUBCHAPTER C. POWERS AND DUTIES

10 Sec. 3926.101. GENERAL POWERS AND DUTIES. The district has  
11 the powers and duties necessary to accomplish the purposes for  
12 which the district is created.

13 Sec. 3926.102. IMPROVEMENT PROJECTS. The district may  
14 provide, or it may enter into contracts with a governmental or  
15 private entity to provide, the improvement projects described by  
16 Subchapter C-1 or activities in support of or incidental to those  
17 projects.

18 Sec. 3926.103. WATER DISTRICT POWERS. The district has the  
19 powers provided by the general laws relating to conservation and  
20 reclamation districts created under Section 59, Article XVI, Texas  
21 Constitution, including Chapters 49 and 54, Water Code.

22 Sec. 3926.104. ROAD DISTRICT POWERS. The district has the  
23 powers provided by the general laws relating to road districts and  
24 road utility districts created under Section 52(b), Article III,  
25 Texas Constitution, including Chapter 441, Transportation Code.

26 Sec. 3926.105. MUNICIPAL MANAGEMENT DISTRICT POWERS. The  
27 district has the powers provided by Chapter 375, Local Government



1 Code.

2 Sec. 3926.106. CONTRACT POWERS. The district may contract  
3 with a governmental or private entity, on terms determined by the  
4 board, to carry out a power or duty authorized by this chapter or to  
5 accomplish a purpose for which the district is created.

6 Sec. 3926.107. EMERGENCY SERVICES. (a) This section  
7 applies only to territory in the district:

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

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

11 (3) that includes 100 or more residents.

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

16 Sec. 3926.108. NO TOLL ROADS. The district may not  
17 construct, acquire, maintain, or operate a toll road.

18 Sec. 3926.109. NO EMINENT DOMAIN POWER. The district may  
19 not exercise the power of eminent domain.

20 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

21 Sec. 3926.151. IMPROVEMENT PROJECTS AND SERVICES. The  
22 district may provide, design, construct, acquire, improve,  
23 relocate, operate, maintain, or finance an improvement project or  
24 service using any money available to the district, or contract with  
25 a governmental or private entity to provide, design, construct,  
26 acquire, improve, relocate, operate, maintain, or finance an  
27 improvement project or service authorized under this chapter or

1 Chapter 375, Local Government Code.

2 Sec. 3926.152. BOARD DETERMINATION REQUIRED. The district  
3 may not undertake an improvement project unless the board  
4 determines the project:

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

7 (2) complies with the development agreement entered  
8 into under Section 3926.004(a)(2) or the parties to that  
9 development agreement agree to the project, in writing.

10 Sec. 3926.153. LOCATION OF IMPROVEMENT PROJECT. An  
11 improvement project may be inside or outside the district.

12 Sec. 3926.154. CITY REQUIREMENTS. (a) An improvement  
13 project in the corporate limits of the city must comply with any  
14 applicable requirements of the city, including codes and  
15 ordinances, that are consistent with the development agreement  
16 entered into under Section 3926.004(a)(2).

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 governing  
20 body of the city by ordinance or resolution.

21 Sec. 3926.155. IMPROVEMENT PROJECT AND SERVICE IN DEFINABLE  
22 AREA. The district may undertake an improvement project or service  
23 that confers a special benefit on a definable area in the district  
24 and levy and collect a special assessment on benefited property in  
25 the district in accordance with Chapter 375, Local Government Code.

26 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

27 Sec. 3926.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The

1 board by resolution shall establish the number of directors'  
2 signatures and the procedure required for a disbursement or  
3 transfer of the district's money.

4 Sec. 3926.202. MONEY USED FOR IMPROVEMENTS OR SERVICES.

5 The district may undertake and provide an improvement project or  
6 service authorized by this chapter using any money available to the  
7 district.

8 Sec. 3926.203. BORROWING MONEY; OBLIGATIONS. (a) The

9 district may borrow money for any district purpose, including  
10 refunding district obligations or paying authorized district  
11 costs, without holding an election by issuing bonds, notes, time  
12 warrants, or other obligations, or by entering into a contract,  
13 reimbursement agreement, or other agreement payable wholly or  
14 partly from an assessment, a contract payment, a grant, revenue  
15 from a zone created under Chapter 311 or 312, Tax Code, other  
16 district revenue, or a combination of these sources.

17 (b) An obligation or agreement described by Subsection (a):

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

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

22 Sec. 3926.204. ASSESSMENTS. (a) Except as provided by

23 Subsection (b), the district may impose an assessment on property  
24 in the district to pay for an obligation described by Section  
25 3926.203 or to pay the costs of acquiring, maintaining, operating,  
26 improving, or constructing district improvements in the manner  
27 provided for a district under Subchapters A, E, and F, Chapter 375,

1 Local Government Code.

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

4 Sec. 3926.205. NOTICE OF ASSESSMENTS. (a) The board shall  
5 annually file written notice with the secretary of the city that  
6 specifies the assessments the district will impose in the  
7 district's next fiscal year in sufficient clarity to describe the  
8 assessments for the operation and maintenance of the district and  
9 the assessments for the payment of debt service of obligations  
10 issued or incurred by the district.

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

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

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

22 Sec. 3926.206. RESIDENTIAL PROPERTY NOT EXEMPT. Section  
23 375.161, Local Government Code, does not apply to the district.

24 Sec. 3926.207. NO IMPACT FEES. The district may not impose  
25 an impact fee.

26 Sec. 3926.208. NO AD VALOREM TAX. The district may not  
27 impose an ad valorem tax.

1                    SUBCHAPTER E. DISSOLUTION

2            Sec. 3926.251. DISSOLUTION BY CITY. (a) The city may  
3 dissolve the district by ordinance.

4            (b) Notwithstanding Subsection (a), the city may not  
5 dissolve the district until:

6                    (1) the district's outstanding debt or contractual  
7 obligations have been repaid or discharged; and

8                    (2) the city agrees to succeed to the rights and  
9 obligations of the district.

10            Sec. 3926.252. COLLECTION OF ASSESSMENTS AND OTHER REVENUE.

11 (a) If the dissolved district has obligations outstanding secured  
12 by and payable from assessments or other revenue, the city succeeds  
13 to the rights and obligations of the district regarding enforcement  
14 and collection of the assessments or other revenue.

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

17                    (1) any obligations when due and payable according to  
18 their terms; or

19                    (2) other obligations issued by the city to refund  
20 obligations of the district.

21            Sec. 3926.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)  
22 After the city dissolves the district, the city assumes the  
23 obligations of the district, including any debt payable from  
24 assessments or other district revenue.

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

27            SECTION 2. The Riverwalk Municipal Management District No.

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

3 Lot 2R1, Block A, The River Walk at Central Park

4 87.678 Acres

5 Being all that certain lot, tract or parcel of land situated in the  
6 Carlos Chacon Survey, Abstract Number 299 and the J. T. Stewart  
7 Survey, Abstract Number 1161, Town of Flower Mound, Denton County,  
8 Texas, being part of that certain called 80 acre tract of land  
9 described in deed to Manco Investments, Incorporated recorded in  
10 Volume 439, Page 352 of the Deed Records of Denton County, Texas,  
11 and being part of that certain called 252.86 acre tract described as  
12 Part Two in deed to Edward S. Marcus recorded in Volume 470, Page  
13 131 of the Deed Records of Denton County, Texas, and being part of  
14 that certain called 28.061 acre tract of land described in deed to  
15 Edward S. Marcus recorded in Volume 614, Page 150 of the Deed  
16 Records of Denton County, Texas, and being part of that certain  
17 called 229.56 acre tract of land described in deed to Flower Mound  
18 Development Venture recorded in Volume 1361, Pages 874 and 879 of  
19 the Real Property Records of Denton County, Texas, being part of  
20 that certain tract of land described as Tract 1 in deed to Flower  
21 Mound CBD, LTD., recorded in Document Number 07-145337 of the Real  
22 Property Records of Denton County, Texas, being all of Lot 2R1,  
23 Block A, The River Walk at Central Park 11/2010, an addition to the  
24 Town of Flower Mound according to the plat thereof recorded in  
25 Document Number 2011-23 of the Plat Records of Denton County,  
26 Texas, and being more particularly described as follows:

27 BEGINNING at a 1/2" capped rebar (G & A) found at the most easterly

1 northeast corner of said Lot 2R1, Block A, The River Walk at Central  
2 Park 11/2010, being on the south line of that certain called 13.948  
3 acre tract of land described in deed to the Town of Flower Mound  
4 recorded in Volume 723, Page 858 of the Deed Records of Denton  
5 County, Texas, and being on the west line of Morriss Road, a public  
6 roadway having a 122 foot right-of-way at this point;

7 THENCE along the east line of said Lot 2R1 and the west line of  
8 Morriss Road the following:

9           S 00°14'40" E, 146.45 feet, to a 1/2" capped rebar (G&A)  
10 found;

11           N 89°41'20" E, 12.00 feet, to a 1/2" capped rebar (G&A) found;

12           S 06°35'55" W, 113.59 feet, to a 1/2" capped rebar (G&A)  
13 found;

14           S 00°14'40" E, 194.59 feet, to a 1/2" capped rebar (G&A)  
15 found;

16           N 89°41'20" E, 13.52 feet, to a 1/2" capped rebar (G&A) found;

17           S 00°14'40" E, 79.16 feet, to a 1/2" capped rebar (G&A) found;

18           S 06°35'55" W, 110.01 feet, to a 1/2" capped rebar (G&A)  
19 found;

20           S 00°14'40" E, 197.13 feet, to a 1/2" capped rebar (G&A)  
21 found;

22           N 89°41'20" E, 13.11 feet, to a 1/2" capped rebar (G&A) found;

23           S 00°14'40" E, 149.77 feet, to a 1/2" capped rebar (G&A)  
24 found;

25           S 06°35'55" W, 100.71 feet, to a 1/2" capped rebar (G&A)  
26 found;

27           S 00°14'40" E, 156.50 feet, to a 1/2" capped rebar (G&A) found

1 on the north line of 5TH Avenue (called 37 foot right-of-way);  
2 THENCE S 89°41'20" W, 501.61 feet, along the north line of 5TH Avenue  
3 to a 1/2" capped rebar (G&A) found on the west line of Broadway  
4 Avenue;  
5 THENCE S 00°18'40" E, 944.75 feet, along the west line of Broadway  
6 Avenue to a 1/2" capped rebar (G&A) found on the south line of 3RD  
7 Avenue;  
8 THENCE N 89°41'20" E, 512.51 feet, along the south line of 3RD  
9 Avenue, to a 1/2" capped rebar (G&A) found on the west right-of-way  
10 line of Morriss Road and the east line of said Lot 2R1;  
11 THENCE along the east line of said Lot 2R1 and the west line of  
12 Morriss Road the following:  
13       S 00°14'40" E, 20.82 feet, to a 1/2" capped rebar (G&A) found;  
14       S 06°35'55" W, 94.74 feet, to a 1/2" capped rebar (G&A) found;  
15       S 00°14'40" E, 195.13 feet, to a 1/2" capped rebar (G&A)  
16 found;  
17       N 89°41'20" E, 11.29 feet, to a 1/2" capped rebar (G&A) found;  
18       S 00°14'40" E, 23.65 feet, to a 1/2" capped rebar (G&A) found;  
19       S 06°35'55" W, 75.54 feet, to a 1/2" capped rebar (G&A) found;  
20       S 00°14'40" E, 165.62 feet, to a 1/2" capped rebar (G&A) found  
21 on the north right-of-way line of Buckeye Drive, a public roadway  
22 having a variable width right-of-way, as shown on the Record Plat of  
23 The Forums Phase III, an addition to the Town of Flower Mound,  
24 Denton County, Texas, according to the plat thereof recorded in  
25 Cabinet O, Page 19 of the Plat Records of Denton County, Texas;  
26 THENCE along the north right-of-way line of Buckeye Drive the  
27 following:



1           S 44°58'45" W, 8.57 feet, to a 1/2" G&A capped rebar found;  
2           S 89°30'10" W, 65.00 feet, to a 1/2" G&A capped rebar found;  
3           S 82°17'25" W, 112.84 feet, to a 1/2" G&A capped rebar found at  
4 the beginning of a curve to the left;  
5 THENCE along the arc of said curve having a radius of 530.00 feet, a  
6 central angle of 19°23'37", whose chord bears S 72°35'37" W, 178.54  
7 feet, an arc length of 179.40 feet to a 1/2" G&A capped rebar found  
8 on the west line of Olympia Drive, a public roadway having a  
9 right-of-way of 60 feet;  
10 THENCE S 00°17'15" E, 490.97 feet, along the west line of Olympia  
11 Drive to a 1/2" rebar found at the northeast corner of Lot 1, Block A  
12 of The Forums Phase III;  
13 THENCE S 89°42'45" W, 233.98 feet, along the north line of said Lot 1  
14 to a 1/2" rebar found at an angle point;  
15 THENCE N 83°05'40" W, along the north line of said Lot 1, passing at  
16 10 feet the northwest corner thereof and the northeast corner of  
17 Forums Drive, a public roadway having a right-of-way of 60 feet at  
18 this point, continuing along the north line of Forums Drive a total  
19 distance of 70.00 feet to a 1/2" rebar found at the northwest corner  
20 of Forums Drive;  
21 THENCE in a southwesterly direction along the west line of Forums  
22 Drive with the arc of a curve to the right having a radius of 520.00  
23 feet, a central angle of 11°39'42", whose chord bears S 12°44'11" W,  
24 105.66 feet, an arc length of 105.84 feet to a 1/2" rebar found at a  
25 point of compound curvature;  
26 THENCE in a southwesterly direction along the west line of Forums  
27 Drive with the arc of a curve to the right having a radius of 400.00

1 feet, a central angle of  $23^{\circ}33'43''$ , whose chord bears  $S 30^{\circ}28'28'' W$ ,  
2 163.34 feet, an arc length of 164.49 feet to a 1/2" rebar found at a  
3 point of tangency;

4 THENCE  $S 42^{\circ}15'20'' W$ , 182.38 feet, along the west line of Forums  
5 Drive to a 1/2" rebar found at a point of curvature of a curve to the  
6 left, being the southwesterly corner of Forums Drive as shown on the  
7 aforementioned plat of The Forums Phase III and being the  
8 northwesterly corner of Forums Drive, having a right-of-way of 80  
9 feet at this point, as shown on the revised final plat of The Forums  
10 Residential, an addition to the Town of Flower Mound, Denton  
11 County, Texas, according to the plat thereof recorded in Cabinet F,  
12 Page 136 of the Plat Records of Denton County, Texas;

13 THENCE along the west line of Forums Drive with the arc of said  
14 curve to the left having a radius of 690.00 feet, a central angle of  
15  $05^{\circ}00'26''$ , whose chord bears  $S 39^{\circ}45'08'' W$ , 60.28 feet, an arc length  
16 of 60.30 feet to a 1/2" rebar found on the north line of Euclid  
17 Avenue, a public roadway having a right-of-way of 60 feet, at its  
18 intersection with the west line of Forums Drive;

19 THENCE  $N 57^{\circ}47'20'' W$ , 29.46 feet, along the north line of Euclid  
20 Avenue to a 1/2" rebar found at point of curvature of a curve to the  
21 left;

22 THENCE along the north line of Euclid Avenue with the arc of said  
23 curve to the left having a radius of 1030.00 feet, a central angle  
24 of  $12^{\circ}36'55''$ , whose chord bears  $N 64^{\circ}06'30'' W$ , 226.33 feet, an arc  
25 length of 226.78 feet to a 1/2" rebar found at the southeast corner  
26 of Lot 40, Block 1 of The Forums Residential;

27 THENCE  $N 05^{\circ}10'05'' E$ , 279.16 feet, along the east line of Lots 40,

H.B. No. 3942

1 39, 38 and 37, Block 1 of The Forums Residential to a point on a  
2 non-tangent curve to the left (this point falls in a pond);  
3 THENCE continuing along the east line of Lots 37, 36, 35, 34, 33,  
4 32, 31 and 30, Block 1 with the arc of said non-tangent curve having  
5 a radius of 1180.00 feet, a central angle of  $23^{\circ}11'00''$ , whose chord  
6 bears  $N 11^{\circ}44'54'' W$ , 474.21 feet, an arc length of 477.46 to the end  
7 of said non-tangent curve (this point falls in a pond);  
8 THENCE  $N 23^{\circ}32'15'' W$ , 162.40 feet, continuing along the east line of  
9 Lots 30, 29 and 28, Block 1 to a 1/2" rebar found at the northeast  
10 corner Lot 28, Block 1, and being on the south line of Lot 27, Block  
11 1;  
12 THENCE  $N 62^{\circ}37'50'' E$ , 132.45 feet, along the south line of said Lot  
13 27, Block 1 to a 1/2" rebar found at the southeast corner thereof;  
14 N  
15 THENCE  $N 61^{\circ}46'50'' W$ , 191.93 feet along the east line of Lot 27,  
16 Block 1 to a 1/2" rebar found at a point of curvature of a curve to  
17 the right;  
18 THENCE continuing along the east line of said Lots 27, 26, 25, 24,  
19 23 and 22, Block 1 with the arc of said curve to the right having a  
20 radius of 600.00 feet, a central angle of  $42^{\circ}30'10''$ , whose chord  
21 bears  $N 40^{\circ}31'45'' W$ , 434.95 feet, an arc length of 445.09 feet to a  
22 1/2" rebar found at a point of tangency;  
23 THENCE  $N 19^{\circ}16'40'' W$ , 94.67 feet, continuing along the east line of  
24 said Lot 22, Block 1 to a 1/2" rebar found at the northeast corner  
25 thereof;  
26 THENCE  $S 89^{\circ}29'00'' W$ , 516.32 feet, along the north line of Lots 22,  
27 21, 20, 19 and 18, Block 1, passing the northwest corner of said Lot

1 18 and the northeast corner of a 150 foot right-of-way dedication  
2 shown on the plat of The Forums Residential, same being the  
3 northeast corner of that certain right-of way abandonment to  
4 Formosa Plastics Development recorded in Document Number 01-3781 of  
5 the Real Property Records of Denton County, Texas, continuing along  
6 the north line thereof to a 1/2" capped rebar (G&A) found on the  
7 east line of a variable width right-of-way dedication according to  
8 said plat recorded in Cabinet Y, Pages 700-703, Denton County Plat  
9 Records, from which point, a Texas Department of Transportation  
10 aluminum disc found (TXDOT monument found) on the east line of F.M.  
11 2499 (Long Prairie Road), a public roadway having a variable width  
12 right-of-way, being the northwest corner of said right-of-way  
13 abandonment, and being the southeast corner of that certain called  
14 4.0797 acre tract of land described in deed to the Town of Flower  
15 Mound, Texas, recorded in Document Number 96-53454 of the Real  
16 Property Records of Denton County, Texas, being in a curve to the  
17 right;

18 THENCE Northeasterly, along the west line of said Lot 2R1, the east  
19 right-of-way line of F. M. Highway 2499-Long Prairie Road, with the  
20 arc of said curve having a radius of 225.00 feet, a central angle of  
21 11°56'28", whose chord bears N 07°22'01" E, 46.81 feet, an arc length  
22 of 46.89 feet, to a 1/2" capped rebar (G&A) found at a point of  
23 reverse curvature;

24 THENCE Northeasterly, continuing along said line and with the arc  
25 of said curve having a radius of 225.00 feet, a central angle of  
26 13°48'15", whose chord bears N 06°26'07" E, 54.08 feet, an arc length  
27 of 54.21 feet, to a 1/2" capped rebar (G&A) found;

1 THENCE N 00°28'00" W, 218.30 feet, continuing along said line, to a  
2 1/2" capped rebar (G&A) found;  
3 THENCE N 44°32'00" E, 14.14 feet, continuing along said line, to a  
4 1/2" capped rebar (G&A) found;  
5 THENCE N 00°28'00" W, 30.00 feet, continuing along said line, to a  
6 1/2" capped rebar (G&A) found;  
7 THENCE N 45°28'00" W, 21.84 feet, continuing along said line, to a  
8 1/2" capped rebar (G&A) found;  
9 THENCE N 00°29'00" W, 252.59 feet, continuing along said line, to a  
10 1/2" capped rebar (G&A) found on the south line of Central Park  
11 Avenue;  
12 THENCE N 89°41'20" E, 470.19 feet, along the south line of Central  
13 Park Drive to a 1/2" capped rebar (G&A) found;  
14 THENCE N 00°18'40" W, 46.00 feet, to a 1/2" capped rebar (G&A);  
15 THENCE N 89°41'20" E, 578.91 feet, to a 1/2" capped rebar (G&A) found  
16 at the southerly southeast corner of Lot 11X;  
17 THENCE Northeasterly, continuing along the east line of Lot 11X  
18 with the arc of a curve to the right having a radius of 293.50 feet,  
19 a central angle of 36°52'02", whose chord bears N 18°07'31" E, 185.61  
20 feet, an arc length of 188.85 feet, to a 1/2" capped rebar (G&A)  
21 found at a point of compound curvature;  
22 THENCE Northeasterly, continuing along the east line of Lot 11X  
23 with the arc of a curve to the right having a radius of 143.50 feet,  
24 a central angle of 53°07'48", whose chord bears N 63°07'26" E, 128.35  
25 feet, an arc length of 133.07 feet, to a 1/2" capped rebar (G&A) set  
26 at a point of tangency;  
27 THENCE N 89°41'20" E, 82.10 feet, along the south line of Lot 11X to

1 a 1/2" capped rebar (G&A) found at the easterly southeast corner  
2 thereof;

3 THENCE N 00°18'40" E, passing the northeast corner of said Lot 11X  
4 and the southeast corner of Lot 10, continuing along the common line  
5 between Lot 2R1 and Lot 10 a distance of 916.39 feet, to a 1/2"  
6 capped rebar (G&A) set at the most easterly northeast corner of Lot  
7 10 and being on the south line of said 13.948 acre tract;

8 THENCE along the common line between said Lot 2R1, said 229.56 acre  
9 tract and said 13.948 acre tract the following:

10 N 89°30'00" E, 366.96 feet, to a 1/2" G&A capped rebar found;  
11 N 00°30'00" W, 230.00 feet, to a 1/2" G&A capped rebar found;  
12 N 89°30'00" E, 483.26 feet to the POINT OF BEGINNING and  
13 containing approximately 87.678 acres of land.

14 5.581 ACRES

15 Being all that certain lot, tract or parcel of land situated in the  
16 J. T. Stewart Survey, Abstract Number 1161, Town of Flower Mound,  
17 Denton County, Texas, being part of that certain called 252.86 acre  
18 tract of land described as Part Two in deed to Edward S. Marcus  
19 recorded in Volume 470, Page 131 of the Deed Records of Denton  
20 County, Texas, and being part of that certain called 229.56 acre  
21 tract of land described in deed to Flower Mound Development Venture  
22 recorded in Volume 1361, Pages 874 and 879 of the Real Property  
23 Records of Denton County, Texas, and being all of Lot 2, Block A,  
24 Riverwalk Market Addition, an addition to the Town of Flower Mound,  
25 Denton County, Texas, according to the plat thereof recorded in  
26 Document Number 2013-38 of the Plat Records of Denton County,  
27 Texas, and being more particularly described as follows:

1 BEGINNING the northwest corner of said Lot 2, and being the  
2 northeast corner of Lot 1, Block A of said addition, and being on  
3 the south line of the Revised Final Plat of The Forums Residential,  
4 an addition to the Town of Flower Mound, Denton County, Texas,  
5 according to the plat thereof recorded in Cabinet F, Page 136 of the  
6 Plat Records of Denton County, Texas, and being on the south line of  
7 Euclid Avenue (called 60 foot right-of-way);

8 THENCE along the south line of said Forums Residential and the south  
9 line of said Euclid Avenue with the arc of a curve to the right  
10 having a central angle of  $28^{\circ}27'07''$ , a radius of 970.00 feet and an  
11 arc length of 481.68 feet whose chord bears  $S\ 72^{\circ}36'43''\ E$ , 476.75  
12 feet to the northwest corner of a called 0.054 acre right-of-way  
13 dedication for Forums Drive shown on said plat;

14 THENCE  $S\ 12^{\circ}11'30''\ W$ , 154.04 feet along the west line of said 0.054  
15 acre right-of-way dedication and the west line of said Forums Drive  
16 to a point on the arc of a curve to the left on the west line of  
17 Forums Drive, (called 80 foot right-of way at this point);

18 THENCE along the west line of said Forums Drive with the arc of a  
19 curve to the left having a central angle of  $12^{\circ}53'05''$  a radius of  
20 690.00 feet and an arc length of 155.17 feet whose chord bears  $S$   
21  $13^{\circ}42'23''\ W$ , 154.84 feet to a 1/2" rebar found at the most southerly  
22 southwest corner of said Forums Residential, same being the  
23 northwest corner of Phase I of The Forums, an addition to the Town  
24 of Flower Mound, Denton County, Texas, according to the plat  
25 thereof recorded in Cabinet F, Page 146 of the Plat Records of  
26 Denton County, Texas;

27 THENCE along the west line of said Forums Drive and the west line of

1 said Phase I of The Forums with the arc of a curve to the left having  
2 a central angle of  $07^{\circ}31'31''$ , a radius of 1240.00 feet and an arc  
3 length of 162.86 feet whose chord bears  $S\ 03^{\circ}20'43''\ W$ , 162.74 feet to  
4 a 1/2" G&A capped rebar found;

5 THENCE  $S\ 00^{\circ}17'00''\ E$ , 53.69 feet along the west line of said Forums  
6 Drive and the west line of said Phase I of The Forums to a 1/2" G&A  
7 capped rebar found;

8 THENCE along the west line of said Forums Drive and the west line of  
9 said Phase I of The Forums with the arc of a curve to the right  
10 having a central angle of  $02^{\circ}36'53''$ , a radius of 1000.00 feet and an  
11 arc length of 45.63 feet whose chord bears  $S\ 01^{\circ}01'26''\ W$ , 45.63 feet  
12 to a 1/2" G&A capped rebar found at the northeast corner of Lot 1,  
13 Block 5, The Forums, an addition to the Town of Flower Mound, Denton  
14 County, Texas, according to the plat thereof recorded in Cabinet H,  
15 Page 38 of the Plat Records of Denton County, Texas;

16 THENCE  $N\ 77^{\circ}22'40''\ W$ , along the north line of said Lot 1, Block 5,  
17 passing at 174.66 feet a 1/2" rebar found at the northwest corner  
18 thereof, continuing along the common line between said Lots 1 and 2  
19 a total distance of 180.60 feet;

20 THENCE along the common line between said Lots 1 and 2 the  
21 following:

22  $N\ 12^{\circ}37'20''\ E$ , 49.83 feet;

23  $N\ 77^{\circ}22'40''\ W$ , 79.08 feet;

24  $N\ 32^{\circ}22'40''\ W$ , 5.90 feet;

25  $N\ 77^{\circ}22'40''\ W$ , 77.49 feet;

26  $S\ 00^{\circ}29'12''\ W$ , 4.06 feet;

27  $N\ 77^{\circ}22'40''\ W$ , 15.23 feet;



1 N 00°29'12" E, 4.06 feet;  
2 N 77°22'40" W, 74.53 feet;  
3 N 12°37'20" E, 151.63 feet;  
4 N 00°00'25" E, 410.38 feet to the POINT OF BEGINNING and  
5 containing approximately 5.581 acres of land.

6 Part of Lot 2R, Block A, The River Walk at Central Park 03/2010  
7 6.894 Acres

8 Being all that certain lot, tract or parcel of land situated in the  
9 Carlos Chacon Survey, Abstract Number 299, Town of Flower Mound,  
10 Denton County, Texas, being part of Lot 2R, Block A, The River Walk  
11 at Central Park 03/2010, an addition to the Town of Flower Mound  
12 according to the plat thereof recorded in Document Number 2010-70  
13 of the Plat Records of Denton County, Texas, and being more  
14 particularly described as follows:

15 BEGINNING at a 1/2" capped rebar (G & A) found at the most northerly  
16 northwest corner of said Lot 2R, Block A, The River Walk at Central  
17 Park 03/2010, being the most westerly southwest corner of that  
18 certain called 13.948 acre tract of land described in deed to the  
19 Town of Flower Mound recorded in Volume 723, Page 858 of the Deed  
20 Records of Denton County, Texas, and being on the east line of that  
21 certain called 2.631 acre tract of land described as Tract III in  
22 deed to Hawks Ramsey, LLC recorded in Document Number 2006-35586 of  
23 the Real Property Records of Denton County, Texas;

24 THENCE along the common line between said Lot 2R and said 13.948  
25 acre tract, the following:

26 N 89°30'00" E, 280.00 feet, to a 1/2" capped rebar (G & A)  
27 found;

1           S 00°30'00" E, 400.00 feet, to a 1/2" capped rebar (G & A)  
2 found;  
3           N 89°30'00" E, 170.00 feet, to a 1/2" capped rebar (G & A)  
4 found;  
5           S 00°30'00" E, 230.00 feet, to a 1/2" capped rebar (G & A)  
6 found;  
7 and N 89°30'00" E, 93.04 feet, to a 1/2" capped rebar (G & A) set;  
8 THENCE S 00°18'40" E, 101.45 feet, to a 1/2" capped rebar (G & A)  
9 set;  
10 THENCE S 89°41'20" W, 230.48 feet, to a 1/2" capped rebar (G & A)  
11 set;  
12 THENCE S 00°18'40" E, 98.79 feet, to a 1/2" capped rebar (G & A) set;  
13 THENCE S 88°04'50" W, passing at 43.03 feet, a 1/2" capped rebar (G &  
14 A) found at an inner ell corner of said Lot 2R, being the northeast  
15 corner of Lot 1R, Block A, The River Walk at Central Park 03/2010,  
16 and continuing a total distance of 307.41 feet, to a 5/8" rebar  
17 found at an outer ell corner of said Lot 2R, being the southeast  
18 corner of that certain called 6.314 acre tract of land described in  
19 deed to Prairie Road Partners, Ltd. recorded in Document Number  
20 2005-123316 of the Real Property Records of Denton County, Texas;  
21 THENCE N 00°47'30" W, 350.03 feet, along the most northerly west  
22 line of said Lot 2R and the east line of said 6.314 acre tract, to a  
23 1/2" rebar found at the northeast corner thereof, being the  
24 southeast corner of said Hawks Ramsey called 2.631 acre tract;  
25 THENCE N 00°49'50" W, 487.07 feet, continuing along said line, to  
26 the POINT OF BEGINNING and containing approximately 6.894 acres of  
27 land.

1 Tract II

2 4.860 Acres

3 Being all that certain lot, tract or parcel of land situated in the  
4 J. T. Stewart Survey, Abstract Number 1161, Town of Flower Mound,  
5 Denton County, Texas, being part of that certain called 252.86 acre  
6 tract of land described as Part Two in deed to Edward S. Marcus  
7 recorded in Volume 470, Page 131 of the Deed Records of Denton  
8 County, Texas, and being part of that certain called 229.56 acre  
9 tract of land described in deed to Flower Mound Development Venture  
10 recorded in Volume 1361, Pages 874 and 879 of the Real Property  
11 Records of Denton County, Texas, and being more particularly  
12 described as follows:

13 BEGINNING at a 1/2" capped rebar found stamped DC&A at the southeast  
14 corner of Lot 1, Block A, Primrose School at The Forums, an addition  
15 to the Town of Flower Mound according to the plat thereof recorded  
16 in Cabinet P, Page 258 of the Plat Records of Denton County, Texas,  
17 and being on the west right-of-way line of Morriss Road, having a  
18 called 110 foot right-of-way at this point, according to deed to the  
19 Town of Flower Mound recorded in Volume 2091, Page 418 of the Real  
20 Property Records of Denton County, Texas;

21 THENCE S 00°06'30" E, 703.50 feet, along the west right-of-way line  
22 of Morriss Road, to an "X" in concrete found at the northeast corner  
23 of Lot 1, Block A, Kids R Kids Addition, an addition to the Town of  
24 Flower Mound according to the plat thereof recorded in Cabinet M,  
25 Page 47 of the Plat Records of Denton County, Texas;

26 THENCE S 89°45'15" W, 299.93 feet, along the north line of said Kids  
27 R Kids Addition, to a 1/2" capped rebar found stamped Arthur

1 Surveying at the northwest corner thereof, being on the east  
2 right-of-way line of Olympia Drive;  
3 THENCE N 00°17'15" W, 703.12 feet, along the east line of Olympia  
4 Drive, to a 1/2" capped rebar found stamped DC&A at the southwest  
5 corner of said Lot 1, Block A, Primrose School at The Forums;  
6 THENCE N 89°41'00" E, 302.13 feet, along the south line of said Lot  
7 1, Block A, Primrose School at The Forums, to the POINT OF BEGINNING  
8 and containing approximately 4.860 acres of land.

9 Tract III

10 2.095 Acres

11 Being all that certain lot, tract or parcel of land situated in the  
12 J. T. Stewart Survey, Abstract Number 1161, Town of Flower Mound,  
13 Denton County, Texas, being part of that certain called 252.86 acre  
14 tract of land described as Part Two in deed to Edward S. Marcus  
15 recorded in Volume 470, Page 131 of the Deed Records of Denton  
16 County, Texas, and being part of that certain called 229.56 acre  
17 tract of land described in deed to Flower Mound Development Venture  
18 recorded in Volume 1361, Pages 874 and 879 of the Real Property  
19 Records of Denton County, Texas, and being more particularly  
20 described as follows:

21 BEGINNING at a 1/2" rebar found at the southwest corner of Lot 1,  
22 Block A, Flower Mound Post Office Addition, an addition to the Town  
23 of Flower Mound according to the plat thereof recorded in Cabinet L,  
24 Page 285 of the Plat Records of Denton County, Texas, and being on  
25 the north right-of-way line of Olympia Drive;

26 THENCE S 89°44'40" W, 291.16 feet, along the north right-of-way line  
27 of Olympia Drive, to a 1/2" rebar found on the east right-of-way

1 line of Forums Drive, being in a curve to the right;  
2 THENCE Northeasterly, along the east right-of-way line of Forums  
3 Drive and with the arc of said curve having a radius of 1160.00  
4 feet, a central angle of  $00^{\circ}47'01''$ , whose chord bears  $N 06^{\circ}52'20'' E$ ,  
5 15.86 feet, an arc length of 15.86 feet, to  $1/2''$  rebar found at a  
6 point of compound curvature;  
7 THENCE Northeasterly, continuing along the east right-of-way line  
8 of Forums Drive and with the arc of said curve having a radius of  
9 610.00 feet, a central angle of  $34^{\circ}59'30''$ , whose chord bears  $N$   
10  $24^{\circ}45'36'' E$ , 366.78 feet, an arc length of 372.54 feet, to a  $1/2''$   
11 rebar found;  
12 THENCE  $N 42^{\circ}15'20'' E$ , 86.55 feet, continuing along the east  
13 right-of-way line of Forums Drive, to a  $1/2''$  rebar found at the  
14 point of curvature of a curve to the left;  
15 THENCE Northeasterly, continuing along said right-of-way line and  
16 with the arc of said curve having a radius of 698.38 feet, a central  
17 angle of  $06^{\circ}17'17''$ , whose chord bears  $N 39^{\circ}06'42'' E$ , 76.61 feet, an  
18 arc length of 76.65 feet, to  $1/2''$  rebar found at the westerly  
19 southwest corner of Lot 1, Block A, The Forums, Phase III, an  
20 addition to the Town of Flower Mound according to the plat thereof  
21 recorded in Cabinet O, Page 19 of the Plat Records of Denton County,  
22 Texas;  
23 THENCE  $S 53^{\circ}58'50'' E$ , 33.52 feet, along the southwesterly line of  
24 said Lot 1, to a  $1/2''$  rebar found at the most south southwest corner  
25 thereof and the northwest corner of Lot 1, Block A, Flower Mound  
26 Post Office Addition;  
27 THENCE  $S 00^{\circ}15'20'' E$ , 451.31 feet, along the west line of same, to

1 the POINT OF BEGINNING and containing approximately 2.095 acres of  
2 land.

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

10 (b) The governor, one of the required recipients, has  
11 submitted the notice and Act to the Texas Commission on  
12 Environmental Quality.

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

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

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