

By: Estes
(Fallon)

S.B. No. 1877

Substitute the following for S.B. No. 1877:

By: Alvarado

C.S.S.B. No. 1877

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of the Venable Ranch Municipal Utility
3 District No. 1 of Denton County; granting a limited power of eminent
4 domain; providing authority to issue bonds; providing authority to
5 impose assessments, fees, or taxes.

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

7 SECTION 1. Subtitle F, Title 6, Special District Local Laws
8 Code, is amended by adding Chapter 8469 to read as follows:

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

10 DENTON COUNTY

11 SUBCHAPTER A. GENERAL PROVISIONS

12 Sec. 8469.001. DEFINITIONS. In this chapter:

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

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

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

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

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

20 Sec. 8469.002. NATURE OF DISTRICT. The district is a
21 municipal utility district created under Section 59, Article XVI,
22 Texas Constitution.

23 Sec. 8469.003. CONFIRMATION AND DIRECTORS' ELECTION
24 REQUIRED. The temporary directors shall hold an election to

1 confirm the creation of the district and to elect five permanent
2 directors as provided by Section 49.102, Water Code.

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

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

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

11 Sec. 8469.005. FINDINGS OF PUBLIC PURPOSE AND BENEFIT. (a)
12 The district is created to serve a public purpose and benefit.

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

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

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

20 Sec. 8469.006. INITIAL DISTRICT TERRITORY. (a) The
21 district is initially composed of the territory described by
22 Section 2 of the Act enacting this chapter.

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

27 (1) organization, existence, or validity;

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

4 (3) right to impose a tax; or

5 (4) legality or operation.

6 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

11 Sec. 8469.052. TEMPORARY DIRECTORS. (a) On or after
12 September 1, 2013, the owner or owners of a majority of the assessed
13 value of the real property in the district may submit a petition to
14 the commission requesting that the commission appoint as temporary
15 directors the five persons named in the petition. The commission
16 shall appoint as temporary directors the five persons named in the
17 petition.

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

19 (1) the date permanent directors are elected under
20 Section 8469.003; or

21 (2) September 1, 2017.

22 (c) If permanent directors have not been elected under
23 Section 8469.003 and the terms of the temporary directors have
24 expired, successor temporary directors shall be appointed or
25 reappointed as provided by Subsection (d) to serve terms that
26 expire on the earlier of:

27 (1) the date permanent directors are elected under

1 Section 8469.003; or

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

4 (d) If Subsection (c) applies, the owner or owners of a
5 majority of the assessed value of the real property in the district
6 may submit a petition to the commission requesting that the
7 commission appoint as successor temporary directors the five
8 persons named in the petition. The commission shall appoint as
9 successor temporary directors the five persons named in the
10 petition.

11 SUBCHAPTER C. POWERS AND DUTIES

12 Sec. 8469.101. GENERAL POWERS AND DUTIES. The district has
13 the powers and duties necessary to accomplish the purposes for
14 which the district is created.

15 Sec. 8469.102. MUNICIPAL UTILITY DISTRICT POWERS AND
16 DUTIES. The district has the powers and duties provided by the
17 general law of this state, including Chapters 49 and 54, Water Code,
18 applicable to municipal utility districts created under Section 59,
19 Article XVI, Texas Constitution.

20 Sec. 8469.103. AUTHORITY FOR ROAD PROJECTS. Under Section
21 52, Article III, Texas Constitution, the district may design,
22 acquire, construct, finance, issue bonds for, improve, operate,
23 maintain, and convey to this state, a county, or a municipality for
24 operation and maintenance macadamized, graveled, or paved roads, or
25 improvements, including storm drainage, in aid of those roads.

26 Sec. 8469.104. ROAD STANDARDS AND REQUIREMENTS. (a) A road
27 project must meet all applicable construction standards, zoning and

1 subdivision requirements, and regulations of each municipality in
2 whose corporate limits or extraterritorial jurisdiction the road
3 project is located.

4 (b) If a road project is not located in the corporate limits
5 or extraterritorial jurisdiction of a municipality, the road
6 project must meet all applicable construction standards,
7 subdivision requirements, and regulations of each county in which
8 the road project is located.

9 (c) If the state will maintain and operate the road, the
10 Texas Transportation Commission must approve the plans and
11 specifications of the road project.

12 Sec. 8469.105. COMPLIANCE WITH MUNICIPAL CONSENT ORDINANCE
13 OR RESOLUTION. The district shall comply with all applicable
14 requirements of any ordinance or resolution that is adopted under
15 Section 54.016 or 54.0165, Water Code, and that consents to the
16 creation of the district or to the inclusion of land in the
17 district.

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

20 (1) has no outstanding bonded debt; and

21 (2) is not imposing ad valorem taxes.

22 (b) This chapter applies to any new district created by the
23 division of the district, and a new district has all the powers and
24 duties of the district.

25 (c) Any new district created by the division of the district
26 may not, at the time the new district is created, contain any land
27 outside the area described by Section 2 of the Act creating this

1 chapter.

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

6 (e) The board may adopt an order dividing the district
7 before or after the date the board holds an election under Section
8 8469.151 to authorize the issuance of bonds.

9 (f) An order dividing the district must:

10 (1) name each new district;

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

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

14 and

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

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

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

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

1 (j) If the creation of the new district is confirmed, the
2 new district shall provide the election date and results to the
3 commission.

4 Sec. 8469.107. FIREFIGHTING SERVICES. Notwithstanding
5 Section 49.351(a), Water Code, the district may, as authorized by
6 Section 59(f), Article XVI, Texas Constitution, and Section 49.351,
7 Water Code:

8 (1) establish, operate, and maintain a fire
9 department;

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

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

15 Sec. 8469.108. FEES AND CHARGES. (a) The district may
16 adopt and enforce all necessary charges, mandatory fees, or
17 rentals, in addition to taxes, for providing or making available
18 any district facility or service, including firefighting
19 activities provided under Section 8469.107.

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

24 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

25 Sec. 8469.151. ELECTIONS REGARDING TAXES OR BONDS. (a) The
26 district may issue, without an election, bonds and other
27 obligations secured by:

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

2 (2) contract payments described by Section 8469.153.

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

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

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

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

17 Sec. 8469.153. CONTRACT TAXES. (a) In accordance with
18 Section 49.108, Water Code, the district may impose a tax other than
19 an operation and maintenance tax and use the revenue derived from
20 the tax to make payments under a contract after the provisions of
21 the contract have been approved by a majority of the district voters
22 voting at an election held for that purpose.

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

26 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

27 Sec. 8469.201. AUTHORITY TO ISSUE BONDS AND OTHER

1 OBLIGATIONS. The district may issue bonds or other obligations
2 payable wholly or partly from ad valorem taxes, impact fees,
3 revenue, contract payments, grants, or other district money, or any
4 combination of those sources, to pay for any authorized district
5 purpose.

6 Sec. 8469.202. TAXES FOR BONDS. At the time the district
7 issues bonds payable wholly or partly from ad valorem taxes, the
8 board shall provide for the annual imposition of a continuing
9 direct ad valorem tax, without limit as to rate or amount, while all
10 or part of the bonds are outstanding as required and in the manner
11 provided by Sections 54.601 and 54.602, Water Code.

12 Sec. 8469.203. BONDS FOR ROAD PROJECTS. At the time of
13 issuance, the total principal amount of bonds or other obligations
14 issued or incurred to finance road projects and payable from ad
15 valorem taxes may not exceed one-fourth of the assessed value of the
16 real property in the district.

17 SUBCHAPTER F. ANNEXATION BY CITY

18 Sec. 8469.251. EFFECT OF ANNEXATION BY CITY. (a)
19 Notwithstanding any other law, if all of the territory of the
20 district is annexed by the city into the corporate limits of the
21 city before the date of the election held to confirm the creation of
22 the district and the district is confirmed at that election, the
23 district may not be dissolved and continues in existence following
24 annexation until:

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

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

3 (b) After annexation by the city:

4 (1) the district may not impose an ad valorem tax;

5 (2) the district may impose a special assessment in
6 the manner provided by Subchapter F, Chapter 375, Local Government
7 Code; and

8 (3) Section 375.161, Local Government Code, does not
9 apply to the district.

10 SECTION 2. The Venable Ranch Municipal Utility District
11 No. 1 of Denton County initially includes all the territory
12 contained in the following area:

13 VENABLE PROPERTY DESCRIPTION:

14 TRACT 1

15 Being a tract of land situated in the George Smith Survey, Abstract
16 No. 1219, the S. Williams Survey, Abstract No. 1333, the M. McBride
17 Survey, Abstract No. 804, the N. McMillan Survey, Abstract No. 841,
18 the J. Cantwell Survey, Abstract No. 282, the T. Chambers Survey,
19 Abstract No. 223, the J. Moses Survey, Abstract No. 894, the J.
20 Wells Survey, Abstract No. 1426, the J. Wilburn Survey, Abstract
21 No. 1427, and the W. Boydston Survey, Abstract No. 117, Denton
22 County, Texas and being all of the following tracts of land conveyed
23 to Venable Royalty, LTD.; a called 10.69 acre tract by deed recorded
24 in Volume 5128, Page 563 of the Real Property Records of Denton
25 County, Texas (R.P.R.D.C.T.); a called 11.00 acre tract by deed
26 recorded in Volume 5144, Page 2973, R.P.R.D.C.T.; a called a called
27 29.089 acre tract by deed recorded in Volume 4077, Page 1372,

1 R.P.R.D.C.T.; a called 27.20 acre tract by deed recorded in Volume
2 5076, Page 822, R.P.R.D.C.T. (50% interest); a called 54.08 acre
3 tract by deed recorded in Volume 4867, Page 3255, R.P.R.D.C.T.; a
4 called 7.000 acre tract, called Parcel One, Tract I, a called 0.228
5 acre tract, called Parcel One, Tract II, and a called 14.586 acre
6 tract, called Parcel Two by deed recorded in Volume 4506, Page 1340
7 of the Deed Records of Denton County, Texas (D.R.D.C.T.); all of
8 Lots 16 and 17 of Scenic Acres by deed recorded in Volume 4399, Page
9 1845, R.P.R.D.C.T., said Scenic Acres being an addition to Denton
10 County, Texas according to the plat recorded in Cabinet B, Page 379
11 of the Map Records of Denton County, Texas (M.R.D.C.T.); all of the
12 following tracts of land conveyed to Venable Estate, LTD.; a called
13 4.02 acre tract by deed recorded in Instrument No. 2008-41088 of the
14 Official Records of Denton County, Texas (O.R.D.C.T.); a called
15 27.20 acre tract by deed recorded in Instrument No. 2004-101157,
16 O.R.D.C.T. (50% interest); all of the following recorded in
17 Instrument No. 2005-43578, O.R.D.C.T.; of Exhibit "A-1"; a called
18 48.9 acre tract, called First Tract; a called 70 acre tract, called
19 Second Tract; a called 40 acre tract, called Third Tract; a called
20 30 acre tract, called Fourth Tract; a called 70.80 acre tract,
21 called Fifth Tract; a called 70.62 acre tract, called Sixth Tract; a
22 called 53.83 acre tract, called Seventh Tract; a called 88 acre
23 tract, called Eighth Tract; a called 40 acre tract, called Ninth
24 Tract; a called 40 acre tract, called Tenth Tract; a called 54 acre
25 tract, called Eleventh Tract; a called 63 acre tract, called
26 Twelfth Tract; a called 55 acre tract, called Thirteenth Tract; a
27 called 50 acre tract, called Fourteenth Tract; a called 3 acre

1 tract, called Fifteenth Tract; a called 6 acre tract, called
2 Sixteenth Tract; a called 100 acre tract, called Seventeenth Tract;
3 a called 58 acre tract, called Eighteenth Tract; a called 29.37 acre
4 tract, called Nineteenth Tract; the remainder of a called 20 acre
5 tract, called Twentieth Tract; a called 80 acre tract, called
6 Twenty-First Tract; a called 3.5 acre tract, called Twenty-Second
7 Tract; a called 114.8 acre tract, called Twenty-Third Tract; a
8 called 412 acre tract, called Twenty-Fourth Tract; a called 40 acre
9 tract, called Twenty-Fifth Tract; a called 40 acre tract, called
10 Twenty-Sixth Tract; a called 65.93 acre tract, called
11 Twenty-Seventh Tract; of Exhibit "A-2"; First Tract; Second Tract;
12 and a called 118.3 acre tract, called Third Tract; all of Exhibit
13 "A-3", called 24 acres; all of Exhibit "A-6", called 70 acres; of
14 Exhibit "A-7"; a called 63 acre tract, called First Tract; and a
15 called 80 acre tract, called Second Tract; and all of Exhibit "A-8",
16 called 54.089 acres, and being more particularly described as
17 follows:

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

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

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

26 Southwesterly along said tangent curve to the right having a
27 central angle of 18°23'37", a radius of 5679.58 feet, a chord

1 bearing of South 16°53'01" West, a chord distance of 1815.49 feet,
2 and an arc length of 1823.31 feet to a point at the end of said
3 curve;

4 South 26°04'49" West, a distance of 3713.98 feet to the
5 southeast corner of said Venable Exhibit "A-1" Twenty-Fourth Tract,
6 said point being in the approximate centerline of Black Jack Road;
7 THENCE with the approximate centerline of Black Jack Road and along
8 the south lines of said Venable Exhibit "A-1" Twenty-Fourth Tract
9 and Twentieth Tract, the following courses and distances:

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

15 North 89°59'13" West, a distance of 2643.79 feet to the
16 northwest corner of a called 15.000 acre tract of land, called Tract
17 Eight, conveyed to Old south Royalty Company by deed recorded in
18 Volume 2138, Page 809, R.P.R.D.C.T. and the northeast corner of a
19 called 15.28 Acre tract of land conveyed to Robert A. Foster and
20 Etta J. Luongo, by deed recorded in Document No. 2007-88559,
21 O.R.D.C.T.;

22 South 89°49'29" West, passing at a distance of 39.40 feet a
23 mag nail found, and continuing for a total distance of 368.29 feet
24 to the southwest corner of said Venable Exhibit "A-1" Twentieth
25 Tract, said point being in the west line of Wilson Cemetery Road;
26 THENCE North 01°18'58" West, along the west line of said Venable
27 Exhibit "A-1" Twentieth Tract and the west line of said Wilson

1 Cemetery Road, passing at a distance of 8.98 feet a mag nail found
2 for the southeast corner of a called 25.196 acre tract of land
3 conveyed to Russell W. Streng and Truly W. Streng, by deed recorded
4 in Volume 4326, Page 1990, R.P.R.D.C.T., and continuing along said
5 west lines and the east line of said 25.196 acre tract for a total
6 distance of 224.04 feet to a point in a fence line at the southerly
7 corner of a called 0.100 acre tract of land conveyed to Russell W.
8 Streng and Truly W. Streng by deed recorded in Document No.
9 2012-53458, O.R.D.C.T.;

10 THENCE North 00°08'42" West, with said fence line along the west
11 line of said Wilson Cemetery Road, and along the east line of said
12 0.100 acre tract, a distance of 653.39 feet to the northeast corner
13 of said 0.100 acre tract and the southeast corner of a called 0.422
14 acre tract of land conveyed to Rodney Ivan Streng and Judith Ann
15 Streng, Trustees, or Their Successor Trustees Under The Rodney I.
16 Streng and Judith A. Streng Living Trust, by deed recorded in
17 Document No. 2012-53328, O.R.D.C.T.;

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

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

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

25 North 54°47'59" West, a distance of 29.83 feet to the most
26 northerly corner of said 0.422 acre tract, said point being in the
27 west line of said Venable Exhibit "A-1" Twentieth Tract and east

1 line of a called 25.196 acre tract of land conveyed to Rodney I.
2 Streng and Judith A. Streng Family Trust, by deed recorded in
3 Instrument Number 2010-59229, O.R.D.C.T.;

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

9 THENCE North 89°45'07" West, with said Wilson Cemetery Road, and
10 along the south line of said Venable Exhibit "A-1" Eighth Tract and
11 the north line of said Streng Family Trust 25.196 acre tract, a
12 distance of 1254.71 feet to a 1/2 inch iron rod found for the
13 southwest corner of said Venable Exhibit "A-1" Eighth Tract and the
14 northwest corner of said Streng Family Trust 25.196 acre tract,
15 said corner being in the east line of a called 5.30 acre tract of
16 land, called Tract Three, conveyed to Cedars Development, Inc. by
17 deed recorded in Instrument Number 2011-95252, O.R.D.C.T.;

18 THENCE North 01°20'47" West, with said Wilson Cemetery Road, and
19 along the west line of said Venable Exhibit "A-1" Eighth Tract and
20 the east line of said 5.30 acre tract, a distance of 573.91 feet to a
21 1/2 inch iron rod found for the northeast corner of said 5.30 acre
22 tract and the southeast corner of said Venable Exhibit "A-1"
23 Fourteenth Tract, said corner being at the intersection of Wilson
24 Cemetery Road with Grubbs Road;

25 THENCE North 88°33'37" West, with said Grubbs Road, and along the
26 south lines of said Venable Exhibit "A-1" Fourteenth Tract and
27 Fifteenth Tract, a distance of 1429.54 feet to a mag nail found for

1 the southwest corner of said Venable Exhibit "A-1" Fifteenth Tract,
2 and the southeast corner of a called 0.743 acre tract of land,
3 called Tract One, conveyed to Old South Royalty Company by deed
4 recorded in Volume 2138, Page 809, R.P.R.D.C.T.;

5 THENCE North 00°16'29" East, along the west line of said Venable
6 Exhibit "A-1" Fifteenth Tract and the east line of said 0.743 acre
7 tract, passing at a distance of 1078.75 feet the northeast corner of
8 said 0.743 acre tract and the most southerly southeast corner of a
9 called 352.393 acre tract of land, called Tract Three, conveyed to
10 Old South Royalty Company by deed recorded in Volume 2138, Page 809,
11 R.P.R.D.C.T., and continuing along said west line and the east line
12 of said 352.393 acre tract, for a total distance of 2079.16 feet to
13 a 1/2 inch iron rod with plastic cap stamped "J E Smith 3700" found
14 for the northwest corner of said Venable Exhibit "A-1" Fifteenth
15 Tract and an ell corner of said 352.393 acre tract;

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

24 THENCE North 00°07'55" West, along the west line of said Venable
25 Exhibit "A-1" Twelfth Tract and the east line of said 352.393 acre
26 tract, a distance of 1866.24 feet to a 1/2 inch iron rod with
27 plastic cap stamped "J E Smith 3700" found for the northeast corner

1 of said 352.393 acre tract and the southeast corner of said Venable
2 Exhibit "A-1" Nineteenth Tract;

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

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

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

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

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

15 South 62°36'29" West, a distance of 502.48 feet to a 1/2 inch
16 iron rod with plastic cap stamped "J E Smith 3700" found the
17 southwest corner of said Venable Exhibit "A-1" Nineteenth Tract and
18 the southeast corner of said Venable Exhibit "A-1" Fifth Tract;

19 THENCE North 89°55'15" West, continuing along the north line of said
20 352.393 acre tract and the south lines of said Venable Exhibit "A-1"
21 Fifth Tract and Seventh Tract, passing at a distance of 4118.63 feet
22 a Corps. of Engineers concrete monument with brass disk found for
23 the northeast corner of Tract No. 2512E, conveyed to the United
24 States of America by deed recorded in County Clerk's File No.
25 95-R0068092, D.R.D.C.T., and continuing along the south line of
26 said Venable Exhibit "A-1" Seventh Tract and the north line of said
27 Tract No. 2512E, for a total distance of 4768.62 feet to a 5/8 inch

1 iron rod found for the northwest corner of said Tract No. 2512E,
2 said corner being in the east line of Tract No. 2512, conveyed to
3 the United States of America by deed recorded in County Clerk's File
4 No. 95-R0068092, D.R.D.C.T.;

5 THENCE North 14°20'32" East, along the east line of said Tract No.
6 2512, a distance of 116.96 feet to a 5/8 inch iron rod found for the
7 northeast corner of said Tract No. 2512;

8 THENCE South 89°21'47" West, along the north line of said Tract No.
9 2512, passing at a distance of 63.04 feet the northwest corner of
10 said Tract No. 2512 and a northeast corner of Tract No. 2510,
11 conveyed to the United States of America by deed recorded in County
12 Clerk's File No. 97-R0083048, D.R.D.C.T., and continuing along a
13 north line of said Tract No. 2510, for a total distance of 325.98
14 feet to a 5/8 inch iron rod found for an ell corner of said Tract No.
15 2510, said corner being in the west line of said Venable Exhibit
16 "A-1" Sixth Tract and the east line of a called 2.73 acre tract of
17 land conveyed to Venable Estate, LTD., by deed recorded in
18 Instrument No. 2005-43578, O.R.D.C.T.;

19 THENCE North 00°37'33" West, along the east lines of said Tract No.
20 2510 and said Venable Exhibit "A-4", 2.73 acre tract and the west
21 line of said Venable Exhibit "A-1" Sixth Tract, a distance of
22 2548.77 feet to a Corps. of Engineers concrete monument with brass
23 disk found for the northeast corners of said Tract No. 2510 and said
24 Venable Exhibit "A-4", 2.73 acre tract, the Northwest corner of
25 said Venable Exhibit "A-1" Sixth Tract, the southwest corner of
26 said Venable Exhibit "A-1" Fourth Tract, and the southeast corner
27 of a called 331.388 acre tract of land conveyed to Robert G. McGraw

1 and Helen McGraw, by deed recorded in County Clerk's File No.
2 97-R0089771, D.R.D.C.T.;

3 THENCE North 00°44'14" West, along the west line of said Venable
4 Exhibit "A-1" Fourth Tract and the east line of said 331.388 acre
5 tract, a distance of 750.63 feet to a Corps. of Engineers concrete
6 monument with brass disk found for the northwest corner of said
7 Venable Exhibit "A-1" Fourth Tract and a northeast corner of said
8 331.388 acre tract, being in the south line of a called 119.83 acre
9 tract of land conveyed to Helen McGraw, by deed recorded in Volume
10 4407, Page 1179, R.P.R.D.C.T.;

11 THENCE South 89°47'07" East, along the north lines of said Venable
12 Exhibit "A-1" Fourth Tract and Third Tract, and the south line of
13 said 119.83 acre tract, a distance of 1787.66 feet to a 1/2 inch
14 iron rod found for a southeast corner of said 119.83 acre tract and
15 the southwest corner of said Venable Parcel Two, 14.586 acre tract,
16 said corner being in the approximate centerline of McKinney Bridge
17 Road;

18 THENCE with the approximate centerline of McKinney Bridge Road, and
19 with the northwesterly line of said Venable Parcel Two, 14.586 acre
20 tract, and the southeasterly line of said 119.83 acre tract, the
21 following courses and distances:

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

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

27 North 49°01'29" East, passing at a distance of 270.75 feet a

1 1/2 inch iron rod found, and continuing for a total distance of
2 273.58 feet to the most northerly corner of said Venable Parcel Two,
3 14.586 acre tract, and the most easterly southeast corner of said
4 119.83 acre tract, said corner being in the west line of the
5 aforesaid Scenic Acres;
6 THENCE South 00°22'24" West, along the east line of said Venable
7 Parcel Two, 14.586 acre tract, and the west line of said Scenic
8 Acres, a distance of 714.48 feet to the northwest corner of Lot 17
9 of said Scenic Acres;
10 THENCE South 89°37'31" East, along the north line of said Lot 17, a
11 distance of 206.82 feet to the most northerly northeast corner of
12 said Lot 17, said corner being in a 60 foot radius cul-de-sac
13 right-of-way line of Scenic Drive and being at the beginning of a
14 non-tangent curve to the left;
15 THENCE, southeasterly along said cul-de-sac right-of-way line and
16 with said non-tangent curve to the left having a central angle of
17 165°08'50", a radius of 60.00 feet, a chord bearing of South
18 82°18'25" East, a chord distance of 118.99 feet, passing at an arc
19 length of 72.26 feet the most easterly northeast corner of said Lot
20 17 and the most westerly northwest corner of Lot 16 of said Scenic
21 Acres, and continuing for a total arc length of 172.94 feet to the
22 most easterly northwest corner of said Lot 16, being in the south
23 right-of-way line of Scenic Drive (a 60 foot wide right-of-way);
24 THENCE North 74°55'19" East, along the south right-of-way line of
25 said Scenic Drive, a distance of 18.10 feet to the northeast corner
26 of said Lot 16;
27 THENCE South 05°05'59" West, along the east line of said Lot 16, a

1 distance of 422.16 feet to the southeast corner of said Lot 16, said
2 corner being in the south line of said Scenic Acres and the north
3 line of said Venable Exhibit "A-1" Third Tract;
4 THENCE South 89°37'50" East, along the south line of said Scenic
5 Acres and the north lines of said Venable Exhibit "A-1" Third Tract
6 and Second Tract, a distance of 667.01 feet to a 1/2 inch iron rod
7 found for the southeast corner of said Scenic Acres and the
8 southwest corner of a called 39.04 acre tract of land conveyed to
9 Pete Kenny, by deed recorded in Instrument No. 2010-28786,
10 O.R.D.C.T.;
11 THENCE North 89°55'56" East, along the north lines of said Venable
12 Exhibit "A-1" Second Tract and Seventeenth Tract, and the south
13 line of said 39.04 acre tract, a distance of 958.70 feet to a wood
14 corner post found for the southeast corner of said 39.04 acre tract
15 and an ell corner of said Venable Exhibit "A-1" Seventeenth Tract;
16 THENCE North 00°47'57" West, along the east line of said 39.04 acre
17 tract and the west lines of said Venable Exhibit "A-1" Seventeenth
18 Tract and Venable Exhibit "A-7" First Tract, a distance of 1748.72
19 feet to a 1/2 inch iron rod found for the northeast corner of said
20 39.04 acre tract and the southeast corner of said Venable Parcel
21 One, Tract I, 7.000 acre tract;
22 THENCE South 89°17'34" West, along the south line of said Venable
23 Parcel One, Tract I, and the north line of said 39.04 acre tract, a
24 distance of 72.46 feet to a 1/2 inch iron rod found for the
25 southwest corner of said Venable Parcel One, Tract I, and the
26 southeast corner of a called 7.000 acre tract of land conveyed to
27 Ronald G. Johnson and Wife, Hester L. Johnson, by deed recorded in

1 Volume 1191, Page 694, D.R.D.C.T. ;
2 THENCE North 52°27'48" West, along the southwesterly line of said
3 Venable Parcel One, Tract I and the northeasterly line of said
4 Johnson 7.000 acre tract, a distance of 989.37 feet to the northwest
5 corner of said Venable Parcel One, Tract I, the southwest corner of
6 said Venable Parcel One, Tract II, 0.228 acre tract, the northeast
7 corner of said Johnson 7.000 acre tract, and the southeast corner of
8 a called 0.110 acre tract of land conveyed to Ronald G. Johnson et
9 ux, Hester L. Johnson, by deed recorded in Volume 1197, Page 860,
10 D.R.D.C.T. ;
11 THENCE North 04°02'10" West, along the west line of said Venable
12 Parcel One, Tract II and the east line of said 0.110 acre tract, a
13 distance of 104.40 feet to the northwest corner of said Venable
14 Parcel One, Tract II and the northeast corner of said 0.110 acre
15 tract, said point being in the approximate centerline of McKinney
16 Bridge Road;
17 THENCE with the approximate centerline of said McKinney Bridge
18 Road, and along the northwesterly line of said Venable Parcel One,
19 Tract II the following courses and distances:
20 North 39°51'20" East, a distance of 56.10 feet to a point for
21 corner ;
22 North 20°28'10" East, a distance of 132.92 feet to the
23 northeast corner of said Venable Parcel One, Tract II, said corner
24 being in the west line of a called 103.4117 acre tract of land
25 conveyed to E E Ranches of Texas, Inc., by deed recorded in Volume
26 2256, Page 840, R.P.R.D.C.T. ;
27 THENCE South 00°18'17" East, along the east line of said Venable

1 Parcel One, Tract II and the west line of said 103.4117 acre tract,
2 a distance of 266.23 feet to the southeast corner of said Venable
3 Parcel One, Tract II and the most westerly southwest corner of said
4 103.4117 acre tract, said point being in the north line of said
5 Venable Parcel One, Tract I;
6 THENCE North 85°40'16" East, along the north line of said Venable
7 Parcel One, Tract I and a south line of said 103.4117 acre tract, a
8 distance of 774.60 feet to a concrete monument found for the
9 northeast corner of said Venable Parcel One, Tract I and an ell
10 corner of said 103.4117 acre tract;
11 THENCE South 00°41'49" East, along the east line of said Venable
12 Parcel One, Tract I and a west line of said 103.4117 acre tract, a
13 distance of 427.62 feet to the northwest corner of said Venable
14 Exhibit "A-7" First Tract and the most southerly southwest corner
15 of said 103.4117 acre tract;
16 THENCE North 89°37'44" East, along the north line of said Venable
17 Exhibit "A-7" First Tract and the south line of said 103.4117 acre
18 tract, passing at a distance of 25.00 a concrete monument found, and
19 continuing for a total distance of 1995.90 feet to a concrete
20 monument found for the northeast corner of said Venable Exhibit
21 "A-7" First Tract and the southeast corner of said 103.4117 acre
22 tract, said corner being in the west line of said Venable Exhibit
23 "A-7" Second Tract;
24 THENCE North 00°17'05" East, along the west line of said Venable
25 Exhibit "A-7" Second Tract and the east line of said 103.4117 acre
26 tract, a distance of 788.98 feet to a wood corner post found for the
27 northwest corner of said Venable Exhibit "A-7" Second Tract and an

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

17 THENCE South 88°46'23" East, along the north line of said Venable
18 Exhibit "A-1" Ninth Tract and the south line of said Yellow Rose
19 Estates Subdivision, a distance of 1323.42 feet to a 1/2 inch iron
20 rod found for the northeast corner of said Venable Exhibit "A-1"
21 Ninth Tract and the northwest corner of Lot 10 of St. John's Place,
22 an addition to Denton County, Texas according to the plat recorded
23 in Cabinet L, Page 119, M.R.D.C.T.;

24 THENCE South 00°48'05" West, along the east line of said Venable
25 Exhibit "A-1" Ninth Tract and the west line of said St. John's
26 Place, a distance of 1315.38 feet to a 1/2 inch iron rod found for
27 the southeast corner of said Venable Exhibit "A-1" Ninth Tract, the

1 northeast corner of said Venable Exhibit "A-1" Tenth Tract, the
2 northwest corner of said Venable Exhibit "A-1" Twenty-Fifth Tract,
3 and the southwest corner of Lot 9 of said St. John's Place;
4 THENCE South 88°50'34" East, along the north line of said Venable
5 Exhibit "A-1" Twenty-Fifth Tract and the south line of said St.
6 John's Place, a distance of 978.68 feet to metal corner post found
7 for the southeast corner of Lot 8 of said St. John's Place, and the
8 southwest corner of a called 129.223 acre tract of land conveyed to
9 Texas Motor Speedway, Inc. d/b/a Texas International Raceways, by
10 deed recorded in County Clerk's File No. 96-R0079309, D.R.D.C.T.;
11 THENCE South 88°46'04" East, along the north lines of said Venable
12 Exhibit "A-1" Twenty-Fifth Tract and Twenty-Sixth Tract and the
13 south line of said 129.223 acre tract, a distance of 1653.96 feet to
14 a metal corner post found for the northeast corner of said Venable
15 Exhibit "A-1" Twenty-Sixth Tract and the southeast corner of said
16 129.223 acre tract, said corner being in the west line of a called
17 71.114 acre tract of land, File No. F0072.00, conveyed to The Rudman
18 Partnership, by deed recorded in Volume 2844, Page 42,
19 R.P.R.D.C.T.;
20 THENCE South 01°46'53" West, along the east line of said Venable
21 Exhibit "A-1" Twenty-Sixth Tract and the west line of said 71.114
22 acre tract, passing at a distance of 789.91 feet a 1/2 inch iron rod
23 found for the southwest corner of said 71.114 acre tract and the
24 northwest corner of a called 61.36 acre tract of land conveyed to
25 Michelle Lynette Roberts, by deed recorded in Instrument No.
26 2008-40245, O.R.D.C.T., and continuing along said east line and the
27 west line of said 61.36 acre tract, for a total distance of 1296.74

1 feet to a wood corner post found for the southeast corner of said
2 Venable Exhibit "A-1" Twenty-Sixth Tract and the most westerly
3 southwest corner of said 61.36 acre tract, said corner being in the
4 north line of said Venable Exhibit "A-2" Third Tract;

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

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

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

12 South 85°40'05" East, passing at a distance of 1460.68 feet a
13 wood corner post found for the most northerly northeast corner of
14 said Venable Exhibit "A-2" Third Tract, the northwest corner of
15 said Venable Exhibit "A-3", 24 acre tract, the most southerly
16 southeast corner of said 61.36 acre tract, and the most westerly
17 southwest corner of a called 18.78 acre tract of land conveyed to
18 Zandra Bean, by deed recorded in Volume 4229, Page 2901,
19 R.P.R.D.C.T., and continuing along the south line of said 18.78
20 acre tract for a total distance of 1552.99 feet to a wood corner
21 post found for and ell corner of said 18.78 acre tract;

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

25 THENCE South 87°34'17" East, along the south line of said 18.78 acre
26 tract, a distance of 925.13 feet to a 5/8 inch iron rod found for the
27 southeast corner of said 18.78 acre tract, said corner being in the

1 west line of said Venable 10.69 acre tract, and being in the
2 approximate centerline of Massey Road;

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

9 THENCE South 87°55'27" East, along the north line of said Venable
10 10.69 acre tract, passing at a distance of 24.76 feet a 1/2 inch
11 iron rod found in the east line of said Massey Road, and continuing
12 for a total distance of 526.66 feet to the POINT OF BEGINNING and
13 containing 2521.094 acres or 109,818,863 square feet of land, more
14 or less.

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

16 TRACT A

17 Being a tract of land situated in the J. Moses Survey, Abstract No.
18 894 and the N. McMillan Survey, Abstract No. 841, Denton County,
19 Texas, and consisting of the following; those tracts of land
20 conveyed to Patricia Ann Harmon Brockett, a 105 foot by 210 foot
21 tract, called Tract 1, a called 27.20 acre tract, called Tract 2,
22 and a called 26.23 acre tract, called Tract 3, by deed recorded in
23 Instrument No. 2011-9037, O.R.D.C.T.; a called 27.20 acre tract of
24 land conveyed to Willie Pearlene Harmon Johnson by deed recorded in
25 Volume 5033, Page 3166, R.P.R.D.C.T.; a called 0.5 acre tract of
26 land conveyed to J. R. Johnson and wife, Pearlene Johnson by deed
27 recorded in Volume 400, Page 32, D.R.D.C.T.; a called 1.000 acre

1 tract of land conveyed to Pearlene Johnson, et ux by deed recorded
2 in Volume 794, Page 219, D.R.D.C.T.; a called 1.001 acre tract of
3 land conveyed in deed to J.S. Dubose and/or Lee J. Brookshire, Jr.,
4 Trustees, by deed recorded in Volume 2015, Page 147, R.P.R.D.C.T.;
5 a called 3.046 acre tract of land conveyed to Tracy Glenn Henderson
6 and Linda Gail Henderson by deed recorded in Volume 4897, Page 3357,
7 R.P.R.D.C.T.; a called 1.001 acre tract of land conveyed to Michael
8 J. Behrend by deed recorded in Volume 3016, Page 596, R.P.R.D.C.T.;
9 a called 5.061 acre tract of land conveyed to Michael Jon Behrend by
10 deed recorded in County Clerk's File No. 94-R0003414, D.R.D.C.T.; a
11 called 1.000 acre tract of land conveyed to Brad Hines and Margaret
12 Hines by deed recorded in Volume 4991, Page 695, R.P.R.D.C.T.; the
13 remainder of a called 29.553 acre tract of land conveyed to L.Z.
14 Harmon, Sr., by deed recorded in Volume 5033, Page 3143,
15 R.P.R.D.C.T.; a called 2.116 acre tract of land conveyed to Wade
16 Franklin Lewis and Harry Lou Lewis, husband and wife, by deed
17 recorded in County Clerk's File No. 94-R008814, D.R.D.C.T.; a
18 called 1.000 acre tract of land, called Tract 1 and a called 1.00
19 acre tract of land, called Tract 2, conveyed to Brad Hines and Wife,
20 Margaret Hines, by deed recorded in Volume 4401, Page 1042,
21 R.P.R.D.C.T.; a called 1.000 acre tract of land conveyed to Hugo E.
22 Richter, Jr. and Wife, Jolene J., by deed recorded in Volume 733,
23 Page 574, D.R.D.C.T.; a called 1.01 acre tract of land conveyed to
24 Carol Puckett by deed recorded in Instrument No. 2007-96075,
25 R.P.R.D.C.T.; a called 0.724 acre tract of land conveyed to Marcus
26 Wayne Pierce, et ux, by deed recorded in Instrument No.
27 2004-104661, O.R.D.C.T.; a tract of land conveyed to Kenneth W.

1 Wilson and Wife, Carolyn Wilson by deed recorded in Volume 4873,
2 Page 2682, R.P.R.D.C.T.; a called 3.00 acre tract of land conveyed
3 to George Wayne Pierce and Wife, Sue Pierce by deed recorded in
4 Volume 719, Page 602, D.R.D.C.T.; a called 1.269 acre tract of land
5 conveyed to Kenneth W. Wilson and Wife, Carolyn Wilson by deed
6 recorded in Document No. 2011-95837, O.R.D.C.T.; and a called 0.254
7 acre tract of land conveyed to Black Rock Water Supply Corporation
8 by deed recorded in Volume 1788, Page 989, R.P.R.D.C.T., and being
9 more particularly described as follows:

10 BEGINNING at a 1/2 inch iron rod with yellow plastic cap stamped "H
11 & N 1849" found for the northwest corner of said 27.20 acre Patricia
12 Ann Harmon Brockett tract, called Tract 2, and the southwest corner
13 of the above mentioned 27.20 acre tract of land conveyed to Venable
14 Roaylty, Ltd., by deed recorded in Volume 5076, Page 822,
15 R.P.R.D.C.T. and to Venable Estate, Ltd., by deed recorded in
16 Instrument No. 2004-101157, O.R.D.C.T., said corner being in the
17 east line of the above mentioned Venable Exhibit "A-1"
18 Twenty-First Tract;

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

24 THENCE North 0°38'15" West, along the east line of said Venable
25 27.20 acre tract and the west line of said 26.23 acre tract, a
26 distance of 1112.40 feet to the northeast corner of said Venable
27 27.20 acre tract and northwest corner of said 26.23 acre tract, said

1 corner being in the south line of the above mentioned Venable
2 Exhibit "A-8", 54.089 acre tract, being the same as the above
3 mentioned Venable 54.08 acre tract recorded in Volume 4867, Page
4 3255, R.P.R.D.C.T.;

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

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

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

21 THENCE South 88°18'08" East, continuing along the south line of said
22 Venable Exhibit "A-2" Second Tract and the north line of said Pierce
23 3.00 acre tract, a distance of 626.29 feet to a 1/2 inch iron rod
24 found for the northeast corner of said Pierce 3.00 acre tract and
25 the northwest corner of said Wilson 1.269 acre tract;

26 THENCE South 88°04'56" East, continuing along the south line of said
27 Venable Exhibit "A-2" Second Tract and the north lines of said

1 Wilson 1.269 acre tract and said Black Rock Water Supply
2 Corporation 0.254 acre tract, a distance of 365.79 feet to a wood
3 corner post found for the northeast corner of said Black Rock Water
4 Supply Corporation 0.254 acre tract and the northwest corner of the
5 above mentioned Venable Exhibit "A-6" 70 acre tract;
6 THENCE South 01°20'17" West, along the west line of said Venable
7 Exhibit "A-6" 70 acre tract and the east lines of said Black Rock
8 Water Supply Corporation 0.254 acre tract, said Harmon 29.553 acre
9 tract, and said Pierce 0.724 acre tract, passing at a distance of
10 1388.97 feet a 1/2 inch iron rod found in the north line of Richter
11 Road for the southeast corner of said Pierce 0.724 acre tract, and
12 continuing along said west line for a total distance of 1413.97 feet
13 to the southwest corner of said Venable Exhibit "A-6" 70 acre tract,
14 said corner being in the north line of the above mentioned Venable
15 Exhibit "A-1" Twenty-Fourth Tract;
16 THENCE North 88°16'47" West, along the north line of said Venable
17 Exhibit "A-1" Twenty-Fourth Tract, a distance of 1403.72 feet to
18 the most southerly southeast corner of said Lewis 2.116 acre tract,
19 from which a 1/2 inch iron rod found in the north line of Richter
20 Road bears North 00°28'03" East a distance of 25.01 feet;
21 THENCE North 88°01'16" West, continuing along the north line of said
22 Venable Exhibit "A-1" Twenty-Fourth Tract and the south lines of
23 said Lewis 2.116 acre tract, said Johnson 0.5 acre tract, and said
24 Johnson 27.20 acre tract, a distance of 2024.03 feet to a wood
25 corner post found for the southwest corner of said Johnson 27.20
26 acre tract, the northwest corner of said Venable Exhibit "A-1"
27 Twenty-Fourth Tract, the northeast corner of the above mentioned

1 Venable Exhibit "A-1" Eighth Tract, and the southeast corner of
2 said Venable Exhibit "A-1" Twenty-First Tract;
3 THENCE North 00°39'41" West, along the east line of said Venable
4 Exhibit "A-1" Twenty-First Tract and the west lines of said Johnson
5 27.20 acre tract and said 27.20 acre Patricia Ann Harmon Brockett
6 tract, a distance of 1401.57 feet to the POINT OF BEGINNING and
7 containing 135.931 acres or 5,921,167 square feet of land, more or
8 less.

9 TRACT B

10 Being a tract of land situated in the George Smith Survey, Abstract
11 No. 1219, Denton County, Texas, and being described as a 210 foot by
12 210 foot tract of land conveyed to Faith Assembly Church by deed
13 recorded in Instrument No. 2004-26872, O.R.D.C.T., and being more
14 particularly described as follows:

15 BEGINNING at the northeast corner of said Church tract, from which a
16 wood corner post found bears South 89°52'15" East a distance of
17 130.00 feet;

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

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

27 THENCE North 00°07'45" East, with the approximate centerline of

1 Harmon Road and along the west line of said Church tract, a distance
2 of 210.00 feet to the northwest corner of said Church tract;
3 THENCE South 89°52'15" East, along the north line of said Church
4 tract, a distance of 210.00 feet to the POINT OF BEGINNING and
5 containing 1.012 acres or 44,100 square feet of land, more or less.

6 TRACT C

7 Being a tract of land situated in the J. Moses Survey, Abstract No.
8 894, Denton County, Texas, and being all of a called 2 acre tract of
9 land, conveyed to Trustees of Wilson Cemetery by deed recorded in
10 Volume 57, Page 402, D.R.D.C.T., and being more particularly
11 described as follows:

12 BEGINNING at a chain link fence corner post found for the northwest
13 corner of said Cemetery tract and the southwest corner of the above
14 mentioned Venable Exhibit "A-1" Twenty-Second Tract, said corner
15 being in the east line of the above mentioned Venable Exhibit "A-1"
16 Fourteenth Tract;

17 THENCE North 89°39'39" East, along the north line of said Cemetery
18 tract and the south line of said Venable Exhibit "A-1"
19 Twenty-Second Tract; passing at a distance of 288.86 feet a chain
20 link fence corner post found and continuing for a total distance of
21 305.55 feet to the northeast corner of said Cemetery tract, the
22 southwest corner of the above mentioned Venable Exhibit "A-1"
23 Twenty-First Tract, and the northwest corner of the above mentioned
24 Exhibit "A-1" Eighth Tract;

25 THENCE South 00°20'21" East, along the east line of said Cemetery
26 tract and the west line of said Venable Exhibit "A-1" Eighth Tract,
27 a distance of 285.28 feet to the southeast corner of said Cemetery

1 tract and the most easterly northeast corner of said Venable
2 Exhibit "A-1" Fourteenth Tract;
3 THENCE South 89°39'39" West, along the south line of said Cemetery
4 tract and a north line of said Venable Exhibit "A-1" Fourteenth
5 Tract; a distance of 305.55 feet to the southwest corner of said
6 Cemetery tract and an ell corner of said Venable Exhibit "A-1"
7 Fourteenth Tract, from which a chain link fence corner post found
8 bears North 30°04'24" East a distance of 9.80 feet;
9 THENCE North 00°20'21" West, along the west line of said Cemetery
10 tract and the east line of said Venable Exhibit "A-1" Fourteenth
11 Tract, a distance of 285.28 feet to the POINT OF BEGINNING and
12 containing 2.001 acres or 87,168 square feet of land, more or less.

13 _____

14 _____

15 VENABLE PROPERTY DESCRIPTION

16 TRACT 2

17 Being a tract of land situated in the T. Chambers Survey, Abstract
18 No. 223, Denton County, Texas, and being all the following tracts of
19 land conveyed to Venable Royalty, Ltd.; a called 4.37 acre tract of
20 land by deed recorded in Instrument No. 2003-193459 of the Official
21 Records of Denton County, Texas, and all of a called 4.35 acre tract
22 of land by deed recorded in Volume 4952, Page 1406 of the Real
23 Property Records of Denton County, Texas, and being more
24 particularly described as follows:

25 BEGINNING at a wood corner post found for the northwest corner of
26 said 4.35 acre tract and the southwest corner of a called 2.726 acre
27 tract of land conveyed to Dennard's Farm Supply Incorporated by

1 deed recorded in Instrument No. 2009-52074 of the Official Records
2 of Denton County, Texas, said corner being in the east line of the
3 Texas and Pacific Railway Company right-of-way (80 foot wide
4 right-of-way);

5 THENCE South $87^{\circ}59'39''$ East, along the north line of said 4.35 acre
6 tract and the south line of said 2.726 acre tract, a distance of
7 307.30 feet to the northeast corner of said 4.35 acre tract and the
8 southeast corner of said 2.726 acre tract, said corner being in the
9 west right-of-way line of State Highway 377 (a 120 foot wide
10 right-of-way), from which a metal corner post found bears North
11 $87^{\circ}59'39''$ West a distance of 1.44 feet, said point also being at the
12 beginning of a non-tangent curve to the right;

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

15 Southwesterly, along said non-tangent curve to the right
16 having a central angle of $02^{\circ}03'24''$, a radius of 5669.58 feet, a
17 chord bearing of South $03^{\circ}44'56''$ West, a chord distance of 203.52
18 feet, passing at an arc length of 203.12 feet a wood highway marker
19 found for the southeast corner of said 4.35 acre tract and being at
20 the intersection of the west right-of-way line of State Highway 377
21 with the northwesterly right-of-way line of Farm to Market 3524 (a
22 80 foot wide right-of-way), and continuing for a total an arc length
23 of 203.53 feet to the end of said curve;

24 South $04^{\circ}46'38''$ West, passing at a distance of 570.19 feet the
25 northeast corner of said 4.37 acre tract, from which a 60d nail
26 found bears South $85^{\circ}13'22''$ East a distance of 1.33 feet, and
27 continuing for a total distance of 1120.24 feet to the southeast

1 corner of said 4.37 acre tract, from which a 1/2 inch iron rod found
2 bears North 88°16'01" West a distance of 1.06 feet;
3 THENCE North 88°16'01" West, along the south line of said 4.37 acre
4 tract, a distance of 387.22 feet to the southwest corner of said
5 4.37 acre tract, said corner being in the east line of said Texas
6 and Pacific Railway Company right-of-way, from which a 1/2 inch
7 iron rod found bears North 88°16'01" West a distance of 1.30 feet,
8 said point also being at the beginning of a non-tangent curve to the
9 left;

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

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

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

26 This document was prepared under 22 TAC §663.21, does not reflect
27 the results of an on the ground survey, and is not to be used to

1 convey or establish interests in real property except those rights
2 and interests implied or established by the creation or
3 reconfiguration of the boundary of the political subdivision for
4 which it was prepared.

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

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

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

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

23 SECTION 4. (a) If this Act does not receive a two-thirds
24 vote of all the members elected to each house, Subchapter C, Chapter
25 8469, Special District Local Laws Code, as added by Section 1 of
26 this Act, is amended by adding Section 8469.109 to read as follows:

27 Sec. 8469.109. NO EMINENT DOMAIN POWER. The district may

1 not exercise the power of eminent domain.

2 (b) This section is not intended to be an expression of a
3 legislative interpretation of the requirements of Section 17(c),
4 Article I, Texas Constitution.

5 SECTION 5. This Act takes effect September 1, 2013.