

By: Estes
(Fallon)

S.B. No. 1878

A BILL TO BE ENTITLED

AN ACT

relating to the creation of Highway 380 Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose assessments, fees, or taxes.

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 3920 to read as follows:

CHAPTER 3920. HIGHWAY 380 MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3920.001. DEFINITIONS. In this chapter:

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

(2) "City" means the Town of Little Elm.

(3) "County" means Denton County.

(4) "Director" means a board member.

(5) "District" means the Highway 380 Municipal Management District No. 1.

Sec. 3920.002. NATURE OF DISTRICT. The Highway 380 Municipal Management District No. 1 is a special district created under Section 59, Article XVI, Texas Constitution.

Sec. 3920.003. PURPOSE; DECLARATION OF INTENT. (a) The creation of the district is essential to accomplish the purposes of Sections 52 and 52-a, Article III, and Section 59, Article XVI, Texas Constitution, and other public purposes stated in this chapter. By creating the district and in authorizing the city, the

1 county, and other political subdivisions to contract with the
2 district, the legislature has established a program to accomplish
3 the public purposes set out in Section 52-a, Article III, Texas
4 Constitution.

5 (b) The creation of the district is necessary to promote,
6 develop, encourage, and maintain employment, commerce,
7 transportation, housing, tourism, recreation, the arts,
8 entertainment, economic development, safety, and the public
9 welfare in the district.

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

16 Sec. 3920.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE.

17 (a) The district is created to serve a public use and benefit.

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

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

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

27 (2) eliminating unemployment and underemployment; and

1 (3) developing or expanding transportation and
2 commerce.

3 (d) The district will:

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

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

10 (3) promote the health, safety, welfare, and enjoyment
11 of the public by providing pedestrian ways and by landscaping and
12 developing certain areas in the district, which are necessary for
13 the restoration, preservation, and enhancement of scenic beauty;
14 and

15 (4) provide for water, wastewater, drainage, road, and
16 recreational facilities for the district.

17 (e) Pedestrian ways along or across a street, whether at
18 grade or above or below the surface, and street lighting, street
19 landscaping, parking, and street art objects are parts of and
20 necessary components of a street and are considered to be a street
21 or road improvement.

22 (f) The district will not act as the agent or
23 instrumentality of any private interest even though the district
24 will benefit many private interests as well as the public.

25 Sec. 3920.005. INITIAL DISTRICT TERRITORY. (a) The
26 district is initially composed of the territory described by
27 Section 2 of the Act enacting this chapter.

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

5 (1) organization, existence, or validity;

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

9 (3) right to impose or collect an assessment or tax; or

10 (4) legality or operation.

11 Sec. 3920.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

12 All or any part of the area of the district is eligible to be
13 included in:

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

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

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

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

22 Sec. 3920.007. 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. 3920.008. CONSTRUCTION OF CHAPTER. This chapter shall
26 be liberally construed in conformity with the findings and purposes
27 stated in this chapter.

1 SUBCHAPTER B. BOARD OF DIRECTORS

2 Sec. 3920.051. GOVERNING BODY; TERMS. The district is
3 governed by a board of five voting directors who serve staggered
4 terms of four years, with two or three directors' terms expiring
5 June 1 of each odd-numbered year.

6 Sec. 3920.052. APPOINTMENT OF VOTING DIRECTORS. The Texas
7 Commission on Environmental Quality shall appoint voting directors
8 from persons recommended by the board.

9 Sec. 3920.053. NONVOTING DIRECTORS. The board may appoint
10 nonvoting directors to serve at the pleasure of the voting
11 directors.

12 Sec. 3920.054. QUORUM. For purposes of determining the
13 requirements for a quorum of the board, the following are not
14 counted:

15 (1) a board position vacant for any reason, including
16 death, resignation, or disqualification;

17 (2) a director who is abstaining from participation in
18 a vote because of a conflict of interest; or

19 (3) a nonvoting director.

20 Sec. 3920.055. COMPENSATION. A director is entitled to
21 receive fees of office and reimbursement for actual expenses as
22 provided by Section 49.060, Water Code. Sections 375.069 and
23 375.070, Local Government Code, do not apply to the board.

24 Sec. 3920.056. INITIAL VOTING DIRECTORS. (a) On or after
25 the effective date of the Act creating this chapter, the owner or
26 owners of a majority of the assessed value of the real property in
27 the district according to the most recent certified tax appraisal

1 roll for the county may submit a petition to the Texas Commission on
2 Environmental Quality requesting that the commission appoint as
3 initial voting directors the five persons named in the petition.
4 The commission shall appoint the five persons named in the petition
5 as initial directors by position.

6 (b) Of the initial directors, the terms of directors
7 appointed for positions one through three expire June 1, 2015, and
8 the terms of directors appointed for positions four and five expire
9 June 1, 2017.

10 (c) Section 3920.052 does not apply to this section.

11 (d) This section expires September 1, 2017.

12 SUBCHAPTER C. POWERS AND DUTIES

13 Sec. 3920.101. GENERAL POWERS AND DUTIES. The district has
14 the powers and duties necessary to accomplish the purposes for
15 which the district is created.

16 Sec. 3920.102. IMPROVEMENT PROJECTS AND SERVICES. The
17 district may provide, design, construct, acquire, improve,
18 relocate, operate, maintain, or finance an improvement project or
19 service using any money available to the district, or contract with
20 a governmental or private entity to provide, design, construct,
21 acquire, improve, relocate, operate, maintain, or finance an
22 improvement project or service authorized under this chapter or
23 Chapter 375, Local Government Code.

24 Sec. 3920.103. DEVELOPMENT CORPORATION POWERS. The
25 district, using money available to the district, may exercise the
26 powers given to a development corporation under Chapter 505, Local
27 Government Code, including the power to own, operate, acquire,

1 construct, lease, improve, or maintain a project under that
2 chapter.

3 Sec. 3920.104. NONPROFIT CORPORATION. (a) The board by
4 resolution may authorize the creation of a nonprofit corporation to
5 assist and act for the district in implementing a project or
6 providing a service authorized by this chapter.

7 (b) The nonprofit corporation:

8 (1) has each power of and is considered to be a local
9 government corporation created under Subchapter D, Chapter 431,
10 Transportation Code; and

11 (2) may implement any project and provide any service
12 authorized by this chapter.

13 (c) The board shall appoint the board of directors of the
14 nonprofit corporation. The board of directors of the nonprofit
15 corporation shall serve in the same manner as the board of directors
16 of a local government corporation created under Subchapter D,
17 Chapter 431, Transportation Code, except that a board member is not
18 required to reside in the district.

19 Sec. 3920.105. AGREEMENTS; GRANTS. (a) As provided by
20 Chapter 375, Local Government Code, the district may make an
21 agreement with or accept a gift, grant, or loan from any person.

22 (b) The implementation of a project is a governmental
23 function or service for the purposes of Chapter 791, Government
24 Code.

25 Sec. 3920.106. LAW ENFORCEMENT SERVICES. To protect the
26 public interest, the district may contract with a qualified party,
27 including the county or the city, to provide law enforcement

1 services in the district for a fee.

2 Sec. 3920.107. MEMBERSHIP IN CHARITABLE ORGANIZATIONS. The
3 district may join and pay dues to a charitable or nonprofit
4 organization that performs a service or provides an activity
5 consistent with the furtherance of a district purpose.

6 Sec. 3920.108. ECONOMIC DEVELOPMENT. (a) The district may
7 engage in activities that accomplish the economic development
8 purposes of the district.

9 (b) The district may establish and provide for the
10 administration of one or more programs to promote state or local
11 economic development and to stimulate business and commercial
12 activity in the district, including programs to:

13 (1) make loans and grants of public money; and

14 (2) provide district personnel and services.

15 (c) The district may create economic development programs
16 and exercise the economic development powers provided to
17 municipalities by:

18 (1) Chapter 380, Local Government Code; and

19 (2) Subchapter A, Chapter 1509, Government Code.

20 Sec. 3920.109. PARKING FACILITIES. (a) The district may
21 acquire, lease as lessor or lessee, construct, develop, own,
22 operate, and maintain parking facilities or a system of parking
23 facilities, including lots, garages, parking terminals, or other
24 structures or accommodations for parking motor vehicles off the
25 streets and related appurtenances.

26 (b) The district's parking facilities serve the public
27 purposes of the district and are owned, used, and held for a public

1 purpose even if leased or operated by a private entity for a term of
2 years.

3 (c) The district's parking facilities are parts of and
4 necessary components of a street and are considered to be a street
5 or road improvement.

6 (d) The development and operation of the district's parking
7 facilities may be considered an economic development program.

8 Sec. 3920.110. ANNEXATION OF LAND. The district may annex
9 land as provided by Subchapter J, Chapter 49, Water Code.

10 Sec. 3920.111. NO EMINENT DOMAIN POWER. The district may
11 not exercise the power of eminent domain.

12 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

13 Sec. 3920.151. DISBURSEMENTS AND TRANSFERS OF MONEY. The
14 board by resolution shall establish the number of directors'
15 signatures and the procedure required for a disbursement or
16 transfer of district money.

17 Sec. 3920.152. MONEY USED FOR IMPROVEMENTS OR SERVICES.
18 The district may acquire, construct, finance, operate, or maintain
19 any improvement or service authorized under this chapter or Chapter
20 375, Local Government Code, using any money available to the
21 district.

22 Sec. 3920.153. PETITION REQUIRED FOR FINANCING SERVICES AND
23 IMPROVEMENTS WITH ASSESSMENTS. (a) The board may not finance a
24 service or improvement project with assessments under this chapter
25 unless a written petition requesting that service or improvement
26 has been filed with the board.

27 (b) A petition filed under Subsection (a) must be signed by

1 the owners of a majority of the assessed value of real property in
2 the district subject to assessment according to the most recent
3 certified tax appraisal roll for the county.

4 Sec. 3920.154. ASSESSMENTS; LIENS FOR ASSESSMENTS.

5 (a) The board by resolution may impose and collect an assessment
6 for any purpose authorized by this chapter in all or any part of the
7 district.

8 (b) An assessment, a reassessment, or an assessment
9 resulting from an addition to or correction of the assessment roll
10 by the district, penalties and interest on an assessment or
11 reassessment, an expense of collection, and reasonable attorney's
12 fees incurred by the district:

13 (1) are a first and prior lien against the property
14 assessed;

15 (2) are superior to any other lien or claim other than
16 a lien or claim for county, school district, or municipal ad valorem
17 taxes; and

18 (3) are the personal liability of and a charge against
19 the owners of the property even if the owners are not named in the
20 assessment proceedings.

21 (c) The lien is effective from the date of the board's
22 resolution imposing the assessment until the date the assessment is
23 paid. The board may enforce the lien in the same manner that the
24 board may enforce an ad valorem tax lien against real property.

25 (d) The board may make a correction to or deletion from the
26 assessment roll that does not increase the amount of assessment of
27 any parcel of land without providing notice and holding a hearing in

1 the manner required for additional assessments.

2 Sec. 3920.155. RESIDENTIAL PROPERTY NOT EXEMPT. Section
3 375.161, Local Government Code, does not apply to a tax authorized
4 or approved by the voters of the district or a required payment for
5 a service provided by the district, including water and sewer
6 services.

7 Sec. 3920.156. TAX AND ASSESSMENT ABATEMENTS. The district
8 may designate reinvestment zones and may grant abatements of
9 district taxes or assessments on property in the zones.

10 SUBCHAPTER E. TAXES AND BONDS

11 Sec. 3920.201. CONSENT OF CITY REQUIRED. The district may
12 not impose a tax or issue a bond until the city has consented by
13 ordinance or resolution to the creation of the district and to the
14 inclusion of land in the district.

15 Sec. 3920.202. ELECTIONS REGARDING TAXES AND BONDS.

16 (a) The district may issue, without an election, bonds, notes, and
17 other obligations secured by:

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

19 (2) contract payments described by Section 3920.204.

20 (b) The district must hold an election in the manner
21 provided by Subchapter L, Chapter 375, Local Government Code, to
22 obtain voter approval before the district may impose an ad valorem
23 tax or issue bonds payable from ad valorem taxes.

24 (c) Section 375.243, Local Government Code, does not apply
25 to the district.

26 (d) All or any part of any facilities or improvements that
27 may be acquired by a district by the issuance of its bonds may be

1 submitted as a single proposition or as several propositions to be
2 voted on at the election.

3 Sec. 3920.203. OPERATION AND MAINTENANCE TAX. (a) If
4 authorized by a majority of the district voters voting at an
5 election held in accordance with Section 3920.202, the district may
6 impose an operation and maintenance tax on taxable property in the
7 district in accordance with Section 49.107, Water Code, for any
8 district purpose, including to:

9 (1) maintain and operate the district;

10 (2) construct or acquire improvements; or

11 (3) provide a service.

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

14 (c) Section 49.107(h), Water Code, does not apply to the
15 district.

16 Sec. 3920.204. CONTRACT TAXES. (a) In accordance with
17 Section 49.108, Water Code, the district may impose a tax other than
18 an operation and maintenance tax and use the revenue derived from
19 the tax to make payments under a contract after the provisions of
20 the contract have been approved by a majority of the district voters
21 voting at an election held for that purpose.

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

25 Sec. 3920.205. AUTHORITY TO BORROW MONEY AND TO ISSUE BONDS
26 AND OTHER OBLIGATIONS. (a) The district may borrow money on terms
27 determined by the board. Section 375.205, Local Government Code,

1 does not apply to a loan, line of credit, or other borrowing from a
2 bank or financial institution secured by revenue other than ad
3 valorem taxes.

4 (b) The district may issue bonds, notes, or other
5 obligations payable wholly or partly from ad valorem taxes,
6 assessments, impact fees, revenue, contract payments, grants, or
7 other district money, or any combination of those sources of money,
8 to pay for any authorized district purpose.

9 Sec. 3920.206. TAXES FOR BONDS. At the time the district
10 issues bonds payable wholly or partly from ad valorem taxes, the
11 board shall provide for the annual imposition of a continuing
12 direct annual ad valorem tax, without limit as to rate or amount,
13 for each year that all or part of the bonds are outstanding as
14 required and in the manner provided by Sections 54.601 and 54.602,
15 Water Code.

16 SECTION 2. The Highway 380 Municipal Management District
17 No. 1 initially includes all territory contained in the following
18 area:

19 TRACT 1

20 WHEREAS, The Rudman Partnership is the owner of a tract of
21 land situated in the THOMAS NAVO SURVEY, ABSTRACT NO. 964 and the
22 WILLIAM LUMPKIN LEAGUE AND LABOR SURVEY, ABSTRACT NO. 730, in
23 Denton County, Texas, said tract being a portion of a called 645.238
24 acre tract of land described as File No. F0030.00 and a portion of a
25 called 52.360 acre tract of land described as File No. F0031.00 in a
26 deed to The Rudman Partnership, recorded in Volume 2844, Page 42,
27 Real Property Records, Denton County, Texas, and being more

1 particularly described as follows:

2 BEGINNING at a point in the approximate center of Fish Trap
3 Road (a partially dedicated public road) for an interior ell corner
4 of said 645.238 acre tract and the northwest corner of a tract of
5 land described in a deed to CHS Savannah, L.P. recorded in Document
6 No. 2006-40724 of said Real Property Records;

7 THENCE South 01 degree 33 minutes 02 seconds West, along the
8 common line of said 645.238 acre tract and CHS Savannah Tract,
9 passing the most southerly southeast corner of said 645.238 acre
10 tract and the northeast corner of said 52.360 acre tract at 3,401.50
11 feet and continuing for a total distance of 3,839.27 feet to a point
12 for corner, said point being in a northerly boundary line of the
13 Town of Little Elm as described in Exhibit A, Tract 3 of Town
14 Ordinance No. 809;

15 THENCE North 56 degrees 04 minutes 01 seconds West, along
16 said northerly boundary line, a distance of 2,542.41 feet to a point
17 for corner, said point being in the east boundary line of Lot 1,
18 Block A, Navo Middle School Addition, an addition to Denton County
19 according to the plat thereof recorded in Cabinet W, Page 436 of
20 said Real Property Records;

21 THENCE North 01 degree 35 minutes 07 seconds East, along the
22 east line of said addition, a distance of 1,343.95 feet to the
23 northeast corner of said addition;

24 THENCE North 88 degrees 08 minutes 38 seconds West, along the
25 north line of said addition, a distance of 1,216.05 feet to the
26 southeast corner of a 1.168 acre right-of-way dedication for Navo
27 Road to Denton County recorded in said Document No. 2006-24266;

1 THENCE North 01 degrees 34 minutes 31 seconds East, along the
2 east line of said dedication, a distance of 1,082.41 feet to the
3 northeast corner of said dedication;

4 THENCE South 89 degrees 57 minutes 07 seconds West, along the
5 north line of said dedication, a distance of 46.93 feet to a point
6 in the approximate center of Navo Road;

7 THENCE North 01 degree 35 minutes 07 seconds East, along the
8 approximate center of said Navo Road, a distance of 34.30 feet to a
9 point in the approximate center of Fish Trap Road and the south line
10 of a tract of land described in a deed to Dallas Lyndhurst, Ltd.
11 recorded in Document No. 97-090639 of said Real Property Records;

12 THENCE South 88 degrees 38 minutes 53 seconds East, along the
13 approximate center of said Fish Trap Road and the south line of said
14 Lyndhurst tract, a distance of 1,158.00 feet to the southeast
15 corner of said Lyndhurst tract;

16 THENCE North 01 degree 30 minutes 07 seconds East, along the
17 east line of said Lyndhurst tract, a distance of 1,330.60 feet to
18 the northeast corner of said Lyndhurst tract;

19 THENCE North 88 degrees 26 minutes 11 seconds West, along the
20 north line of said Lyndhurst tract, a distance of 844.57 feet to the
21 most southerly southeast corner of a called 16.78 acre tract of land
22 described as Tract 11-113 in a deed to the United States of America,
23 recorded in Volume 2822, Page 802 of said Real Property Records;

24 THENCE along the east line of said 16.78 acre tract, the
25 following courses and distances:

26 North 57 degrees 27 minutes 26 seconds East, a distance
27 of 117.61 feet to a point for corner;

1 North 33 degrees 06 minutes 22 seconds East, a distance
2 of 328.27 feet to a point for corner;

3 North 11 degrees 04 minutes 26 seconds East, a distance
4 of 284.12 feet to a point for corner;

5 North 15 degrees 07 minutes 37 seconds West, a distance
6 of 328.22 feet to a point for corner;

7 North 21 degrees 29 minutes 01 seconds West, a distance
8 of 67.72 feet to a point on the south boundary of a called 239.673
9 acre tract of land described in a deed to Gene McCutchin, recorded
10 in Volume 927, Page 689 of said Real Property Records for the
11 northwest corner of said 16.78 acre tract;

12 THENCE South 88 degrees 43 minutes 53 seconds East, along the
13 common boundary between said 645.238 acre tract and said 239.673
14 acre tract, a distance of 3,910.67 feet to a point for corner, said
15 point being approximately 350.00 feet west of the approximate
16 center of Byran Road;

17 THENCE over and across said 645.238 acre tract, the following
18 courses and distances:

19 South 01 degree 28 minutes 00 seconds West, a distance
20 of 2,341.34 feet to a point in the approximate center of said Fish
21 Trap Road and the north line of said CHS Savannah Tract;

22 THENCE North 88 degrees 38 minutes 53 seconds West, along the
23 north line of said CHS Savannah tract, a distance of 1,013.17 feet
24 to the POINT OF BEGINNING and containing 376.078 acres of land, more
25 or less.

26 TRACT 2

27 WHEREAS, The Rudman Partnership is the owner of a tract of

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1 land situated in the THOMAS NAVO SURVEY, ABSTRACT NO. 964 and the
2 WILLIAM LUMPKIN LEAGUE AND LABOR SURVEY, ABSTRACT NO. 730, in
3 Denton County, Texas, said tract being a portion of a called 645.238
4 acre tract of land described as File No. F0030.00 and a portion of a
5 called 52.360 acre tract of land described as File No. F0031.00 in a
6 deed to The Rudman Partnership, recorded in Volume 2844, Page 42,
7 Real Property Records, Denton County, Texas, and being more
8 particularly described as follows:

9 COMMENCING at a point in the approximate center of Fish Trap
10 Road (a partially dedicated public road) for an interior ell corner
11 of said 645.238 acre tract and the northwest corner of a tract of
12 land described in a deed to CHS Savannah, L.P. recorded in Document
13 No. 2006-40724 of said Real Property Records;

14 THENCE South 01 degree 33 minutes 02 seconds West, along the
15 common line of said 645.238 acre tract and CHS Savannah Tract,
16 passing the most southerly southeast corner of said 645.238 acre
17 tract and the northeast corner of said 52.360 acre tract at 3,401.50
18 feet and continuing for a total distance of 3,839.27 feet to THE
19 POINT OF BEGINNING, said point being in a northerly boundary line of
20 the Town of Little Elm as described in Exhibit A, Tract 3 of Town
21 Ordinance No. 809;

22 THENCE South 01 degree 33 minutes 02 seconds West, continuing
23 along said common line, a distance of 258.19 to a point being on the
24 north right-of-way of U.S. Highway 380 (a variable width
25 right-of-way) for the southeast corner of said 52.360 acre tract;

26 THENCE North 87 degrees 42 minutes 53 seconds West, along
27 said north right-of-way and the south line of said 52.360 acre

1 tract, a distance of 3,322.62 feet to a point on the southeast end
2 of a highway right-of-way flare for corner;

3 THENCE North 43 degrees 42 minutes 31 seconds West, along
4 said right-of-way flare, a distance of 138.39 feet to a point in the
5 approximate center of Navo Road (a partially dedicated public road)
6 for corner;

7 THENCE North 01 degree 54 minutes 19 seconds East, along the
8 approximate center of said Navo Road, passing the northwest corner
9 of said 52.360 acre tract and the southwest corner of said 645.238
10 acre tract at 544.12 feet and continuing for a total distance of
11 1,656.01 feet to the southwest corner of a 0.450 acre right-of-way
12 dedication for Navo Road to Denton County, recorded as Document No.
13 2006-24266 of said Real Property Records;

14 THENCE along the south and east lines of said right-of-way
15 dedication, the following courses and distances:

16 South 88 degrees 25 minutes 29 seconds East, a distance
17 of 51.70 feet to a point for corner;

18 North 01 degree 33 minutes 20 seconds East, a distance
19 of 12.20 feet to a point for corner;

20 North 00 degrees 41 minutes 13 seconds West, a distance
21 of 127.90 feet to a point for corner;

22 North 01 degree 34 minutes 35 seconds East, a distance
23 of 258.84 feet to a point on the southwest line of Lot 1, Block A,
24 Navo Middle School Addition, an addition to Denton County according
25 to the plat thereof recorded in Cabinet W, Page 436 of said Real
26 Property Records;

27 THENCE South 59 degrees 28 minutes 01 second East, along the

1 southwest line of said addition, a distance of 1,390.62 feet to a
2 point for corner;

3 THENCE North 01 degree 35 minutes 07 seconds East, along the
4 east boundary of said addition, a distance of 98.82 feet to a point
5 in said northerly boundary line of the Town of Little Elm for
6 corner;

7 THENCE South 56 degrees 04 minutes 01 seconds East, along
8 said northerly boundary line of the Town of Little Elm a distance of
9 2,542.41 feet to the POINT OF BEGINNING and containing 98.489 acres
10 of land, more or less.

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

18 (b) The governor, one of the required recipients, has
19 submitted the notice and Act to the Texas Commission on
20 Environmental Quality.

21 (c) The Texas Commission on Environmental Quality has filed
22 its recommendations relating to this Act with the governor,
23 lieutenant governor, and speaker of the house of representatives
24 within the required time.

25 (d) The general law relating to consent by political
26 subdivisions to the creation of districts with conservation,
27 reclamation, and road powers and the inclusion of land in those

1 districts has been complied with.

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

6 SECTION 4. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2013.