

SENATE AMENDMENTS

2nd Printing

By: Sanford

H.B. No. 3914

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Old Celina Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose an assessment or fee.

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 3919 to read as follows:

CHAPTER 3919. OLD CELINA MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3919.001. DEFINITIONS. In this chapter:

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

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

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

(4) "Director" means a board member.

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

Sec. 3919.002. CREATION AND NATURE OF DISTRICT. The Old Celina 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. 3919.003. PURPOSE; LEGISLATIVE FINDINGS. (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

1 chapter. By creating the district and in authorizing the city and
2 other political subdivisions to contract with the district, the
3 legislature has established a program to accomplish the public
4 purposes set out in Section 52-a, Article III, Texas 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 county from providing the level
12 of services provided to the area in the district as of the effective
13 date of the Act enacting this chapter. The district is created to
14 supplement and not to supplant the city and county services
15 provided in the district.

16 Sec. 3919.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
17 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 district is created to accomplish the purposes of a
24 municipal management district as provided by general law and
25 Sections 52 and 52-a, Article III, and Section 59, Article XVI,
26 Texas Constitution.

27 (d) The creation of the district is in the public interest

1 and is essential to:

2 (1) further the public purposes of developing and
3 diversifying the economy of the state;

4 (2) eliminate unemployment and underemployment; and

5 (3) develop or expand transportation and commerce.

6 (e) The district will:

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

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

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

17 (f) 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 (g) 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. 3919.005. 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 contract;

7 (3) authority to borrow money or issue bonds or other
8 obligations described by Section 3919.203 or to pay the principal
9 and interest of the bonds or other obligations;

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

12 (5) legality or operation.

13 Sec. 3919.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

14 (a) All or any part of the area of the district is eligible to be
15 included in:

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

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

20 (3) an enterprise zone created under Chapter 2303,
21 Government Code.

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

27 (1) the purposes permitted for money granted to a

1 corporation under Section 380.002(b), Local Government Code; and

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

5 (c) If the city creates a tax increment reinvestment zone
6 described by Subsection (a), the city may determine the percentage
7 of the property in the zone that may be used for residential
8 purposes and is not subject to the limitations provided by Section
9 311.006, Tax Code.

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

13 Sec. 3919.008. FORM OF CITY APPROVAL. (a) A statutory
14 requirement relating to the duty of the district to obtain the
15 approval or consent of the city in a manner other than the manner
16 described by Subsection (b) before the district takes an action,
17 including a requirement prescribed by Section 42.042 or Chapter
18 375, Local Government Code, or Chapter 54, Water Code, does not
19 apply to the district.

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

25 Sec. 3919.009. 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. 3919.051. GOVERNING BODY; TERMS. (a) The district is governed by a board of five directors appointed by the governing body of the city.

(b) Directors serve staggered terms of four years, with two or three directors' terms expiring May 31 of each even-numbered year.

Sec. 3919.052. VACANCY. The governing body of the city shall appoint a director to fill a vacancy on the board for the remainder of the unexpired term.

Sec. 3919.053. DIRECTOR'S OATH OR AFFIRMATION. A director shall file the director's oath or affirmation of office with the district, and the district shall retain the oath or affirmation in the district records.

Sec. 3919.054. OFFICERS. The board shall elect from among the directors a chair, a vice chair, and a secretary.

Sec. 3919.055. COMPENSATION; EXPENSES. (a) The district shall compensate each director as provided by Section 49.060, Water Code.

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

Sec. 3919.056. LIABILITY INSURANCE. The district may obtain and pay for comprehensive general liability insurance coverage from a commercial insurance company or other source that protects and insures the directors against personal liability and from all claims for actions taken as directors or actions and

1 activities taken by the district or by others acting on its behalf.

2 Sec. 3919.057. BOARD MEETINGS. The board shall hold
3 meetings at a place accessible to the public.

4 Sec. 3919.058. REMOVAL OF DIRECTORS. The governing body of
5 the city may remove a director appointed under Section 3919.051(a)
6 at any time for cause or at will.

7 Sec. 3919.059. INITIAL DIRECTORS. (a) The initial board
8 consists of five directors appointed by the governing body of the
9 city.

10 (b) Of the initial directors, the terms of two directors
11 expire May 31, 2016, and the terms of three directors expire May 31,
12 2014.

13 (c) The governing body of the city shall determine which
14 directors' terms expire May 31, 2016, and which directors' terms
15 expire May 31, 2014.

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

17 SUBCHAPTER C. POWERS AND DUTIES

18 Sec. 3919.101. GENERAL POWERS AND DUTIES. The district has
19 the powers and duties necessary to accomplish the purposes for
20 which the district is created.

21 Sec. 3919.102. IMPROVEMENT PROJECTS. The district may
22 provide, or it may enter into contracts with a governmental or
23 private entity to provide, the improvement projects described by
24 Subchapter C-1 or activities in support of or incidental to those
25 projects.

26 Sec. 3919.103. WATER DISTRICT POWERS. (a) Except as
27 provided by Subsection (b), the district has the powers provided by

1 the general laws relating to conservation and reclamation districts
2 created under Section 59, Article XVI, Texas Constitution,
3 including Chapters 49 and 54, Water Code.

4 (b) The district may not provide wholesale or retail water
5 or wastewater service.

6 (c) The district shall display a design selected by the city
7 on a water tower or tank the district constructs or finances. The
8 district may not display the name or logo of the district or of any
9 other entity on the water tower or tank.

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

14 Sec. 3919.105. PUBLIC IMPROVEMENT DISTRICT POWERS. The
15 district has the powers provided by Chapter 372, Local Government
16 Code, to a municipality or county.

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

21 Sec. 3919.107. LIMITATIONS ON EMERGENCY SERVICES POWERS.
22 Sections 49.216 and 49.351, Water Code, do not apply to the
23 district.

24 Sec. 3919.108. ECONOMIC DEVELOPMENT. The district may
25 engage in activities that accomplish the economic development
26 purposes of the district.

27 Sec. 3919.109. ADDING OR REMOVING TERRITORY. As provided

1 by Subchapter J, Chapter 49, Water Code, the board may add territory
2 inside the boundaries of the city or the extraterritorial
3 jurisdiction of the city to the district or remove territory inside
4 the boundaries of the city or the extraterritorial jurisdiction of
5 the city from the district, except that:

6 (1) the addition or removal of the territory must be
7 approved by the city;

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

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

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

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

18 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

19 Sec. 3919.151. IMPROVEMENT PROJECTS AND SERVICES. Except
20 as otherwise provided by this chapter, the district may provide,
21 design, construct, acquire, improve, relocate, operate, maintain,
22 or finance an improvement project or service using any money
23 available to the district, or contract with a governmental or
24 private entity to provide, design, construct, acquire, improve,
25 relocate, operate, maintain, or finance an improvement project or
26 service authorized under this chapter or Chapter 372 or 375, Local
27 Government Code.

1 Sec. 3919.152. BOARD DETERMINATION REQUIRED. The district
2 may not undertake an improvement project unless the board
3 determines the project is necessary to accomplish a public purpose
4 of the district.

5 Sec. 3919.153. LOCATION OF IMPROVEMENT PROJECT. An
6 improvement project may be located or provide service inside or
7 outside the district.

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

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

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

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

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

21 (b) The district shall immediately comply with any city
22 ordinance or resolution adopted under this section.

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

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

2 (2) Chapter 375, Local Government Code.

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

7 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

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

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

16 Sec. 3919.203. BORROWING MONEY; OBLIGATIONS. (a) The
17 district may borrow money for a district purpose, including the
18 acquisition or construction of improvement projects authorized by
19 this chapter and the reimbursement of a person who develops or owns
20 an improvement project authorized by this chapter, without holding
21 an election by issuing bonds, notes, time warrants, or other
22 obligations, or by entering into a contract or other agreement
23 payable wholly or partly from an assessment, a contract payment, a
24 grant, other district revenue, or a combination of these sources.

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

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

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

3 Sec. 3919.204. ASSESSMENTS. (a) Except as provided by
4 Subsection (b), the district may impose an assessment on property
5 in the district to pay for an obligation described by Section
6 3919.203 in the manner provided for:

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

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

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

13 Sec. 3919.205. NOTICE OF ASSESSMENTS. (a) Not later than
14 the 30th day before the date the board imposes an annual assessment,
15 the board shall file written notice with the secretary of the city
16 that specifies the assessments the district will impose in the
17 district's next fiscal year in sufficient clarity to describe the
18 assessments for the operation and maintenance of the district and
19 the assessments for the payment of debt service of obligations
20 issued or incurred by the district.

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

23 (c) The assessment roll must clearly state that the
24 assessments in the assessment roll are in addition to the ad valorem
25 taxes imposed by other political subdivisions that tax real
26 property in the district.

27 (d) The district shall generate and implement a program to

1 provide notice modeled on the notice described by Section
2 49.452(c), Water Code, to a prospective purchaser of property in
3 the district of the assessments that have been approved and are
4 imposed by the district.

5 Sec. 3919.206. RESIDENTIAL PROPERTY NOT EXEMPT. Section
6 375.161, Local Government Code, does not apply to the district.

7 Sec. 3919.207. NO IMPACT FEES. The district may not impose
8 an impact fee.

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

11 SUBCHAPTER E. DISSOLUTION

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

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

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

17 (2) the city agrees to succeed to the rights and
18 obligations of the district.

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

20 (a) If the dissolved district has bonds or other obligations
21 outstanding secured by and payable from assessments or other
22 revenue, the city succeeds to the rights and obligations of the
23 district regarding enforcement and collection of the assessments or
24 other revenue.

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

27 (1) the bonds or other obligations when due and

1 payable according to their terms; or

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

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

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

11 SECTION 2. The Old Celina Municipal Management District No.
12 1 initially includes all the territory contained in the following
13 area:

14 West Tract

15 All that certain tract or parcel of land situated in the Henry
16 Bentley Survey, Abstract Number 124 and the B.B.B. & C.R.R. Survey,
17 Abstract Number 132, County of Collin, State of Texas, said tract
18 being all of a called 30.45 acre tract as described in deed to
19 Dorothea Cornelius, filed 24 April 2007, and recorded in county
20 clerks number 07-000549120 of the deed records of the County of
21 Collin, State of Texas, and said tract being part of a called 11.13
22 acre tract as described in deed to Cornelius Family Revocable
23 Trust, filed 24 April 2007, and recorded In county clerks number
24 07-000549090 of said deed records, and being more fully described
25 as follows;

26 Beginning for the southwest corner of the tract being described
27 herein at a found 1/2 inch rebar, said rebar being the southwest

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1 corner of said Cornelius 30 acre tract, some being the southeast
2 corner of a called 99.028 acre tract as described in deed to Old
3 Celina, Ltd filed 11 June 2002, and recorded in volume 5208 page 3408
4 of said deed records, said rebar also being on the north line of a
5 called 73.558 acre tract as described in deed to Old Celina, Ltd,
6 filed 11 June 2002, and recorded in volume 5208 page 3382 of said
7 deed records;

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

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

21 Thence: North 88 degrees 29 minutes, 00 seconds East, with the south
22 line of said City tract, a distance of 224.07 feet to a set 1/2 inch
23 steel square tubing for the northeast corner of this tract, said
24 tubing being on the west right of way line of Farm to Market Road
25 Number 428, and said tubing being in a curve to the left having a
26 central angle of 01 degrees 37 minutes 20 seconds, and a radius of
27 1190.91 feet and a chord bearing of South 40 degrees 42 minutes 20

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1 seconds fast, and a chord distance of 33.72 feet;
2 Thence: With said curve to the left and with the west line of said
3 road an arc length of 33.72 feet to a set 1/2 inch steel square
4 tubing for the end of said curve;
5 Thence: South 41 degrees 31 minutes 00 seconds East, with the west
6 line of said road a distance of 20.40 feet to a set 1/2 inch steel
7 square tubing for the start of a curve to the right having a central
8 angle of 40 degrees 02 minutes 00 seconds, and a radius of 1101.03
9 feet, and a chord bearing of South 21 degrees 30 minutes 00 seconds
10 fast, and a chord distance- of 753.75 feet;
11 Thence: With said curve to the right and with the west line of said
12 road an arc length of 769.31 feet to a set 1/2 inch steel square.
13 Tubing for the end of said curve;
14 Thence: .South 01 degrees 29 minutes 00 seconds East, with the west
15 line of said road, a distance of 129.80 feet to a set 1/2 inch steel
16 square tubing for the southeast corner of this tract, same being the
17 northeast corner of Exhibit "C" a called 28.15 acre tract as
18 described in Partition Deed to Sandra Short Osborne, filed 12 March
19 1986, and recorded In volume 2325 page 801 of said deed records;
20 Thence: South 88 degrees 54 minutes 08 seconds West, with the north
21 line of said Osborne tract, a distance of 1332.93 feet to a found 1
22 inch pipe by a pipe fence corner post for file northwest corner of
23 Tract One a called 15.66 acre tract as described in deed to Jerry L.
24 Moore, filed 24 October 1994; and recorded in county clerks number
25 94-0095870 of said deed records, same being the northeast corner of
26 a called 16.141 acre tract as described in deed to Old Celina Ltd.,
27 filed 11 June 2002, and recorded in volume 5208 page 3366 of said

1 deed records;

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

5 East Tract

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

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

21 Thence: South 88 degrees 31 minutes 00 seconds West, with the east
22 line of said road a distance of 45.05 feet to a set 1/2 Inch steel
23 square tubing for the start of a curve to the left having a central
24 angle of 16 degrees 36 minutes 28 seconds, and a radius of 1191.03
25 feet, and a chord bearing of North 32 degrees 12 minutes 35 seconds
26 attest, and a chord distance of 344.03 feet;

27 Thence: With-said curve to the left and with the east line of said

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road, an arc length 345.23 feet to a set 1/2 inch steel square tubing for the northwest corner of this tract, said tubing being in Collin County Road Number 56;

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

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

EXHIBIT "A"

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

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

THENCE North 88 degrees 23 minutes 45 seconds East along said south

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1 right-of-way line, a distance of 885.98 foot to a 3/8-inch iron rod
2 found for corner, said corner being the northwest corner of a tract
3 of land conveyed to Hassan Badii, as recorded in Volume 2031, Page
4 943, D.R.C.C.T.;
5 THENCE South 00 degrees 48 minutes 00 seconds East along the weal
6 line of said Badii tract, and along the west line of a tract of land
7 conveyed to Stephen Harold Mills, as recorded in Volume 4987, Page
8 3011. D.R.C.C.T. and the west line of a tract of land conveyed to
9 the City of Celina, as recorded in Volume 4770, Page 2324,
10 D.R.C.C.T., a distance of 2150.90 feet to a 5/8-inch iron rod found
11 for an ell comer of said City of Celina tract;
12 THENCE South 89 degrees 02 minutes 12 seconds West along the most
13 southerly north line of said City of Celina tract, a distance of
14 881.92 feet to 1/2-inch iron rod with cap stamped "ALLIANCE" found
15 for corner, said corner being on the east line of the aforementioned
16 Glendenning tract;
17 THENCE North 00 degrees 54 minutes 23 seconds West along the east
18 line of said Glendenning tract, a distance of 2140.98 foot to the
19 POINT OF BEGINNING;
20 CONTAINING a computed area of 1,896,815 square feet or 43.545 acres
21 of land.

22 Exhibit "A"

23 BEING all that certain tract or parcel of land situated in the H.
24 BENTLEY SURVEY, Abstract No. 124 in the City of Celina, Collin
25 County, Texas and being out of a 44.50 acre tract of land described
26 in deed to Clifford Gee McKnight, recorded in Volume 2430, Page 665
27 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being

1 more particularly described as follows:
2 BEGINNING of a 1/2-inch iron rod found at the southeast corner of
3 said McKnight tract of land, being an ell corner for a 39.02 acre
4 tract of land described in deed to the City of Celina, recorded in
5 Volume 4770. Page 2324, D.R.C.C,T.;
6 THENCE S 89°03'24" W, along the common line of said McKnight and City
7 of Celina tracts, a distance of 881.83 feet to a 1/2-inch iron rod
8 found for a corner on the easterly line of a 99.028 acre tract of
9 land described in deed to Rex Glendenning, recorded In Volume 4408,
10 Page 1763, D.R.C.C.T.;
11 THENCE N 01°05'22" W, along the common line of said McKnight and
12 Glendenning tracts, a distance of 246.81 feet to a 1/2-inch capped
13 iron rod (stamped "SRA 3225") set for a corner;
14 THENCE N 89°03'24" E, departing said common line, a distance of
15 883.07 feet to a 1/2-inch capped iron rod (stamped "SRA 3225") set
16 for a corner on the westerly line of the aforesaid City of Celina
17 tract of land;
18 THENCE S 00°48'00" E, along the common line of sold McKnight and City
19 of Celina tracts, a distance of 246.81 feet to the POINT OF
20 BEGINNING and containing 217,600 square feet or 5.000 acres of
21 land, more or less.
22 THENCE South 88 degrees 18 minutes 39 seconds West following the
23 north line of said 73.558 acres a distance of 824.02 feet to 2 inch
24 iron pipe found for corner at the northeast corner of said 73.558
25 acre tract;
26 THENCE South 88 degrees 30 minutes 52 seconds West a distance of
27 2900.39 feet to wood fence post in the creek for corner;

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1 THENCE North 00 degrees 59 minutes 11 seconds West a distance of
2 421.72 feet to 1/2 inch iron rod found for corner at the southwest
3 corner of a 75.0307 acre tract as recorded in County Clerk No.
4 94-0092806 of Collin County, Texas;

5 THENCE North 87 degrees 43 minutes 39 seconds East following the
6 south line of said 75.0307 acre tract a distance of 2922.26 feet to
7 a 1 inch iron pipe found for corner at an ell corner of said 75.0307
8 acre tract;

9 THENCE North 00 degrees 48 minutes 41 seconds West following the
10 east line of said 75.0307 acre tract a distance of 3339.14 feet to a
11 60d nail found for corner in County Road No. 8;

12 THENCE North 88 degrees 19 minutes 00 seconds East following said
13 County Road No. 8 a distance of 75.37 feet to a 60d nail found for
14 corner in the south ROW line of said FM No. 455, said 60d nail also
15 being in a curve to the left with a chord bearing of South 80 degrees
16 57 minutes 03 seconds East and a chord distance of 241.64 feet;

17 THENCE along said curve to the left following the south ROW line of
18 said FM No. 455 through a central angle of 21 degrees 27 minutes 53
19 seconds a radius distance of 648.80 feet and an arc distance of
20 243.06 feet to a 1/2 inch iron rod set for corner;

21 THENCE North 88 degrees 19 minutes 00 seconds East following the
22 south ROW line of FM No. 455 a distance of 483.09 feet to the POINT
23 OF BEGINNING and containing 4,313,677 square feet or 99.028 acres
24 of land, more or less.

25 Reservation from and Exceptions to Conveyance and Warranty:

26 Any portion of the property described herein within the limits or
27 boundaries of any public or private roadway and/or highway,

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1 including, but not limited to, that portion of the subject property
2 in County Road No. 8.

3 Right-of-way easement executed by Douglas J. Barker dba Barker
4 Bros. Land & Cattle Company to County of Collin, dated January 2,
5 1991, recorded in Volume 3421, Page 192, of the Deed Records of
6 Collin County, Texas.

7 EXHIBIT "A"

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

15 BEGINNING at an iron pipe found in the north R.O.W. line of Farm
16 Road No. 428, at the northeast corner of the 1.622 acres R.O.W.,
17 Ref. V. 491, P. 47, at the southwest corner of the Rex Glendenning
18 73.558 acres, Ref. V. 3968, P. 2169;

19 Thence westerly with said north R.O.W, line (the north line of said
20 1.622 acres) as follows:

21 South 89 degrees 05 minutes west, 17.5 feet;

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

26 Thence north 0 degrees 43 minutes 22 seconds west, 2594.58 feet with
27 the west line of said 73.32 acre tract and the east line of said

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

13 LEGAL DESCRIPTION

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

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

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

26 THENCE North 00 degrees 44 minutes 59 seconds East a distance of
27 2604.08 feet to a 1/2 inch iron rod found for corner,

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1 THENCE South 89 degrees 26 minutes 08 seconds East a distance of
2 350.00 feet to a axle found for corner;
3 THENCE South 00 degrees 43 minutes 06 seconds West a distance of
4 1947.51 feet to a 1/2 inch iron rod found for corner in the north
5 line of said Moore tract;
6 THENCE North 89 degrees 19 minutes 15 seconds West following the
7 north line of said Moore tract a distance of 319.00 feet to a 1/2
8 inch iron rod set for corner;
9 THENCE South 0 degrees 53 minutes 01 seconds West following the west
10 line of said Moore tract a distance of 657.40 feet to the POINT OF
11 BEGINNING and containing 703,115 square feet or 16.141 acres of
12 land.

13 EXHIBIT "A"

14 BEING a tract of land situated in the Samuel McCullough Survey,
15 Abstract No. 593, Collin County, Texas and also being part of a
16 73.32 acre tract as recorded in Volume 348, Page 8 of the Deed
17 Records of Collin County, Texas, and also being all of a 21 acre
18 tract as recorded in Volume 577, Page 246 of the Deed Records of
19 Collin County, Texas, and being more particularly described by
20 metes and bounds as follows:

21 BEGINNING at a 1/2 inch iron rod set for corner, said iron rod being
22 in the North right of way line of F.M 428, said iron rod also being
23 the most Southwest corner of a 16 acre tract as recorded in County
24 Clerks No. 94-0111727;

25 THENCE North 89 deg. 04 min. 23 sec. West following the North ROW
26 line of said F.M. No. 428 a distance of 1231.00 feet to a 1/2 inch
27 square iron rod found for corner at the Southeast corner of a tract

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1 conveyed to T.S. Yager and wife, Margret Yager in Volume 1231, Page
2 724, D.R.C.C.T.;
3 THENCE North 00 deg. 41 min. 20 sec. East following the East line of
4 said Yager tract a distance of 2596.00 feet to a 2 inch iron pipe
5 found for corners
6 THENCE South 89 deg. 26 min, 56 sec. East a distance of 1233.75 feet
7 to a 1/2 inch iron rod found for corner at the Northwest corner of
8 said 16 acre tract,
9 THENCE South 0 deg. 44 min. 59 sec. West following the West line of
10 said 16 acres a distance of 2604.08 feet to the POINT OF BEGINNING
11 and containing 3,204,138 square feet or 73.558 acres of land.
12 THENCE, continuing along the South line of said 5.1038 acre tract,
13 South 01 degrees 04 minutes 28 seconds East, a distance of 31.35
14 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped
15 "Pitts 4595" set for corner;
16 THENCE, continuing along said South line, North 88 degrees 55
17 minutes 32 seconds East a distance of 366.53 feet, to a 1/2 inch
18 iron rod with a yellow plastic cap stamped "Pitts 4595" set for
19 corner on the West line of a 99.2888 acre tract of land conveyed to
20 Douglas Barker, as recorded in Volume 1343, Page 599, Deed Records,
21 Collin County, Texas;
22 THENCE, along said West line of a 99.2888 acre tract, South 00
23 degrees 46 minutes 58 seconds East a distance of 2,099.44 feet, to a
24 5/8 inch iron pipe found for the Southeast corner of said 99.301
25 acre tract and being an ell corner of said 99.2888 acre tract;
26 THENCE, along the North line of said 99.2888 acre tract, South 87
27 degrees 44 minutes 58 seconds West a distance of 2,922.24 feet, to a

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

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1 point of curvature of a curve to the left having a central angle of
2 65 degrees 18 minutes 41 seconds and a radius of 120.00 feet;
3 THENCE, continuing along said East line and said curve to the left,
4 for an arc length of 136.79 feet to a 1/2 inch iron rod with a yellow
5 plastic cap stamped "Pitts 4595" set for corner;
6 THENCE, along the North line of said 5.0227 acre tract, North 66
7 degrees 23 minutes 09 seconds West a distance of 326.99 feet, to the
8 Northernmost corner of said 5.0227 acre tract;
9 THENCE, North 01 degrees 09 minutes 50 seconds West a distance of
10 66.08 feet, to the POINT OF BEGINNING and containing 72.9923 acres
11 of land, more or less.

12 EXHIBIT "A"

13 Situated in the Samuel McCullough Survey, Abstract No. 593 and the
14 BBB & CRR Co. Survey, Abstract No. 132 in Collin County, Texas, and
15 being a called 28.15 Acre tract of land that was conveyed to Mildred
16 Graham Short in Partition Deed recorded in Volume 2325, Page 801 of
17 the Land Records of Collin County, Texas, being more particularly
18 described by metes and bounds to-wit.

19 BEGINNING at an Iron Pin found being the Southwest corner of said
20 tract;

21 THENCE North 1 degree 05 minutes 30 seconds West with the West line
22 of said tract 1561.28 feet to an Iron Pin set;

23 THENCE South 69 degrees 51 minutes 27 seconds East with the North
24 line of said tract 1066.72 feet to an Iron Pin set in the West
25 right-of-way line of FM Hwy. 428;

26 THENCE with said right-of-way line as follows:

27 South 1 degree 29 minutes East 82.92 feet an Iron Pin set; South 0

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

TRACT 3

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

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

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

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

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

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

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

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1 feet to an iron pin found;

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

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

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

9 CONTAINING 157.54 acres.

10 EXHIBIT "A"

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

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

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

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

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

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

EXHIBIT A

TRACT I - Re-Survey

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

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

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

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

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

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

THENCE South 87 degrees 53 minutes 54 seconds East, with the North line of said Higgins tract, and along the North line of Cedar Street

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1 (an asphalt surfaced public street), a distance of 672.70 feet to a
2 set 1/2 inch steel square tubing for a corner;
3 THENCE South 00 degrees 01 minutes 29 seconds West, with the West
4 line of a 10 foot wide concrete alley part of the way, a distance of
5 824.71 feet to a set 1/2 inch steel square tubing for a corner;
6 THENCE South 87 degrees 14 minutes 21 seconds East, with the South
7 line of a 10 foot wide concrete alley part of the way, a distance
8 708.19 feet to a set 1/2 inch steel square tubing for a corner on the
9 East line of said Higgins tract, and the West line of a called 22.74
10 acre tract as shown by Deed to E. L. Higgins dated April 8, 1987; and
11 recorded in Volume 2599, Page 892 of said Deed Records;
12 THENCE South 00 degrees 00 minutes 40 seconds East, with the East
13 line of said Higgins tract, and the West line of said 22.74 acre
14 tract, a distance of 1562.30 feet to a found 1/2 inch rebar for a
15 corner;
16 THENCE South 89 degrees 04 minutes 33 seconds West, with an old
17 fence and tree line, a distance of 533.74 feet to a found 1/2 inch
18 rebar for a corner;
19 THENCE South 00 degrees 06 minutes 14 seconds West, with an old
20 fence and tree line, a distance of 963.27 feet to a set 1/2 inch
21 steel square tubing for a corner;
22 THENCE North 76 degrees 30 minutes 57 seconds West, a distance of
23 411.39 feet to a set 1/2 inch steel square tubing for a corner;
24 THENCE South 87 degrees 43 minutes 31 seconds West, a distance of
25 186.92 feet to a set 1/2 inch steel square tubing for a corner;
26 THENCE South 89 degrees 58 minutes 09 seconds West, a distance of
27 268.63 feet to the POINT OF BEGINNING and containing 81.528 acres of

1 land.

2 TRACT II - Correct

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

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

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

18 THENCE South 73 degrees 35 minutes 22 seconds West, a distance of
19 20.00 feet to a set 1/2 inch steel square tubing for a corner;

20 THENCE South 29 degrees 22 minutes 23 seconds West, a distance of
21 320.00 feet to a set 1/2 inch steel square tubing for a corner;

22 THENCE South 88 degrees 37 minutes 53 seconds West, a distance of
23 62.38 feet to a .fence corner-post for the Southwest corner of said
24 Higgins tract;

25 THENCE North 00 degrees 01 minutes 25 seconds East, with the West
26 line of said Higgins tract, a distance of 135.91 feet to a found 1/2
27 inch rebar for .corner;

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1 THENCE North 00 degrees 00 minutes 40 seconds West, with the West
2 line of said Higgins tract, a distance of 1567.31 feet to a found
3 1/2 inch rebar for a corner;
4 THENCE North 00 degrees 02 minutes 00 seconds East, with the West
5 line of said Higgins tract, a distance of 421.32 feet to a found 1/2
6 inch rebar for a corner;
7 THENCE-North 89 degrees 30 minutes 57 seconds East, a distance of
8 311.57 feet to a fence corner post for a corner;
9 THENCE North 00 degrees 03 minutes 04 seconds West, a distance of
10 416.61 feet to a fence corner post for a corner;
11 THENCE North 89 degrees 15 minutes 06 seconds East, a distance of
12 407.15 feet to the POINT OF BEGINNING and containing 22.741 acres of
13 land.

14 EXHIBIT A

15 SITUATED in Collin County, Texas, in the Collin County School Land
16 Survey, Abstract No. 167, being a resurvey of the 33.62 acre First
17 Tract and the 6.26 acre Second Tract as described in a deed from
18 B.F. Gearhart and Alice Gearhart to R. L. Willard dated August 9,
19 1909, recorded in Volume 206, Page 493 of the Collin County Deed
20 Records, and, the land owned and claimed by B.F. Willard and Joe
21 Frank Willard, being described by metes and bounds as follows:
22 BEGINNING at a 1/2" iron pin set beside a corner post at the
23 southwest corner of said 6.26 acre tract, at an ell corner of the
24 Don Thomas Glendenning Family Trust 77.7100 acres, Ref. V. 4444, P.
25 2963;
26 Thence North, with the west line of said 6.26 acre tract, an east
27 line of said 77.7100 acre tract, with an old fence, passing a 1/2"

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1 iron pin set on the north side of a corner post at 374.49 feet and
2 continuing in all 419.87 feet to a PK nail set at the northwest
3 corner of said 6.26 acre tract, the northeast corner of said 77.7100
4 acre tract, in the center of the asphalt paved County Road No. 55
5 and in the south line of the Rex K. Glendenning 156.54 acres, Ref.
6 V. 3788, P. 205;

7 Thence North 89 degrees 42 minutes 17 seconds East, 1554.87 feet
8 with the north line of said 6.26 acre tract, the north line of said
9 33.62 acre tract, the south line of said 156.54 acre tract and with
10 the center of said County Road No. 55 to a PK nail set at the
11 northeast corner of said 33.62 acre tract, the southeast corner of
12 said 156.54 acre tract and in the west R.O.W. line of the Burlington
13 Northern Railroad;

14 Thence South 11 degrees 43 minutes 44 seconds West, with the east
15 line of said 33.62 acre tract and with said west R.O.W. line,
16 passing a 1/2" iron pin set in said line at 61.35 feet and
17 continuing in all 2810.81 feet to a 1/2" iron pin set in said west
18 R.O.W. line, on the west side of a cross-tie corner post at the
19 southeast corner of said 33.62 acre tract and the northeast corner
20 of the Eugene Stone 4:66 acres, Ref. V. 810, P. 64;

21 Thence South 89 degrees 38 minutes 16 seconds West, with the south
22 line of said 33.62 acre tract, the north line of said 4.66 acre
23 tract and with the evidence of an old fence, passing a 1/2 inch iron
24 pin set beside an old post at 250.96 feet and continuing in all
25 359.86 feet to a 1/2" iron pin set at the southwest corner of said
26 33.62 acre tract, the northwest corner of said 4.66 acre tract, in
27 the east line of said 77.7100 acre tract and on the west side of

1 County Dirt Road No. 1117;
2 Thence North, with the west line of said 33.62 acre tract, the east
3 line of said 77.7100 acre tract, coming to the center of said Dirt
4 Road at approximately 200 feet and continuing with the center of
5 said County Road No. 1117, in all 2331.25 feet to a 1/2" iron pin set
6 in the center of said Dirt Road at the southeast corner of said 6.26
7 acre tract and in the west line of said 33.62 acre tract;
8 Thence South 89 degrees 33 minutes 55 seconds West with the south
9 line of said 6.26 acre tract, with a north line of said 77.7100 acre
10 tract, passing a 1/2" iron pin set beside a corner post at 19.4 feet
11 and continuing with an old fence in all 623.64 feet to the PLACE OF
12 BEGINNING and containing 46.743 acres of land.

13 EXHIBIT B

14 "PERMITTED EXCEPTIONS"

- 15 1. Easement granted by Joe F. Willard to County of Collin, filed
16 10/02/1997, recorded in Volume 4010, Page 569, Land Records of
17 Collin County, Texas, and as shown on survey of G.M. Geer, R.P.L.S.
18 #3258, dated 12/30/2002.
- 19 2. Easement rights, if any, relative to the overhead electric line
20 and poles as - shown on survey of G.M. Geer, R.P.L.S. #3258, dated
21 12/30/2002.
- 22 3. That portion of the property lying within the right-of-way of
23 County Road No. 1117 as shown on survey of G.M. Geer, R.P.L.S.
24 #3258, dated. 12/30/2002.
- 25 4. Standby fees, taxes and assessments by any taxing authority for
26 the year 2003, and subsequent years.

EXHIBIT "A1"

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

BEING all that certain tract or parcel of land lying and being situated in Collin County, Texas, a part of the COLLIN COUNTY SCHOOL LAND SURVEY, ABSTRACT NO. 167, and being and including all that certain tract said to contain 50.00 acres as described in a deed from Charlie Ann Tate Lewis to Shaul C. Baruch, Trustee, recorded in Volume 2751, Page 693 of the Land Records of Collin County, said tract or parcel of land is herein described as follows: to wit:

BEGINNING at an 1/2 inch iron rod found on the West right-of-way line of State Highway No. 289 for the Northeast corner of said called 50.00 acre tract, said corner being on the North line of a called 118 acre tract described:-in a deed to L. L. Lewis recorded .in Volume. 206, Page 196 of the Deed Records of Collin County, said corner also being in the center of a County Road running in'an Easterly and Westerly direction;

THENCE along the West right-of-way line of said State Highway No. 289, South 01: degrees 10 minutes 04 seconds East 831.09 feet to an 1/2 inch .iron rod found for corner;

THENCE South 88 degrees 53 minutes 04 seconds West 208.08 feet to an 1/2 inch-iron rod found-for corner;

THENCE South 01 degrees 05 minutes 21 seconds East 480.06 feet to an

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1 1/2 inch iron rod found for corner, said corner being the Northeast
2 corner of a called 66.115 acre tract described in a deed to Charlie
3 Ann Tate Lewis-as recorded in Volume 3049, Page 833 of the Land
4 Records of :Collin County;

5 THENCE South 88 degrees 49 minutes 17 seconds West along the South
6 line hereof, common with the North line of said called 66.115 acre
7 tract, a distance of 1667.09 feet to an 1/2 inch iron rod found In
8 the East right-of-way line of the Burlington Northern and Santa Fe
9 Railroad;

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

13 THENCE North 88 degrees 45 minutes 30 seconds East a distance of
14 1601.17 feet to the PLACE OF BEGINNING and containing 49.985 acres
15 of land, more or less.

16 EXHIBIT "A"

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

25 Beginning for the northeast corner of the tract being described
26 herein at a found 1/2 inch rebar with a plastic cap marked Alliance,
27 said rebar being the northeast remainder corner of said Lewis

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1 tract, same being the most easterly southeast corner of a called
2 49.985 acre tract as described in deed to Old Celina. Ltd. filed 11
3 July 2002 and recorded in Volume 5208, Page 3398 of said Deed
4 Records and said rebar being on the west line of State Highway
5 Number 289;

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

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

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

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

25 Thence North 01 degrees 10 minutes 27 seconds West, with the east
26 line of said Old Celina 66 acre tract and passing the most northerly
27 northeast corner of said Old Celina 66 acre tract, same being the

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1 most southerly southeast corner of said Old Celina 49.985 acre
2 tract and continuing on said course with the east line of said Old
3 Celina 49.985 acre tract a distance of 680.17 feet to a found 1/2
4 inch rebar with a plastic cap marked Alliance for the northwest
5 remainder corner of said Lewis tract, same being an ell corner of
6 said Old Celina 49.985 acre tract
7 Thence North 88 degrees 48 minutes 36 seconds East, with the south
8 line of said Old Celina 49.985 acre tract a distance of 209.56 feet
9 to the POINT OF BEGINNING and containing 3.305 acres of land, more
10 or less.

11 EXHIBIT "A"

12 Legal Description

13 Being a tract of land situated in the Collin County School Land
14 Survey, Abstract No. 14, Abstract No. 167, Collin County, Texas,
15 and being the same tract of land as described n the deed to Charlie
16 Ann Tate Lewis according to the deed recorded in Volume 3049, Page
17 633 of the Deed Records of Collin County, Texas, (D.R.C.C.T.) and
18 being more particularly described as follows:

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

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

27 THENCE South 01 degrees 10 minutes 41 seconds East to leaving said

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1 common line, for a distance of 197.35 feet to a 5/8 inch iron rod
2 with cap stamped R.P.L.S. 5430 set for corner;
3 THENCE North 88 degrees 48 minutes 28 seconds East for a distance of
4 206.70 feet to a 5/8 inch iron rod with cap stamped R.L.P.S. 5430
5 set on the West right-of--way line of State Highway No. 289;
6 THENCE South 01 degrees 13 minutes 34 seconds East along said West
7 right-of-way line, for a distance of 1,242.72 feet to a 5/8 iron rod
8 with cap stampoed R.P.L.S. 5420 set at the Southeast corner of the
9 aforementioned Lewis tract;
10 THENCE South 88 degrees 53 minutes 32 seconds West leaving said west
11 right-of-way line along the south line of said Lewis tract passing
12 at a distance of 538.88 feet a 1/2 inch iron rod found near the
13 intersection of a barbed wire fence, and continuing with said fence
14 passing at a distance of 2,032.87 feet a 3/8 inch iron rod found,
15 and continuing for a total distance of 2, 179.17 to a 5/8 inch iron
16 rod with cap stamped R.P.L.S. 5430 set at the southwest corner of
17 said Lewis tract, and also lying on the east right-of-way line of
18 the aforementioned S.L. & S.F. Railroad;
19 THENCE North 10 degrees 41 minutes 21 seconds East along said East
20 right-of-way line, for a distance of 1,468.61 feet to the PLACE OF
21 BEGINNING, and containing 2,875.811 square feet or 66.020 acres of
22 land.

23 Exhibit A

24 BEING a 13.50 acre tract of land situated in the COLLIN COUNTY
25 SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas,
26 and a portion of a called 38 acre tract of land as conveyed to Dan P.
27 Stone, by deed recorded in Volume 831, Page 82, of the Deed Records

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1 of Collin County, Texas, and being more particularly described as
2 follows:

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

14 THENCE North 90 degrees 00 minutes 00 seconds West, through the
15 interior of said called 38 acre tract, a distance of 1244.34 feet to
16 a point for corner, said point being in the East line of said called
17 38 acre tract, same being in the West line of a tract of land
18 conveyed to Ayala Metro Park Properties, Ltd., as recorded in
19 Volume 5431, Page 6738, of the Deed Records of Collin County, Texas;
20 THENCE North 00 degrees 19 minutes 12 seconds West, along the common
21 line of said called 38 acre tract, and said Ayala Metro Park
22 Properties, a distance of 473.64 feet to a 1/2 inch iron rod found
23 for corner, said point being the Northwest corner of said called 38
24 acre tract, same being the Northeast corner of said Ayala Metro Park
25 Properties, Ltd. tract, and being in the South line of said Old
26 Celina, Ltd. tract;

27 THENCE South 90 degrees 00 minutes 00 seconds East, along the common

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1 line of said 38 acre tract, and said Old Celina, Ltd. tract, a
2 distance of 1238.92 feet to the POINT OF BEGINNING and containing
3 588,075 square feet or 13.50 acres of computed land, more or less.

4 Exhibit A

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

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

22 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
23 line of said called 38 acre tract, and said Chen tract as recorded
24 in Volume 5836, Page 545, passing a 3/8 inch iron rod found for the
25 Southwest corner of said Chen tract, same being the Northwest comer
26 of a tract of land conveyed to Candice Chen, by deed recorded in
27 Volume 5836, Page 552, of the Deed Records of Collin County, Texas,

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1 and continuing along the common line of said called 38 acre tract
2 and said Chen tract as recorded in Volume 5836, Page 552, passing a
3 3/8 Inch Torn rod found for the Southwest corner of said Chen tract
4 as recorded in Volume 5836, Page 552, same being the Northwest
5 corner of a tract of land conveyed to Candice Chen, by deed recorded
6 In Volume 5836, Page 560, of the Deed Records of Collin County,
7 Texas, and continuing a total distance of 846.30 feet to a 1/2 inch
8 iron rod found for corner, said point being the Southeast comer of
9 said Stone tract, same being the Southwest corner of said Chen tract
10 recorded in Volume 5836, Page 560, said point being in the
11 centerline of County Road No. 53, said point also being in the North
12 line of a called 40 acre tract of land described by the deed
13 recorded in Volume 682, Page 259, of the Deed Records of Collin
14 County, Texas;

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

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

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

26 Exhibit A

27 Being a 9.426 acre tract of land situated in the COLLIN COUNTY

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1 SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas,
2 and a portion of a called 38 acre tract of land as conveyed to Dan P.
3 Stone, by deed recorded in Volume 831, Page 82, of the Deed Records
4 of Collin County, Texas, and being more particularly described as
5 follows:

6 COMMENCING at a 1/2 Inch iron rod found for the northeast corner of
7 the said called 38 acre tract, said point also being the Northwest
8 corner of a called 16 acre tract of land as conveyed to Candice
9 Chen, by deed recorded In Volume 5836, Page 545, of the Deed Records
10 of Collin County, Texas, said iron rod also being in the south line
11 of a tract of land conveyed to Old Celina, Ltd., by deed recorded in
12 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
13 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
14 line of said Stone tract, and said Chen tract as recorded In Volume
15 5836, Page 545, a distance of 473.70 feet to a point for corner,
16 THENCE North 90 degrees 00 minutes 00 seconds West, through the
17 interior of said called 38 acre tract, a distance of 761.90 feet to
18 a point for corner, said point being the POINT OF BEGINNING;

19 THENCE South 00 degrees 19 minutes 12 seconds East, through the
20 interior of said called 38 acre tract, a distance of 849.86 feet to
21 a point for corner, said point being In the South line of said
22 called 38 acre tract, same being In the center line of County Road
23 No. 53, same being in the North line of a called 40 acre tract of
24 land described by the deed recorded in Volume 682, Page 259, of the
25 Deed Records of Collin County, Texas;

26 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
27 line of said called 38 acre tract, and said called 40 acre tract,

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1 and the center line of County Road No. 53, a distance of 482.43 feet
2 to a 1/2 inch iron rod found for corner, said point being the
3 Southwest corner of said called 38 acre tract;
4 THENCE North 00 degrees 19 minutes 12 seconds West, along the West
5 line of said called 38 acre tract, passing the Southeast corner of a
6 tract of land conveyed to Ayala Metro Park Properties, Ltd., as
7 recorded in Volume 5431, Page 6738, of the Deed Records of Collin
8 County, Texas, at a distance of 22.29 feet, and continuing along the
9 common line of said called 38 acre tract, and said Ayala Metro Park
10 Properties, Ltd. tract, a total distance of 852.15 feet to a point
11 for corner;
12 THENCE North 90 degrees 00 minutes 00 seconds East, through the
13 interior of said called 38 acre tract, a distance of 482.44 feet to
14 the POINT OF BEGINNING and containing 410,551 square feet or 9.425
15 acres of computed land, more or less.

16 Exhibit A

17 BEING a 9.426 acre tract of land situated in the Collin County
18 School Land Survey No. 14, Abstract No. 167, Collin County, Texas,
19 and a portion of a called 38 acre tract of land as conveyed to Don P.
20 Stone, by deed recorded in Volume 831, Page 82, of the Deed Records
21 of Collin County, Texas, and being more particularly described as
22 follows:

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

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1 of a tract of land conveyed to Old Celina, Ltd. by deed recorded in
2 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
3 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
4 line of said called 38 acre tract, and said Chen tract as recorded
5 in Volume 5836, Page 545, a distance of 473.70 feet to a point for
6 corner;
7 THENCE North 90 degrees 00 minutes 00 seconds West, 278.16 feet to
8 the POINT OF BEGINNING;
9 THENCE South 00 degrees 19 minutes 12 seconds East, through the
10 interior of said called 38 acre tract, a distance of 847.56 feet to
11 a point for corner, said point being in the south line of said
12 called 38 acre tract, same being in the center line of County Road
13 No. 53, said point also being in the north line of a called 40 acre
14 tract of land described by the deed recorded in Volume 682, Page
15 259, of the Deed Records of Collin County, Texas;
16 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
17 line of said 38 acre tract, and said called 40 acre tract, and the
18 center line of County Road No. 53, a distance of 483.73 feet to a
19 point for corner;
20 THENCE North 00 degrees 19 minutes 12 seconds West, through the
21 interior of said called 38 acre tract, a distance of 849.86 feet to
22 a point for corner;
23 THENCE South 90 degrees 00 minutes 00 seconds East, through the
24 interior of said called 38 acre tract, a distance of 483.74 feet to
25 the POINT OF BEGINNING and containing 410,545 square feet or 9.428
26 acres of computed land.

Exhibit A

Tract One

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

Beginning for the northeast corner of the tract being described herein at a found 3/8 inch rebar, said rebar being the northeast corner of said Ryno tract, same being the northwest corner of a called 7,646 acre tract as described in deed to Ayala Metro Park Properties,, filed 04 July 2003, and recorded in volume 5431 page 6738 of said deed records, said rebar also being on the south line of a caled 66.02 acre tract as described in deed to Old Celina, Ltd, filed 31 July 2005, and recorded in volume 5471 page 1109 of said deed records;

Thence: South 00 degrees 07 minutes 36 seconds West, with the monumented east line of said Ryno tract, a distance of 201.95 feet to a set 1/2 inch steel square tubing, for the southeast corner of this tract;

Thence: North 89 degrees 05 minutes 00 seconds West, a distance of 191.73 feet to a set 1/2 inch steel square tubing for the southwest corner of this tract, said tubing being on the west line of said

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1 Ryno tract, same being the east line of the Burlington Northern
2 ,Railroad,●

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

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

14 Exhibit

15 Tract Three

16 All that certain tract or parcel of land situated in Lot 8 of
17 Subdivision 14 of the Collin County School Lands, Abstract Number
18 167, County of Collin State of Texas, according to plat of the same
19 recorded in volume 03 page 118 of the deed records of Collin County,
20 Texas, sold tract being part of the monumented tract on the ground
21 of a called 8.772 acre tract as described in deed to Ryno
22 .Materials, Inc., filed 21 April 2006, and recorder! in county
23 clerks number 06-000536590 of the deed records of the County of
24 Collin, State of Texas, and being more fully described as follows:

25 Beginning for the northeast corner of the tract being described
26 herein at a set 1/2 inch steel square tubing, said tubing being an
27 the monumented east line of said Ryno tract, and said tubing being

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1 South 00 degrees 07 minutes 36 seconds West, a distance of 651,67
2 feet from a found 3/8 inch rebar, said rebar being the northeast
3 corner of said Ryno tract, same being the northwest corner of a
4 called 7.646 acre tract as described in deed to Ayala Metro Park
5 Properties, filed 04 June 2003, and recorded in volume 5431 page
6 6738 of said deed records, said rebar also being on the south line
7 of a caled 66.02 acre tract at described in deed to Old Celina, Ltd,
8 filed 31 July 2003, and recorded In volume 5471 page 1109 of said
9 deed records;

10 Thence: South 00 degrees 07 minutes 36 seconds West, with the
11 monumented east line of-raid Ryno tract and passing at 648.22 feet a
12 found 1/2 inch rebar with a plastic cap marked Wisdom 3646 on the
13 north side of Collin County Road Number 53, and continuing on said
14 course a total distance of 674.50 feet to a point for the southeast
15 corner of this tract;

16 Thence: North 89 degrees 05 minutes 00 seconds West, with the south
17 line of said Ryno tract, and with said road a distance of 393.80
18 feet to a set railroad spike for the most southerly southwest corner
19 of said Ryno tract;

20 Thence. North 12 degrees 48 minutes 34 seconds West, with the
21 monumented west line of sold Ryno tract, and passing at 24.11 feet a
22 found "X" in a concrete wall on the north side of said road and
23 continuing on said course, a total distance of 178.85 feet to a
24 found 1/2 inch rebar with a plastic cap marked Wisdom 3646 for the
25 monumented ell corner of said Ryno tract;

26 Thence: North 89 degrees 02 minutes 33 seconds West, with the
27 monumented south line of said Ryno tract, a distance of 50 06 feet

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1 to a found 1/2 inch rebar with a plastic cap marked Wisdom 3646 for
2 the monumented most westerly southwest corner of said Ryno tract,
3 said rebar being the east line of the Burlington Northern Railroad.
4 Thence: North 12 degrees 48 minutes 09 seconds East, with the east
5 line of said railroad a distance of 510.33 feet to a set 1/2 inch
6 steel square tubing for the northwest corner of this tract;
7 Thence: South 89 degrees 05 minutes 00 seconds East, a distance of
8 292,60 feet to the POINT OF BEGINNING and containing 5.500 acres of
9 land

10 Exhibit A

11 Tract Two

12 All that certain tract or parcel of land situated in Lot 8 of
13 Subdivision 14 of the Collin County School Lands, Abstract Number
14 167, County of Collin State of Texas, according to plat of the same
15 recorded In volume 03 page 118 of the deed records of Collin County,
16 Texas, .said tract being part of the monumented tract on the ground
17 of a called 8.772 acre tract as described in deed to Ryno Materials,
18 Inc., filed 21 April 2006, and recorded In county clerks number
19 06-000536590 of the deed records of the County of Collin; State of
20 Texas, and being more fully described as follows:

21 Beginning for the northeast corner of the it-act being described
22 herein at a set 1/2 inch steel square tubing, said tubing being on
23 the monumented east line of said Ryno tract, and said tubing being
24 South 00 degrees 07 minutes 36 seconds West, a distance of 201.95
25 feet from a found 3/8 inch rebar, said rebar being the northeast
26 corner of said Ryno tract, same being the northwest corner of a
27 called 7 646 acre tract as described in deed to Ayala Metro, Park

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1 Properties, filed 04 June 2003, and recorded in volume 5431 page
2 6738 of said deed records, said re bar also being on the south line
3 of a caled 66 02 acre tract as described in deed to Old Celina Ltd,
4 filed 31 July 2005, and recorded in volume 547,1 page 1109 of said
5 deed recasts;

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

10 Thence: North 89 degrees 05 minutes 00 seconds West, a distance of
11 292.60 feet to a set 1/2 inch steel square tubing for the southwest
12 corner of this tract, said tubing being on the west line of said
13 Ryno tract, same being the east line of the Burlington Northern
14 Railroad;

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

18 Thence: South 89 degrees 05 minutes 00 seconds East, a distance of
19 191.75 feet to the POINT OF BEGINNING and containing 2.500 acres of
20 land.

21 Exhibit "A" 4 5 5 1 1849

22 BEING a tract of land situated in the COLLIN COUNTY SCHOOL LAND
23 SURVEY, ABSTRACT NO. 167, Collin County, Texas, and also being part
24 of a 125.871 acre tract as recorded in Volume 1775, Page 454 of the
25 Deed Records of Collin County, Texas, and being more particularly
26 described by metes and bounds as follows:

27 BEGINNING at a 1/2 inch iron rod set for corner at the Northwest

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1 corner of 70.0 acre tract as recorded in Volume 2868, Page 203, Deed
2 Records, Collin County, Texas, said iron rod also being in the West
3 line of a 72.00 acre tract as recorded in Volume 2532, Page 562,
4 Deed Records, Collin County, Texas;
5 THENCE South 89 degrees 56 minutes 19 seconds West following the
6 North line of said 70 acre tract a distance of 2266.24 feet to a 1/2
7 inch iron rod set for corner at the Northwest corner of said 70.00
8 acre tract, said iron rod also being in the East right of way line of
9 State Highway No. 289 a variable-width ROW;
10 THENCE following the-East ROW line of State Highway No. 289:
11 North 18 degrees 10 minutes 56 seconds East, 24.17 feet 1/2
12 inch iron rod set;
13 North 19 degrees 19 minutes 00 seconds East, 254.08 feet 1/2
14 inch iron rod set;
15 North 89 degrees 46 minutes 00 seconds East, 103.11 feet-1/2
16 inch iron rod set;'
17 North 02 degrees 20 minutes 00 seconds West, 35.64 feet 1/2
18 inch iron rod set;
19 North 04 degrees 18 minutes 00 seconds West, 170.90 feet 1/2
20 inch iron rod set;
21 North 18 degrees 11 minutes 00 seconds East, 122.11 feet 1/2
22 inch iron rod set;
23 North 12 degrees 28 minutes 00 seconds East, 100.50 feet 1/2
24 inch iron rod set;
25 North 14 degrees 22 minutes 00 seconds East, 300.67 feet 1/2
26 inch-iron-rod set;
27 THENCE North 18 degrees 11 minutes 00 seconds East following the

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1 East ROW line of State Highway No. 289 a distance of 200.09 feet to a
2 1/2 inch iron rod set for corner at the Southwest corner-of a 8.755
3 acre tract as recorded in Volume 814, Page 808, Deed Records, Collin
4 County, Texas;

5 THENCE North 88 degrees 04 minutes 32 seconds East following the
6 South line of said 8.755 acre tract a distance of 555.09 feet to a
7 1/2 inch iron rod found for corner at the Southeast corner of said
8 8.755 acre tract, said iron rod also being at the Southwest corner
9 of a 117.12 acre tract as recorded in Volume 2532, Page 562, Deed
10 Records, Collin County, Texas;

11 THENCE North 88 degrees 56 minutes 39 seconds East following the
12 South line of said 117.12 acre tract a distance of 1312.82 feet to a
13 5/8 inch iron rod found for corner at the Northwest corner of said
14 72.00 acre tract;

15 THENCE South 01 degree 01 minute 35 seconds East following the West
16 line of said 72.00 acre tract a distance of 1205.28 feet to the
17 POINT OF BEGINNING and containing 2,427,096 square feet or 55.718
18 acres of land, more or less.

19 Exhibit A

20 BEING a 2.59 acre tract of land situated in the Collin County School
21 Land Survey, Abstract No. 167, in the City of Celina, COLLIN County,
22 Texas, and being portion of a tract of a called 125.871 acre tract
23 of land conveyed to Old Celina, Ltd. by deed recorded in Volume
24 1775, Page 454, of the Deed Records of Collin County, Texas, and
25 being more particularly described as follows:

26 COMMENCING at a 5/8 inch iron rod found for the Southwest corner of
27 a called 8.755 acre tract of land recorded in Volume 814, Page 808,

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1 of the Deed Records of COLLIN County, Texas, same being in the East
2 right-of-way line of State Highway No. 289 (a variable width
3 right-of-way);
4 THENCE North 88 degrees 04 minutes 32 seconds East, along the South
5 line of said called 8.755 acre tract, a distance of 340.00 feet to a
6 112 inch iron rod set for corner, said point being the POINT OF
7 BEGINNING;
8 THENCE North 88 degrees 04 minutes 32 seconds East, continuing
9 along the South line of said called 8.755 acre tract, a distance of
10 63.90 feet to a 1/2 inch iron rod set for corner;
11 THENCE South 18 degrees 11 minutes 00 seconds West, through the
12 interior of said called 125.871 acre tract, a distance of 602.60
13 feet to a 1/2 inch iron rod set for corner;
14 THENCE South 88 degrees 04 minutes 32 seconds West, through the
15 interior of said called 125.871 acre tract, a distance of 372.79
16 feet to a 1/2 inch iron rod set for corner, said point being in the
17 East right-of-way line of said State Highway No. 289;
18 THENCE North 12 degrees 28 minutes 00 seconds East, along the East
19 right-of-way line of said State Highway No. 289, a distance of 92.27
20 feet to a 1/2 Inch Iron rod set for corner;
21 THENCE North 14 degrees 22 minutes 00 seconds East, along the East
22 right-of-way line of said State Highway No. 289, a distance of
23 155.95 feet to a 1/2 inch iron rod set for corner;
24 THENCE North 88 degrees 04 minutes 32 seconds East, through the
25 interior of said called 125.871 acre tract, a distance of 329.74
26 feet to a 1/2 inch iron rod set for corner;
27 THENCE North 18 degrees 11 minutes 00 seconds East, through the

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interior of said called 125.871 acre tract, a distance of 348.02 feet to the POINT OF BEGINNING and CONTAINING 112,734 square feet or 2.59 acres of computed land, more or less.

EXHIBIT A

SITUATED in the State of Texas, County of Collin, being part of the Collin County School Land Survey, Abstract No. 167, being the resurvey of a called 70.00 acre tract of land recorded in Volume 2868, Page 203 of the Collin County Land Records with said premises being more particularly described as follows:

BEGINNING at a 1/2-inch iron rod found marking the northeast corner of said 70.00 acre tract, the southeast corner of a 55.718 acre tract surveyed by David Surdukan dated October 4, 1999, said beginning corner also being in the west line of a 74.00 acre tract recorded in Volume 314, Page 534 of the Collin County Deed Records; THENCE with the east line of said 70.00 acre tract and the west line of said 74.00 acre tract as follows:

South 00 degrees 39 minutes 50 seconds East, 557.47 feet;

South 09 degrees 53 minutes 25 seconds West, 11.80 feet;

South 01 degrees 00 minutes 34 seconds East, 860.79 feet to a railroad spike found in the asphalt of County Road No. 91 marking the southeast corner of said 70.00 acre tract and being in the north line of a 21.970 acre tract recorded under Volume 4388, Page 2079 of the Collin County Land Records;

THENCE along County Road No. 91, the south line of said 70.00 acre tract, the north line of said 21.970 acre tract and the north line of 10.476 acre tract recorded in volume 788, Page 714 of the Collin County Deed Records, South 88 degrees 29 minutes 47 seconds West,

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1 1302.22 feet to a railroad spike found marking the most southerly
2 southeast corner of said 70.00 acre tract;
3 THENCE with a west line of said 70.00 acre tract and an east line of
4 a 40.886 acre tract recorded under County Clerk No. 93-0018472 of
5 the Collin County Land Records, North 01 degrees 05 minutes 25
6 seconds West, 428.80 feet to a 5/8-inch iron rod found marking the
7 most northerly northeast corner of said 40.886 acre tract;
8 THENCE with a south line of said 70.00 acre tract and the north line
9 of said 40.886 acre tract, South 88 degrees 24 minutes 24 seconds
10 West, 777.67 feet to a 1/2 inch iron rod found marking the southeast
11 corner of an abandoned 60-foot road right-of-way;
12 THENCE with the south line of said abandoned road right-of-way,
13 South 88 degrees 26 minutes 57 seconds West, 544.48 feet to a
14 3/8-inch iron rod found in the east right-of-way line of State
15 Highway 289 (variable R.O.W.) marking the southwest corner of said
16 road abandonment;
17 THENCE with the east right-of-way line of State Highway No. 289 and
18 the west line of said 70.00 acre tract as follows:
19 North 17 degrees 47 minutes 47 seconds East, 63.75 feet to a
20 1/2-inch iron found;
21 North 17 degrees 14 minutes 00 seconds East, 284.05 feet to a
22 1/2-inch iron rod set;
23 North 18 degrees 11 minutes 00 seconds East, 775.83 feet to a
24 1/2-inch iron rod found marking the northwest corner of said 70.00
25 acre tract and the southwest corner of the aforementioned 55.718
26 acre tract;
27 THENCE with the north line of said 70.00 acre tract and the south

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1 line of said 55.718 acre tract, North 89 degrees 56 minutes 19
2 seconds East, 2266.24 feet to the point of beginning and containing
3 70.802 gross acres of land.

4 EXHIBIT B

5 "PERMITTED EXCEPTIONS"

6 1. Thirty foot (30') wide easement granted by George Wu to the
7 County of Collin, filed 05/26/1998, recorded in Volume 4172, Page
8 204, Land Records of Collin County, Texas, and as shown on survey of
9 F. E. Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last
10 revised 07/22/2002.

11 2. That portion of the property lying within the right of way of
12 County Road No. 1211 and County Road No. 91, as shown on the survey
13 of F. E. Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last
14 revised 07/22/2002.

15 3. Mineral estate and interest described in instrument filed
16 11/16/1983, recorded in Volume 1775, Page 454, Land Records of
17 Collin County, Texas. Title to said interest not checked,
18 subsequent to the date thereof. As noted on survey of F. E.
19 Bemenderfer, Jr., R.P.L.S. #4051, dated 07/11/2002, last revised
20 07/22/2002.

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

1 (b) The governor, one of the required recipients, has
2 submitted the notice and Act to the Texas Commission on
3 Environmental Quality.

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

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

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

ADOPTED

MAY 21 2013

Letty Shaw
Secretary of the Senate

By: *[Signature]* .B. No. _____

Substitute the following for .B. No. _____:

By: *[Signature]* C.S.H.B. No. 3914

A BILL TO BE ENTITLED

AN ACT

relating to the creation of the Old Celina Municipal Management District No. 1; providing authority to impose an assessment or fee.

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 3919 to read as follows:

CHAPTER 3919. OLD CELINA MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3919.001. DEFINITIONS. In this chapter:

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

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

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

(4) "Director" means a board member.

(5) "District" means the Old Celina Municipal

Management District No. 1.

Sec. 3919.002. CREATION AND NATURE OF DISTRICT. The Old Celina 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. 3919.003. PURPOSE; LEGISLATIVE FINDINGS. (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 and

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

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

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

15 Sec. 3919.004. FINDINGS OF BENEFIT AND PUBLIC PURPOSE. (a)
16 The district is created to serve a public use and benefit.

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

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

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

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

3 (2) eliminate unemployment and underemployment; and

4 (3) develop or expand transportation and commerce.

5 (e) The district will:

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

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

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

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

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

24 Sec. 3919.005. INITIAL DISTRICT TERRITORY. (a) The
25 district is initially composed of the territory described by
26 Section 2 of the Act enacting this chapter.

27 (b) The boundaries and field notes contained in Section 2 of

the Act enacting this chapter form a closure. A mistake in the field notes or in copying the field notes in the legislative process does not affect the district's:

(1) organization, existence, or validity;

(2) right to contract;

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

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

(5) legality or operation.

Sec. 3919.006. ELIGIBILITY FOR INCLUSION IN SPECIAL ZONES.

(a) All or any part of the area of the district is eligible to be included in:

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

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

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

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

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

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

4 (c) If the city creates a tax increment reinvestment zone
5 described by Subsection (a), the city may determine the percentage
6 of the property in the zone that may be used for residential
7 purposes and is not subject to the limitations provided by Section
8 311.006, Tax Code.

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

12 Sec. 3919.008. FORM OF CITY APPROVAL. (a) A statutory
13 requirement relating to the duty of the district to obtain the
14 approval or consent of the city in a manner other than the manner
15 described by Subsection (b) before the district takes an action,
16 including a requirement prescribed by Section 42.042 or Chapter
17 375, Local Government Code, or Chapter 54, Water Code, does not
18 apply to the district.

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

24 Sec. 3919.009. CONSTRUCTION OF CHAPTER. This chapter shall
25 be liberally construed in conformity with the findings and purposes
26 stated in this chapter.

1 SUBCHAPTER B. BOARD OF DIRECTORS

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

4 (1) three directors appointed by the governing body of
5 the city;

6 (2) the city manager; and

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

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

11 Sec. 3919.052. QUALIFICATIONS OF DIRECTOR. (a) Sections
12 375.063 and 375.072(a) and (c), Local Government Code, do not apply
13 to a director.

14 (b) Section 49.052, Water Code, does not apply to the
15 district.

16 (c) Notwithstanding any other law:

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

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

21 (3) a person who qualifies to serve as a director is
22 qualified to participate in all votes pertaining to the business of
23 the district.

24 Sec. 3919.053. VACANCY. The governing body of the city
25 shall appoint a director to fill a vacancy on the board for the
26 remainder of the unexpired term.

27 Sec. 3919.054. DIRECTOR'S OATH OR AFFIRMATION. A director

1 shall file the director's oath or affirmation of office with the
2 district, and the district shall retain the oath or affirmation in
3 the district records.

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

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

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

13 Sec. 3919.057. LIABILITY INSURANCE. The district may
14 obtain and pay for comprehensive general liability insurance
15 coverage from a commercial insurance company or other source that
16 protects and insures the directors against personal liability and
17 from all claims for actions taken as directors or actions and
18 activities taken by the district or by others acting on its behalf.

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

21 Sec. 3919.059. REMOVAL OF DIRECTORS. The governing body of
22 the city may remove a director appointed under Section
23 3919.051(a)(1).

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

26 (1) Mike Forman, city manager;

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

1 and

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

4 (b) Of the initial directors, the term of one director
5 appointed under Subsection (a)(3) expires May 31, 2016, and the
6 terms of the other two directors appointed under Subsection (a)(3)
7 expire May 31, 2014.

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

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

12 SUBCHAPTER C. POWERS AND DUTIES

13 Sec. 3919.101. 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. 3919.102. IMPROVEMENT PROJECTS. The district may
17 provide, or it may enter into contracts with a governmental or
18 private entity to provide, the improvement projects described by
19 Subchapter C-1 or activities in support of or incidental to those
20 projects.

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

26 (b) The district may not provide wholesale or retail water
27 or wastewater service.

1 (c) The district shall display a design selected by the city
2 on a water tower or tank the district constructs or finances. The
3 district may not display the name or logo of the district or of any
4 other entity on the water tower or tank.

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

9 Sec. 3919.105. PUBLIC IMPROVEMENT DISTRICT POWERS. The
10 district has the powers provided by Chapter 372, Local Government
11 Code, to a municipality or county.

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

16 Sec. 3919.107. LIMITATIONS ON EMERGENCY SERVICES POWERS.
17 Sections 49.216 and 49.351, Water Code, do not apply to the
18 district.

19 Sec. 3919.108. ECONOMIC DEVELOPMENT. The district may
20 engage in activities that accomplish the economic development
21 purposes of the district.

22 Sec. 3919.109. ADDING OR REMOVING TERRITORY. As provided
23 by Subchapter J, Chapter 49, Water Code, the board may add territory
24 inside the boundaries of the city or the extraterritorial
25 jurisdiction of the city to the district or remove territory inside
26 the boundaries of the city or the extraterritorial jurisdiction of
27 the city from the district, except that:

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

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

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

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

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

13 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

14 Sec. 3919.151. IMPROVEMENT PROJECTS AND SERVICES. Except
15 as otherwise provided by this chapter, the district may provide,
16 design, construct, acquire, improve, relocate, operate, maintain,
17 or finance an improvement project or service using any money
18 available to the district, or contract with a governmental or
19 private entity to provide, design, construct, acquire, improve,
20 relocate, operate, maintain, or finance an improvement project or
21 service authorized under this chapter or Chapter 372 or 375, Local
22 Government Code.

23 Sec. 3919.152. BOARD DETERMINATION REQUIRED. The district
24 may not undertake an improvement project unless the board
25 determines the project is necessary to accomplish a public purpose
26 of the district.

27 Sec. 3919.153. LOCATION OF IMPROVEMENT PROJECT. An

1 improvement project may be located or provide service inside or
2 outside the district.

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

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

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

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

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

16 (b) The district shall immediately comply with any city
17 ordinance or resolution adopted under this section.

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

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

24 (2) Chapter 375, Local Government Code.

25 Sec. 3919.157. CONTRACTS. A contract to design, construct,
26 acquire, improve, relocate, operate, maintain, or finance an
27 improvement project is considered a contract for a good or service

1 under Subchapter I, Chapter 271, Local Government Code.

2 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

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

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

11 Sec. 3919.203. BORROWING MONEY; OBLIGATIONS. (a) The
12 district may borrow money for a district purpose, including the
13 acquisition or construction of improvement projects authorized by
14 this chapter and the reimbursement of a person who develops or owns
15 an improvement project authorized by this chapter, without holding
16 an election by issuing bonds, notes, time warrants, or other
17 obligations, or by entering into a contract or other agreement
18 payable wholly or partly from an assessment, a contract payment, a
19 grant, other district revenue, or a combination of these sources.

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

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

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

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

1 3919.203 in the manner provided for:

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

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

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

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

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

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

21 (d) The district shall generate and implement a program to
22 provide notice modeled on the notice described by Section
23 49.452(c), Water Code, to a prospective purchaser of property in
24 the district of the assessments that have been approved and are
25 imposed by the district.

26 Sec. 3919.206. RESIDENTIAL PROPERTY NOT EXEMPT. Section
27 375.161, Local Government Code, does not apply to the district.

1 Sec. 3919.207. NO IMPACT FEES. The district may not impose
2 an impact fee.

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

5 SUBCHAPTER E. DISSOLUTION

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

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

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

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

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

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

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

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

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

26 Sec. 3919.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
27 After the city dissolves the district, the city assumes the

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

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

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

8 TRACT 1 (40.233 ACRES):

9 All that certain tract or parcel of land situated in the Henry
10 Bentley Survey, Abstract Number 124 and the B.B.B. & C.R.R. Survey,
11 Abstract Number 132, County of Collin, State of Texas, said tract
12 being all of a called 30.45 acre tract as described in deed to
13 Dorothea Cornelius, filed 24 April 2007, and recorded in county
14 clerks number 07-000549120 of the deed records of the County of
15 Collin, State of Texas, and said tract being part of a called 11.13
16 acre tract as described in deed to Cornelius Family Revocable
17 Trust, filed 24 April 2007, and recorded In county clerks number
18 07-000549090 of said deed records, and being more fully described
19 as follows;

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

1 deed records;

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

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

15 Thence: North 88 degrees 29 minutes, 00 seconds East, with the south
16 line of said City tract, a distance of 224.07 feet to a set 1/2 inch
17 steel square tubing for the northeast corner of this tract, said
18 tubing being on the west right of way line of Farm to Market Road
19 Number 428, and said tubing being in a curve to the left having a
20 central angle of 01 degrees 37 minutes 20 seconds, and a radius of
21 1190.91 feet and a chord bearing of South 40 degrees 42 minutes 20
22 seconds fast, and a chord distance of 33.72 feet;

23 Thence: With said curve to the left and with the west line of said
24 road an arc length of 33.72 feet to a set 1/2 inch steel square
25 tubing for the end of said curve;

26 Thence: South 41 degrees 31 minutes 00 seconds East, with the west
27 line of said road a distance of 20.40 feet to a set 1/2 inch steel

1 square tubing for the start of a curve to the right having a central
2 angle of 40 degrees 02 minutes 00 seconds, and a radius of 1101.03
3 feet, and a chord bearing of South 21 degrees 30 minutes 00 seconds
4 fast, and a chord distance- of 753.75 feet;
5 Thence: With said curve to the right and with the west line of said
6 road an arc length of 769.31 feet to a set 1/2 inch steel square.
7 Tubing for the end of said curve;
8 Thence: .South 01 degrees 29 minutes 00 seconds East, with the west
9 line of said road, a distance of 129.80 feet to a set 1/2 inch steel
10 square tubing for the southeast corner of this tract, same being the
11 northeast corner of Exhibit "C" a called 28.15 acre tract as
12 described in Partition Deed to Sandra Short Osborne, filed 12 March
13 1986, and recorded In volume 2325 page 801 of said deed records;
14 Thence: South 88 degrees 54 minutes 08 seconds West, with the north
15 line of said Osborne tract, a distance of 1332.93 feet to a found 1
16 inch pipe by a pipe fence corner post for file northwest corner of
17 Tract One a called 15.66 acre tract as described in deed to Jerry L.
18 Moore, filed 24 October 1994; and recorded in county clerks number
19 94-0095870 of said deed records, same being the northeast corner of
20 a called 16.141 acre tract as described in deed to Old Celina Ltd.,
21 filed 11 June 2002, and recorded in volume 5208 page 3366 of said
22 deed records;
23 Thence: South 89 degrees 05 minutes 50 seconds West, with the north
24 line of said Old Celina 16 acre tract, a distance of 759.97 feet to
25 the POINT OF BEGINNING and containing 40.233 acres of land.
26 TRACT 2 (0.837 ACRES):
27 All that certain tract or parcel of land situated in the B.B.B. &

1 C.R.R. Survey, Abstract Number 132, County of Collin, State of
2 Texas, said tract being part of a called 11.13 acre tract as
3 described in deed to Cornelius Family Revocable Trust, filed 24
4 April 2007, and recorded in county clerks number 07-000549090 of
5 the deed records of the County of Collin, State of Texas, and being
6 more fully described as follows:
7 Beginning for the southeast corner of the tract being described
8 herein at a set 1/2 inch steel square tubing on the east line of said
9 Cornelius tract in a county road said tubing being a southwest
10 corner of a called 107:207 acre tract as described to deed to Martha
11 Ann King and Peggy Sue Earthman filed 29 December 1992, and recorded
12 in county clerks number 92-0091305 of said deed records, said
13 tubing also being on the east right of way line of Farm to Market
14 Road Number 428,
15 Thence: South 88 degrees 31 minutes 00 seconds West, with the east
16 line of said road a distance of 45.05 feet to a set 1/2 Inch steel
17 square tubing for the start of a curve to the left having a central
18 angle of 16 degrees 36 minutes 28 seconds, and a radius of 1191.03
19 feet, and a chord bearing of North 32 degrees 12 minutes 35 seconds
20 attest, and a chord distance of 344.03 feet;
21 Thence: With-said curve to the left and with the east line of said
22 road, an arc length 345.23 feet to a set 1/2 inch steel square
23 tubing for the northwest corner of this tract, said tubing being in
24 Collin County Road Number 56;
25 Thence: North 88 degrees 29 minutes 00 seconds East, with the north
26 line of said Cornelius tract, and with said road a distance of
27 220.82 feet to a set 1/2 inch steel square tubing for the northeast

1 corner of said Cornelius tract, and sai tubing being on the west
2 line of said King tract, said tubing also being at this intersection
3 of said county roads;

4 Thence: South 01 degrees 29 minutes 00 seconds East, with the east
5 line of said Cornelius tract, and with the west line of sold King
6 tract, _and with the center of said county road, a distance of
7 295.86 feet to the POINT OF BEGINNING and containing 0.837 of an
8 acre of land

9 TRACT 3 (38.545 ACRES):

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

16 BEGINNING at a 2 1/2 inch iron pipe found for corner, said corner
17 being in the south, right-of-way line of F.M. Highway No. 455 (a
18 public thoroughfare) and also being the northeast corner of a tract
19 of land conveyed to Rex Glendenning, et ux, as recorded in Volume
20 4408, Page 1763, D.R.C_C.T.:

21 THENCE North 88 degrees 23 minutes 45 seconds East along said south
22 right-of-way line, a distance of 885.98 foot to a 3/8-inch iron rod
23 found for corner, said corner being the northwest corner of a tract
24 of land conveyed to Hassan Badii, as recorded in Volume 2031, Page
25 943, D.R.C.C.T.;

26 THENCE South 00 degrees 48 minutes 00 seconds East along the weal
27 line of said Badii tract, and along the west line of a tract of land

1 conveyed to Stephen Harold Mills, as recorded in Volume 4987, Page
2 3011. D.R.C.C.T. and the west line of a tract of land conveyed to
3 the City of Celina, as recorded in Volume 4770, Page 2324,
4 D.R.C.C.T., a distance of 2150.90 feet to a 5/8-inch iron rod found
5 for an ell comer of said City of Celina tract;
6 THENCE South 89 degrees 02 minutes 12 seconds West along the most
7 southerly north line of said City of Celina tract, a distance of
8 881.92 feet to 1/2-inch iron rod with cap stamped "ALLIANCE" found
9 for corner, said corner being on the east line of the aforementioned
10 Glendenning tract;
11 THENCE North 00 degrees 54 minutes 23 seconds West along the east
12 line of said Glendenning tract, a distance of 2140.98 foot to the
13 POINT OF BEGINNING;
14 CONTAINING a computed area of 1,896,815 square feet or 43.545 acres
15 of land.
16 SAVE AND EXCEPT the following 5.00 acres to the City of Celina for
17 Park Purposes:
18 BEING all that certain tract or parcel of land situated in the H.
19 BENTLEY SURVEY, Abstract No. 124 in the City of Celina, Collin
20 County, Texas and being out of a 44.50 acre tract of land described
21 in deed to Clifford Gee McKnight, recorded in Volume 2430, Page 665
22 of the Deed Records of Collin County, Texas (D.R.C.C.T.), and being
23 more particularly described as follows:
24 BEGINNING of a 1/2-inch iron rod found at the southeast corner of
25 said McKnight tract of land, being an ell corner for a 39.02 acre
26 tract of land described in deed to the City of Celina, recorded in
27 Volume 4770. Page 2324, D.R.C.C.T.;

1 THENCE S 89°03'24" W, along the common line of said McKnight and City
2 of Celina tracts, a distance of 881.83 feet to a 1/2-inch iron rod
3 found for a corner on the easterly line of a 99.028 acre tract of
4 land described in deed to Rex Glendenning, recorded in Volume 4408,
5 Page 1763, D.R.C.C.T.;
6 THENCE N 01°05'22" W, along the common line of said McKnight and
7 Glendenning tracts, a distance of 246.81 feet to a 1/2-inch capped
8 iron rod (stamped "SRA 3225") set for a corner;
9 THENCE N 89°03'24" E, departing said common line, a distance of
10 883.07 feet to a 1/2-inch capped iron rod (stamped "SRA 3225") set
11 for a corner on the westerly line of the aforesaid City of Celina
12 tract of land;
13 THENCE S 00°48'00" E, along the common line of said McKnight and City
14 of Celina tracts, a distance of 246.81 feet to the POINT OF
15 BEGINNING and containing 217,600 square feet or 5.000 acres of
16 land, more or less.
17 Leaving an net area of 38.545 acres.
18 TRACT 4 (99.028 ACRES):
19 THENCE South 88 degrees 18 minutes 39 seconds West following the
20 north line of said 73.558 acres a distance of 824.02 feet to 2 inch
21 iron pipe found for corner at the northeast corner of said 73.558
22 acre tract;
23 THENCE South 88 degrees 30 minutes 52 seconds West a distance of
24 2900.39 feet to wood fence post in the creek for corner;
25 THENCE North 00 degrees 59 minutes 11 seconds West a distance of
26 421.72 feet to 1/2 inch iron rod found for corner at the southwest
27 corner of a 75.0307 acre tract as recorded in County Clerk No.

1 94-0092806 of Collin County, Texas;
2 THENCE North 87 degrees 43 minutes 39 seconds East following the
3 south line of said 75.0307 acre tract a distance of 2922.26 feet to
4 a 1 inch iron pipe found for corner at an ell corner of said 75.0307
5 acre tract;
6 THENCE North 00 degrees 48 minutes 41 seconds West following the
7 east line of said 75.0307 acre tract a distance of 3339.14 feet to a
8 60d nail found for corner in County Road No. 8;
9 THENCE North 88 degrees 19 minutes 00 seconds East following said
10 County Road No. 8 a distance of 75.37 feet to a 60d nail found for
11 corner in the south ROW line of said FM No. 455, said 60d nail also
12 being in a curve to the left with a chord bearing of South 80 degrees
13 57 minutes 03 seconds East and a chord distance of 241.64 feet;
14 THENCE along said curve to the left following the south ROW line of
15 said FM No. 455 through a central angle of 21 degrees 27 minutes 53
16 seconds a radius distance of 648.80 feet and an arc distance of
17 243.06 feet to a 1/2 inch iron rod set for corner;
18 THENCE North 88 degrees 19 minutes 00 seconds East following the
19 south ROW line of FM No. 455 a distance of 483.09 feet to the POINT
20 OF BEGINNING and containing 4,313,677 square feet or 99.028 acres
21 of land, more or less.
22 TRACT 5 (93.523 ACRES):
23 SITUATED in Collin County, Texas, in the George Wiley Survey,
24 Abstract No. 988, and the Samuel McCullough Survey, Abstract No.
25 593, being a resurvey of the 73.32 acre FIRST TRACT and the SECOND
26 TRACT as described in a deed from Annie S. Yager to T.S. Yager, et al
27 dated August 7, 1981, recorded in Volume 1421, Page 15 of the Collin

1 County, Deed Records, being described by metes and bounds as
2 follows:
3 BEGINNING at an iron pipe found in the north R.O.W. line of Farm
4 Road No. 428, at the northeast corner of the 1.622 acres R.O.W.,
5 Ref. V. 491, P. 47, at the southwest corner of the Rex Glendenning
6 73.558 acres, Ref. V. 3968, P. 2169;
7 Thence westerly with said north R.O.W, line (the north line of said
8 1.622 acres) as follows:
9 South 89 degrees 05 minutes west, 17.5 feet;
10 South 88 degrees 43 minutes west, 1552.31 feet with said north
11 R.O.W. line (the north line of said 1.622 acres) to an iron pin set
12 at the northwest corner of said 1.622 acres, and at the southeast
13 corner of the Robert L. King 86.849 acres, Ref. V. 1560, P. 259;
14 Thence north 0 degrees 43 minutes 22 seconds west, 2594.58 feet with
15 the west line of said 73.32 acre tract and the east line of said
16 86.849 acre tract to an iron pin set at the northwest corner of said
17 73.32 acre tract and the northeast corner of said 86.849 acres, same
18 being in the south line of the Douglas Parker 99.288 acres;
19 Thence north 88 degrees 40 minutes east, 1569.81 feet with the north
20 line of said 73.32 acre tract and the north line of said SECOND
21 TRACT and with the south line of said 99.288 acres to a 2" iron pipe
22 found at the northeast corner of-said SECOND TRACT and the
23 northwest corner of said 73.558 acre tract;
24 Thence south 0 degrees 43 minutes 23 seconds east, 2596.06 feet with
25 the east line of said SECOND TRACT and the west line of said 73.558
26 acre tract to the PLACE OF BEGINNING and containing 93.523 acres of
27 land.

1 TRACT 6 (16.141):
2 BEING a tract of land situated in the Samuel McCullough Survey,
3 Abstract No, 593, Collin County, Texas and also being all of a 16
4 acre tract as recorded in County Clerks No. 94-0111727, and being
5 more particularly described by metes and bounds as follows:
6 BEGINNING at a 1/2 inch iron rod set for corner, said iron rod being
7 in the north Right of Way line of F. M. 428, said iron rod also being
8 the most southwest corner of a tract conveyed to Randall L. & wife
9 Bonnie P. Moore as recorded in Volume 995, Page 219 of the Deed
10 Records of Collin County, Texas;
11 THENCE North 89 degrees 04 minutes 23 seconds West following the
12 north ROW line of said F.M. No. 428 a distance of 30.53 feet to a 1/2
13 inch iron rod found;
14 THENCE North 00 degrees 44 minutes 59 seconds East a distance of
15 2604.08 feet to a 1/2 inch iron rod found for corner,
16 THENCE South 89 degrees 26 minutes 08 seconds East a distance of
17 350.00 feet to a axle found for corner;
18 THENCE South 00 degrees 43 minutes 06 seconds West a distance of
19 1947.51 feet to a 1/2 inch iron rod found for corner in the north
20 line of said Moore tract;
21 THENCE North 89 degrees 19 minutes 15 seconds West following the
22 north line of said Moore tract a distance of 319.00 feet to a 1/2
23 inch iron rod set for corner;
24 THENCE South 0 degrees 53 minutes 01 seconds West following the west
25 line of said Moore tract a distance of 657.40 feet to the POINT OF
26 BEGINNING and containing 703,115 square feet or 16.141 acres of
27 land.

1 TRACT 7 (73.558 ACRES):

2 BEING a tract of land situated in the Samuel McCullough Survey,
3 Abstract No. 593, Collin County, Texas and also being part of a
4 73.32 acre tract as recorded in Volume 348, Page 8 of the Deed
5 Records of Collin County, Texas, and also being all of a 21 acre
6 tract as recorded in Volume 577, Page 246 of the Deed Records of
7 Collin County, Texas, and being more particularly described by
8 metes and bounds as follows:

9 BEGINNING at a 1/2 inch iron rod set for corner, said iron rod being
10 in the North right of way line of F.M 428, said iron rod also being
11 the most Southwest corner of a 16 acre tract as recorded in County
12 Clerks No. 94-0111727;

13 THENCE North 89 deg. 04 min. 23 sec. West following the North ROW
14 line of said F.M. No. 428 a distance of 1231.00 feet to a 1/2 inch
15 square iron rod found for corner at the Southeast corner of a tract
16 conveyed to T.S. Yager and wife, Margret Yager in Volume 1231, Page
17 724, D.R.C.C.T.;

18 THENCE North 00 deg. 41 min. 20 sec. East following the East line of
19 said Yager tract a distance of 2596.00 feet to a 2 inch iron pipe
20 found for corners

21 THENCE South 89 deg. 26 min, 56 sec. East a distance of 1233.75 feet
22 to a 1/2 inch iron rod found for corner at the Northwest corner of
23 said 16 acre tract,

24 THENCE South 0 deg. 44 min. 59 sec. West following the West line of
25 said 16 acres a distance of 2604.08 feet to the POINT OF BEGINNING
26 and containing 3,204,138 square feet or 73.558 acres of land.

27 TRACT 8 (72.9923 ACRES):

1 THENCE, continuing along the South line of said 5.1038 acre tract,
2 South 01 degrees 04 minutes 28 seconds East, a distance of 31.35
3 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped
4 "Pitts 4595" set for corner;
5 THENCE, continuing along said South line, North 88 degrees 55
6 minutes 32 seconds East a distance of 366.53 feet, to a 1/2 inch
7 iron rod with a yellow plastic cap stamped "Pitts 4595" set for
8 corner on the West line of a 99.2888 acre tract of land conveyed to
9 Douglas Barker, as recorded in Volume 1343, Page 599, Deed Records,
10 Collin County, Texas;
11 THENCE, along said West line of a 99.2888 acre tract, South 00
12 degrees 46 minutes 58 seconds East a distance of 2,099.44 feet, to a
13 5/8 inch iron pipe found for the Southeast corner of said 99.301
14 acre tract and being an ell corner of said 99.2888 acre tract;
15 THENCE, along the North line of said 99.2888 acre tract, South 87
16 degrees 44 minutes 58 seconds West a distance of 2,922.24 feet, to a
17 1/2 inch iron rod found for corner;
18 THENCE, generally along a fence row, North 00 degrees 55 minutes 08
19 seconds West a distance of 788.48 feet, to a 1/2 inch iron rod found
20 in the crotch of three large Hackberry trees at the junction of the
21 evidence of an old North-South fence and evidence of an old fence
22 from the East, and being on the South line of a 73.047 acre tract as
23 conveyed to Douglas Barker, as recorded in Volume 1159, Page 423,
24 Deed Records, Collin County, Texas;
25 THENCE, along the South line of said 73.047 acre tract, North 87
26 degrees 45 minutes 55 seconds East a distance of 2,144.18 feet, to a
27 5/8 inch iron rod found for the Southeast corner of said 73.047 acre

1 tract;
2 THENCE, along the East line of said 73.047 acre tract, North 01
3 degrees 47 minutes 07 seconds West a distance of 437.83 feet, to a
4 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set
5 for corner;
6 THENCE, continuing along the East line of said 73.047 acre tract,
7 North 01 degrees 09 minutes 50 seconds West a distance of 366.97
8 feet, to a 1/2 inch iron rod with a yellow plastic cap stamped
9 "Pitts 4595" set for the Southwest corner of a 5.0227 acre tract as
10 conveyed to Robert Jake Jones and Virginia C. Jones;
11 THENCE, along the South line of said 5.0227 acre tract, North 88
12 degrees 55 minutes 32 seconds East a distance of 365.91 feet, to a
13 1/2 inch iron rod with a yellow plastic cap stamped "Pitts 4595" set
14 for the Southeast corner of said 5.0227 acre tract;
15 THENCE, along the East line of said 5.0227 acre tract, North 01
16 degrees 04 minutes 28 seconds West a distance of 438.70 feet, to the
17 point of curvature of a curve to the left having a central angle of
18 65 degrees 18 minutes 41 seconds and a radius of 120.00 feet;
19 THENCE, continuing along said East line and said curve to the left,
20 for an arc length of 136.79 feet to a 1/2 inch iron rod with a yellow
21 plastic cap stamped "Pitts 4595" set for corner;
22 THENCE, along the North line of said 5.0227 acre tract, North 66
23 degrees 23 minutes 09 seconds West a distance of 326.99 feet, to the
24 Northernmost corner of said 5.0227 acre tract;
25 THENCE, North 01 degrees 09 minutes 50 seconds West a distance of
26 66.08 feet, to the POINT OF BEGINNING and containing 72.9923 acres
27 of land, more or less.

1 TRACT 9 (28.28 ACRES):
2 Situated in the Samuel McCullough Survey, Abstract No. 593 and the
3 BBB & CRR Co. Survey, Abstract No. 132 in Collin County, Texas, and
4 being a called 28.15 Acre tract of land that was conveyed to Mildred
5 Graham Short in Partition Deed recorded in Volume 2325, Page 801 of
6 the Land Records of Collin County, Texas, being more particularly
7 described by metes and bounds to-wit.
8 BEGINNING at an Iron Pin found being the Southwest corner of said
9 tract;
10 THENCE North 1 degree 05 minutes 30 seconds West with the West line
11 of said tract 1561.28 feet to an Iron Pin set;
12 THENCE South 69 degrees 51 minutes 27 seconds East with the North
13 line of said tract 1066.72 feet to an Iron Pin set in the West
14 right-of-way line of FM Hwy. 428;
15 THENCE with said right-of-way line as follows:
16 South 1 degree 29 minutes East 82.92 feet an Iron Pin set; South 0
17 degrees 20 minutes West 316.0 feet an Iron Pin set; South 7 degrees
18 08 minutes West 264.4 feet an Iron Pin set;
19 South 18 degrees 24 minutes West 94.2 feet to an Iron Pin set, being
20 the P.C. of a curve to the right having a central angle of 64 degrees
21 08 minutes 34 seconds radius of 773.5 feet and a chord bearing of
22 South 57 degrees 30 minutes 40 seconds West;
23 THENCE with said curve 865.95 feet to an Iron Pin set;
24 THENCE South 89 degrees 31 minutes West with said right-of-way line
25 216.6 feet to the place of beginning, containing 28.28 acres.
26 TRACT 10 (157.54 ACRES):
27 SITUATED in the BBB & CPR Co. Survey, Abstract No. 132 in Collin

1 County, Texas, and being a called 158.83 acre tract of land
2 described in Substitute Trustee's Deed recorded in Volume 2998,
3 gage 191, of the Land Records of Collin County, Texas, being more
4 particularly described by metes and bounds to-wit:

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

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

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

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

16 THENCE SOUTH 0 degrees 18 minutes East with said fence 202.63
17 feet to an iron pin in the centerline of County Road 55;

18 THENCE SOUTH 89 degrees 52 minutes West with said road 1971.8
19 feet to an iron pin found;

20 THENCE NORTH 0 degrees 03 minutes West with said County Road
21 1196 feet to an iron pin found;

22 THENCE SOUTH 89 degrees 58 minutes East 45.25 feet to an iron
23 pin found;

24 THENCE in a Northerly direction with the East R.O.W. line of
25 FM Highway 428 as follows:

26 NORTH 0 degrees 13 minutes West 183.6 feet a concrete marker;

27 NORTH 2 degrees 49 minutes East 200.13 feet a concrete

1 marker;
2 NORTH 1 degree 23 minutes West 468.59 feet to an iron pin
3 found;
4 THENCE SOUTH 89 degrees 47 minutes 24 seconds East with an
5 established fence 2048.6 feet to an iron pin found;
6 THENCE SOUTH 1 degrees 02 minutes West with a fence 283.82 feet to
7 an iron pin found;
8 THENCE EASTERLY with an old fence as follows:
9 NORTH 89 degrees 43 minutes East 197.4 feet;
10 NORTH 138 degrees 35 minutes East 324 feet;
11 SOUTH 68 degrees 25 minutes East 205 feet;
12 SOUTH 82 degrees 14 minutes East 146.2 feet to an iron pin
13 found.
14 THENCE NORTH 0 degrees 13 minutes East with a fence 962.42
15 feet to an iron pin found;
16 THENCE NORTH 88 degrees 56 minutes East with a fence 533.9
17 feet to an iron pin found;
18 THENCE SOUTH 0 degrees 06 minutes East 135.64 feet to an iron
19 pin found;
20 THENCE SOUTH 87 degrees 45 minutes East 176.4 feet to an iron
21 pin found in the West R.O.W. line of the St. Louis - San Francisco
22 and Texas Railroad,'
23 THENCE SOUTH 11 degrees 51 minutes West with said R.O.W line
24 2547 feet to the place of beginning,
25 CONTAINING 157.54 acres.
26 TRACT 11 (0.95 ACRES):
27 SITUATED in the B.B.B. & C. RR. Co. Survey, Abstract No. 132,

1 Collin County, Texas, and being more particularly described as
2 follows:

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

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

9 THENCE North 00 degrees 04 minutes West for a distance of
10 198.3 feet to a fence corner found for corner;

11 THENCE South 89 degrees 58 minutes East for a distance of
12 108.1 feet to a fence corner found for corner;

13 THENCE 141 South 00 degrees 17 minutes-East for a distance of
14 198.2 feet to the PLACE OF BEGINNING, CONTAINING 0.95 acres of land,
15 more or less.

16 TRACT 12 (68.112 ACRES):

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

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

1 THENCE North 00 degrees 43 minutes 13 seconds East, with the West
2 line of said Higgins tract, a distance of 282.98 feet to a found 1/2
3 inch rebar for a corner;
4 THENCE North 00 degrees 17 minutes 49 seconds West, with the West
5 line of said Higgins tract, a distance of 2303.19 feet to a found
6 1/2 inch rebar for a corner in Collin County Road Number 56 (a
7 gravel surfaced public road);
8 THENCE South 85 degrees 53 minutes 29 seconds East, a distance of
9 19.49 feet to a found 1/2 inch rebar for a corner;
10 THENCE North 00 degrees 01 minutes 05 seconds East, with the West
11 line of said Higgins tract, and in said road, a distance of 744.59
12 feet to a found 1/2 inch rebar for a corner;
13 THENCE South 87 degrees 53 minutes 54 seconds East, with the North
14 line of said Higgins tract, and along the North line of Cedar Street
15 (an asphalt surfaced public street), a distance of 672.70 feet to a
16 set 1/2 inch steel square tubing for a corner;
17 THENCE South 00 degrees 01 minutes 29 seconds West, with the West
18 line of a 10 foot wide concrete alley part of the way, a distance of
19 824.71 feet to a set 1/2 inch steel square tubing for a corner;
20 THENCE South 87 degrees 14 minutes 21 seconds East, with-:the South
21 line of a 10 foot wide concrete alley part of the way, a distance
22 708.19 feet to a set 1/2 inch steel square tubing for a corner on the
23 East line of said Higgins tract, and the West line of a called 22.74
24 acre tract as shown by Deed to E. L. Higgins dated April 8, 1987; and
25 recorded in Volume 2599, Page 892 of said Deed Records;
26 THENCE South 00 degrees 00 minutes 40 seconds East, with the East
27 line of said Higgins tract, and the West line of said 22.74 acre

1 tract, a distance of 1562.30 feet to a found 1/2 inch rebar for a
2 corner;
3 THENCE South 89 degrees 04 minutes 33 seconds West, with an old
4 fence and tree line, a distance of 533.74 feet to a found 1/2 inch
5 rebar for a corner;
6 THENCE South 00 degrees 06 minutes 14 seconds West, with an old
7 fence and tree line, a distance of 963.27 feet to a set 1/2 inch
8 steel square tubing for a corner;
9 THENCE North 76 degrees 30 minutes 57 seconds West, a distance of
10 411.39 feet to a set 1/2 inch steel square tubing for a corner;
11 THENCE South 87 degrees 43 minutes 31 seconds West, a distance of
12 186.92 feet to a set 1/2 inch steel square tubing for a corner;
13 THENCE South 89 degrees 58 minutes 09 seconds West, a distance of
14 268.63 feet to the POINT OF BEGINNING and containing 81.528 acres of
15 land.
16 SAVE AND EXCEPT the following tract:
17 BEING all that certain called 13.416 acre tract of land from Rex
18 Glendenning, etux to Celina Independant School District, by deed
19 recorded in Volume 5086, Page 5064, Deed Records, Collin County,
20 Texas, and being all of Lot 1, Block A, Celina Elementary Addition,
21 an addition to the City of Celina, Collin County, Texas, according
22 to the plat thereof recorded in Cabinet P, Page 144, Map Records,
23 Collin County, Texas.
24 Leaving a net area of 68.112 acres.
25 TRACT 13 (22.741 ACRES):
26 BEING all that certain tract or parcel of land situated in the
27 B.B.B. & C.R.R. Survey, Abstract Number 132, County of Collin,

1 State of Texas; said tract being shown by Deed to E. L. Higgins,
2 dated April 8, 1987, and recorded in Volume 2599, Page 892 of the
3 Deed Records of the County of Collin, State of Texas, and being more
4 fully described as follows:
5 BEGINNING for the Northeast corner of the tract being described
6 herein at a set 1/2 inch steel square tubing by a fence corner post,
7 said tubing being the Northeast corner of said Higgins tract, and on
8 the West right-of-way line of the St. Louis, San Francisco & Texas
9 Railroad;
10 THENCE South 11 degrees 58 minutes 12 seconds West, with the East
11 line of said Higgins tract, and the West line of said Railroad
12 right-of-way, a distance of 2313.40 feet to a set 1/2 inch steel
13 square tubing for a corner;
14 THENCE South 73 degrees 35 minutes 22 seconds West, a distance of
15 20.00 feet to a set 1/2 inch steel square tubing for a corner;
16 THENCE South 29 degrees 22 minutes 23 seconds West, a distance of
17 320.00 feet to a set 1/2 inch steel square tubing for a corner;
18 THENCE South 88 degrees 37 minutes 53 seconds West, a distance of
19 62.38 feet to a .fence corner-post for the Southwest corner of said
20 Higgins tract;
21 THENCE North 00 degrees 01 minutes 25 seconds East, with the West
22 line of said Higgins tract, a distance of 135.91 feet to a found 1/2
23 inch rebar for .corner;
24 THENCE North 00 degrees 00 minutes 40 seconds West, with the West
25 line of said Higgins tract, a distance of 1567.31 feet to a found
26 1/2 inch rebar for a corner;
27 THENCE North 00 degrees 02 minutes 00 seconds East, with the West

1 line of said Higgins tract, a distance of 421.32 feet to a found 1/2
2 inch rebar for a corner;
3 THENCE-North 89 degrees 30 minutes 57 seconds East, a distance of
4 311.57 feet to a fence corner post for a corner;
5 THENCE North 00 degrees 03 minutes 04 seconds West, a distance of
6 416.61 feet to a fence corner post for a corner;
7 THENCE North 89 degrees 15 minutes 06 seconds East, a distance of
8 407.15 feet to the POINT OF BEGINNING and containing 22.741 acres of
9 land.

10 TRACT 14 (46.743 ACRES):

11 SITUATED in Collin County, Texas, in the Collin County School Land
12 Survey, Abstract No. 167, being a resurvey of the 33.62 acre First
13 Tract and the 6.26 acre Second Tract as described in a deed from
14 B.F. Gearhart and Alice Gearhart to R. L. Willard dated August 9,
15 1909, recorded in Volume 206, Page 493 of the Collin County Deed
16 Records, and, the land owned and claimed by B.F. Willard and Joe
17 Frank Willard, being described by metes and bounds as follows:

18 BEGINNING at a 1/2" iron pin set beside a corner post at the
19 southwest corner of said 6.26 acre tract, at an ell corner of the
20 Don Thomas Glendenning Family Trust 77.7100 acres, Ref. V. 4444, P.
21 2963;

22 Thence North, with the west line of said 6.26 acre tract, an east
23 line of said 77.7100 acre tract, with an old fence, passing a 1/2"
24 iron pin set on the north side of a corner post at 374.49 feet and
25 continuing in all 419.87 feet to a PK nail set at the northwest
26 corner of said 6.26 acre tract, the northeast corner of said 77.7100
27 acre tract, in the center of the asphalt paved County Road No. 55

1 and in the south line of the Rex K. Glendenning 156.54 acres, Ref.
2 V. 3788, P. 205;
3 Thence North 89 degrees 42 minutes 17 seconds East, 1554.87 feet
4 with the north line of said 6.26 acre tract, the north line of said
5 33.62 acre tract, the south line of said 156.54 acre tract and with
6 the center of said County Road No. 55 to a PK nail set at the
7 northeast corner of said 33.62 acre tract, the southeast corner of
8 said 156.54 acre tract and in the west R.O.W. line of the Burlington
9 Northern Railroad;
10 Thence South 11 degrees 43 minutes 44 seconds West, with the east
11 line of said 33.62 acre tract and with said west R.O.W. line,
12 passing a 1/2" iron pin set in said line at 61.35 feet and
13 continuing in all 2810.81 feet to a 1/2" iron pin set in said west
14 R.O.W. line, on the west side of a cross-tie corner post at the
15 southeast corner of said 33.62 acre tract and the northeast corner
16 of the Eugene Stone 4.66 acres, Ref. V. 810, P. 64;
17 Thence South 89 degrees 38 minutes 16 seconds West, with the south
18 line of said 33.62 acre tract, the north line of said 4.66 acre
19 tract and with the evidence of an old fence, passing a 1/2 inch iron
20 pin set beside an old post at 250.96 feet and continuing in all
21 359.86 feet to a 1/2" iron pin set at the southwest corner of said
22 33.62 acre tract, the northwest corner of said 4.66 acre tract, in
23 the east line of said 77.7100 acre tract and on the west side of
24 County Dirt Road No. 1117;
25 Thence North, with the west line of said 33.62 acre tract, the east
26 line of said 77.7100 acre tract, coming to the center of said Dirt
27 Road at approximately 200 feet and continuing with the center of

1 said County Road No. 1117, in all 2331.25 feet to a 1/2" iron pin set
2 in the center of said Dirt Road at the southeast corner of said 6.26
3 acre tract and in the west line of said 33.62 acre tract;
4 Thence South 89 degrees 33 minutes 55 seconds West with the south
5 line of said 6.26 acre tract, with a north line of said 77.7100 acre
6 tract, passing a 1/2" iron pin set beside a corner post at 19.4 feet
7 and continuing with an old fence in all 623.64 feet to the PLACE OF
8 BEGINNING and containing 46.743 acres of land.

9 TRACT 15 (49.985 ACRES):

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

16 BEING all that certain tract or parcel of land lying and being
17 situated in Collin County, Texas, a part of the COLLIN COUNTY SCHOOL
18 LAND SURVEY, ABSTRACT NO. 167, and being and including all that
19 certain tract said to contain 50.00 acres as described in a deed
20 from Charlie Ann Tate Lewis to Shaul C. Baruch, Trustee, recorded in
21 Volume 2751, Page 693 of the Land Records of Collin County, said
22 tract or parcel of land is herein described as follows: to wit:

23 BEGINNING at an 1/2 inch iron rod found on the West right-of-way
24 line of State Highway No. 289 for the Northeast corner of said
25 called 50.00 acre tract, said corner being on the North line of a
26 called 118 acre tract described:-in a deed to L. L. Lewis recorded
27 .in Volume. 206, Page 196 of the Deed Records of Collin County, said

1 corner also being in the center of a County Road running in'an
2 Easterly and Westerly direction;
3 THENCE along the West right-of-way line of said State Highway No.
4 289, South 01: degrees 10 minutes 04 seconds East 831.09 feet to an
5 1/2 inch .iron rod found for corner;
6 THENCE South 88 degrees 53 minutes 04 seconds West 208.08 feet to an
7 1/2 inch-iron rod found-for corner;
8 THENCE South 01 degrees 05 minutes 21 seconds East 480.06 feet to an
9 1/2 inch iron rod found for corner, said corner being the Northeast
10 corner of a called 66.115 acre tract described in a deed to Charlie
11 Ann Tate Lewis-as recorded in Volume 3049, Page 833 of the Land
12 Records of :Collin County;
13 THENCE South 88 degrees 49 minutes 17 seconds West along the South
14 line hereof, common with the North line of said called 66.115 acre
15 tract, a distance of 1667.09 feet to an 1/2 inch iron rod found In
16 the East right-of-way line of the Burlington Northern and Santa Fe
17 Railroad;
18 THENCE along last named line, North 10 degrees 40 minutes 49.
19 seconds East. 1337.71 feet to an 1 inch iron rod found in the center
20 of said County Road;
21 THENCE North 88 degrees 45 minutes 30 seconds East a distance of
22 1601.17 feet to the PLACE OF BEGINNING and containing 49.985 acres
23 of land, more or less.
24 TRACT 16 (3.305 ACRES):
25 All that certain tract or parcel of land situated in Lot B of
26 Subdivision number 14 of the Collin County School Land Survey
27 A-167, County of Collin State of Texas as shown on plat recorded in

1 Volume 03, Page 118 of the Deed Records of Collin County, Texas, and
2 said tract being the remaining tract of a called 118 acre tract as
3 described in deed to L.L. Lewis filed 10 November 1916 and recorded
4 in Volume 206, Page 196 of said Deed Records and being more fully
5 described as follows:
6 Beginning for the northeast corner of the tract being described
7 herein at a found 1/2 inch rebar with a plastic cap marked Alliance,
8 said rebar being the northeast remainder corner of said Lewis
9 tract, same being the most easterly southeast corner of a called
10 49.985 acre tract as described in deed to Old Celina. Ltd. filed 11
11 July 2002 and recorded in Volume 5208, Page 3398 of said Deed
12 Records and said rebar being on the west line of State Highway
13 Number 289;
14 Thence South 01 degrees 27 minutes 19 seconds East, with the west
15 line of said highway a distance of 30.62 feet to a wood right of way
16 monument for an angle point in the west line of said highway;
17 Thence South 01 degrees 56 minutes 18 seconds East, with the west
18 line of said highway, a distance of 316.17 feet to a found 1/2 inch
19 rebar with a plastic cap marked Alliance for an angle point in the
20 west line of said highway;
21 Thence South 00 degrees 23 minutes 33 seconds East, with the west
22 line of said highway a distance of 333.51 feet to a found 1/2 inch
23 rebar with a plastic cap marked Alliance for the southeast
24 remainder corner of said Lewis tract, same being the most easterly
25 northeast corner of a called 66.020 acre tract as described in deed
26 to Old Celina Ltd. filed 31 July 2003, and recorded in Volume 5471,
27 Page 1109 of said Deed Records;

1 Thence South 88 degrees 49 minutes 36 seconds West, with the north
2 line of said Old Celina 66 acre tract, a distance of 209.37 feet to a
3 found 1/2 inch rebar with a plastic cap marked Alliance for the
4 southwest remainder corner of said Lewis tract; same being an ell
5 corner of said Old Celina 66 acre tract;
6 Thence North 01 degrees 10 minutes 27 seconds West, with the east
7 line of said Old Celina 66 acre tract and passing the most northerly
8 northeast corner of said Old Celina 66 acre tract, same being the
9 most southerly southeast corner of said Old Celina 49.985 acre
10 tract and continuing on said course with the east line of said Old
11 Celina 49.985 acre tract a distance of 680.17 feet to a found 1/2
12 inch rebar with a plastic cap marked Alliance for the northwest
13 remainder corner of said Lewis tract, same being an ell corner of
14 said Old Celina 49.985 acre tract
15 Thence North 88 degrees 48 minutes 36 seconds East, with the south
16 line of said Old Celina 49.985 acre tract a distance of 209.56 feet
17 to the POINT OF BEGINNING and containing 3.305 acres of land, more
18 or less.
19 TRACT 17 (66.020 ACRES):
20 Being a tract of land situated in the Collin County School Land
21 Survey, Abstract No. 14, Abstract No. 167, Collin County, Texas,
22 and being the same tract of land as described in the deed to Charlie
23 Ann Tate Lewis according to the deed recorded in Volume 3049, Page
24 633 of the Deed Records of Collin County, Texas, (D.R.C.C.T.) and
25 being more particularly described as follows:
26 BEGINNING of a 1/2 inch iron rod found at the northwest corner of
27 said Lewis tract, said iron rod also lying on east right-of-way line

1 of the S.O. & S.F. Railroad;
2 THENCE North 88 degrees 49 minutes 19 seconds East, along the common
3 line of said Lewis tract, and a tract of land conveyed to Rex
4 Glendenning according to the deed recorded in Volume 4476, Page 280
5 D.R.C.C.T., (for a distance of 1.67.42 feet to a 1/2 inch iron rod
6 found at a common interior Interior corner of same;
7 THENCE South 01 degrees 10 minutes 41 seconds East to leaving said
8 common line, for a distance of 197.35 feet to a 5/8 inch iron rod
9 with cap stamped R.P.L.S. 5430 set for corner;
10 THENCE North 88 degrees 48 minutes 28 seconds East for a distance of
11 206.70 feet to a 5/8 inch iron rod with cap stamped R.L.P.S. 5430
12 set on the West right-of--way line of State Highway No. 289;
13 THENCE South 01 degrees 13 minutes 34 seconds East along said West
14 right-of-way line, for a distance of 1,242.72 feet to a 5/8 iron rod
15 with cap stampoed R.P.L.S. 5420 set at the Southeast corner of the
16 aforementioned Lewis tract;
17 THENCE South 88 degrees 53 minutes 32 seconds West leaving said west
18 right-of-way line along the south line of said Lewis tract passing
19 at a distance of 538.88 feet a 1/2 inch iron rod found near the
20 intersection of a barbed wire fence, and continuing with said fence
21 passing at a distance of 2,032.87 feet a 3/8 inch iron rod found,
22 and continuing for a total distance of 2,179.17 to a 5/8 inch iron
23 rod with cap stamped R.P.L.S. 5430 set at the southwest corner of
24 said Lewis tract, and also lying on the east right-of-way line of
25 the aforementioned S.L. & S.F. Railroad;
26 THENCE North 10 degrees 41 minutes 21 seconds East along said East
27 right-of-way line, for a distance of 1,468.61 feet to the PLACE OF

1 BEGINNING, and containing 2,875.811 square feet or 66.020 acres of
2 land.

3 TRACT 18 (13.50 ACRES):

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

10 BEGINNING at a 1/2 inch iron rod found for the Northeast corner of
11 said called 38 acre tract, said point also being the Northwest
12 corner of a called 16 acre tract of land as conveyed to Candice
13 Chen, by deed recorded in Volume 5836, Page 545 of the Deed Records
14 of Collin County, Texas, said iron rod also being in the South line
15 of a tract of land conveyed to Old Celina, Ltd., by deed recorded in
16 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
17 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
18 line of said 38 acre tract, and said Chen tract as recorded in
19 Volume 5836, Page 545, a distance of 473.70 feet to a point for
20 corner;

21 THENCE North 90 degrees 00 minutes 00 seconds West, through the
22 interior of said called 38 acre tract, a distance of 1244.34 feet to
23 a point for corner, said point being in the East line of said called
24 38 acre tract, same being in the West line of a tract of land
25 conveyed to Ayala Metro Park Properties, Ltd., as recorded in
26 Volume 5431, Page 6738, of the Deed Records of Collin County, Texas;
27 THENCE North 00 degrees 19 minutes 12 seconds West, along the common

1 line of said called 38 acre tract, and said Ayala Metro Park
2 Properties, a distance of 473.64 feet to a 1/2 inch iron rod found
3 for corner, said point being the Northwest corner of said called 38
4 acre tract, same being the Northeast corner of said Ayala Metro Park
5 Properties, Ltd. tract, and being in the South line of said Old
6 Celina, Ltd. tract;

7 THENCE South 90 degrees 00 minutes 00 seconds East, along the common
8 line of said 38 acre tract, and said Old Celina, Ltd. tract, a
9 distance of 1238.92 feet to the POINT OF BEGINNING and containing
10 588,075 square feet or 13.50 acres of computed land, more or less.

11 TRACT 19 (5.50 ACRES):

12 BEING a 5.50 acre tract of land situated in the COLLIN COUNTY SCHOOL
13 LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas, and a
14 portion of a called 38 acre tract of land as conveyed to Dan P. Stone
15 by deed recorded in Volume 831, Page 82, of the Deed Records of
16 Collin County, Texas, and being more particularly described as
17 follows:

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

1 BEGINNING;
2 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
3 line of said called 38 acre tract, and said Chen tract as recorded
4 in Volume 5836, Page 545, passing a 3/8 inch iron rod found for the
5 Southwest corner of said Chen tract, same being the Northwest corner
6 of a tract of land conveyed to Candice Chen, by deed recorded in
7 Volume 5836, Page 552, of the Deed Records of Collin County, Texas,
8 and continuing along the common line of said called 38 acre tract
9 and said Chen tract as recorded in Volume 5836, Page 552, passing a
10 3/8 Inch Torn rod found for the Southwest corner of said Chen tract
11 as recorded in Volume 5836, Page 552, same being the Northwest
12 corner of a tract of land conveyed to Candice Chen, by deed recorded
13 In Volume 5836, Page 560, of the Deed Records of Collin County,
14 Texas, and continuing a total distance of 846.30 feet to a 1/2 inch
15 iron rod found for corner, said point being the Southeast corner of
16 said Stone tract, same being the Southwest corner of said Chen tract
17 recorded in Volume 5836, Page 560, said point being in the
18 centerline of County Road No. 53, said point also being in the North
19 line of a called 40 acre tract of land described by the deed
20 recorded in Volume 682, Page 259, of the Deed Records of Collin
21 County, Texas;
22 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
23 line of said called 38 acre tract, and said called 40 acre tract,
24 and the center line of County Road No. 53, a distance of 287.84 feet
25 to a point for corner;
26 THENCE North 00 degrees 19 minutes 12 seconds West, through the
27 interior of said called 38 acre tract, a distance of 847.56 feet to

1 a point for corner;
2 THENCE South 90 degrees 00 minutes 00 seconds East, through the
3 interior of said called 38 acre tract, a distance of 278.16 feet to
4 the POINT OF BEGINNING and containing 239,668 square feet or 5.50
5 acres of computed land, more or less.
6 TRACT 20 (9.425 ACRES):
7 Being a 9.425 acre tract of land situated in the COLLIN COUNTY
8 SCHOOL LAND SURVEY NO. 14, ABSTRACT NO. 167, Collin County, Texas,
9 and a portion of a called 38 acre tract of land as conveyed to Dan P.
10 Stone, by deed recorded in Volume 831, Page 82, of the Deed Records
11 of Collin County, Texas, and being more particularly described as
12 follows:
13 COMMENCING at a 1/2 Inch iron rod found for the northeast corner of
14 the said called 38 acre tract, said point also being the Northwest
15 corner of a called 16 acre tract of land as conveyed to Candice
16 Chen, by deed recorded In Volume 5836, Page 545, of the Deed Records
17 of Collin County, Texas, said iron rod also being in the south line
18 of a tract of land conveyed to Old Celina, Ltd., by deed recorded in
19 Volume 5471, Page 1109, of the Deed Records of Collin County, Texas;
20 THENCE South 00 degrees 58 minutes 32 seconds East, along the common
21 line of said Stone tract, and said Chen tract as recorded In Volume
22 5836, Page 545, a distance of 473.70 feet to a point for corner,
23 THENCE North 90 degrees 00 minutes 00 seconds West, through the
24 interior of said called 38 acre tract, a distance of 761.90 feet to
25 a point for corner, said point being the POINT OF BEGINNING;
26 THENCE South 00 degrees 19 minutes 12 seconds East, through the
27 interior of said called 38 acre tract, a distance of 849.86 feet to

1 a point for corner, said point being in the South line of said
2 called 38 acre tract, same being in the center line of County Road
3 No. 53, same being in the North line of a called 40 acre tract of
4 land described by the deed recorded in Volume 682, Page 259, of the
5 Deed Records of Collin County, Texas;
6 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
7 line of said called 38 acre tract, and said called 40 acre tract,
8 and the center line of County Road No. 53, a distance of 482.43 feet
9 to a 1/2 inch iron rod found for corner, said point being the
10 Southwest corner of said called 38 acre tract;
11 THENCE North 00 degrees 19 minutes 12 seconds West, along the West
12 line of said called 38 acre tract, passing the Southeast corner of a
13 tract of land conveyed to Ayala Metro Park Properties, Ltd., as
14 recorded in Volume 5431, Page 6738, of the Deed Records of Collin
15 County, Texas, at a distance of 22.29 feet, and continuing along the
16 common line of said called 38 acre tract, and said Ayala Metro Park
17 Properties, Ltd. tract, a total distance of 852.15 feet to a point
18 for corner;
19 THENCE North 90 degrees 00 minutes 00 seconds East, through the
20 interior of said called 38 acre tract, a distance of 482.44 feet to
21 the POINT OF BEGINNING and containing 410,551 square feet or 9.425
22 acres of computed land, more or less.
23 TRACT 21 (0.784 ACRES):
24 All that certain tract or parcel of land situated in Lot 8 of
25 Subdivision 14 of the Collin County School Lands, Abstract Number
26 167, County of Collin, State of Texas, according to plat of the same
27 recorded in volume 03 page 118 of the deed records of Collin County,

1 Texas, said tract being part of the monumented tract on the ground
2 of a called 8.772 acre tract as described to deed to Ryno Materials,
3 Inc., filed 21 April 2006, and recorded in county clerks number
4 06-000536590 of the deed records of the County of Collin, State of
5 Texas, and being more fully described as follows,
6 Beginning for the northeast corner of the tract being described
7 herein at a found 3/8 inch rebar, said rebar being the northeast
8 corner of said Ryno tract, same being the northwest corner of a
9 called 7,646 acre tract as described in deed to Ayala Metro Park
10 Properties,, filed 04 July 2003, and recorded in volume 5431 page
11 6738 of said deed records, said rebar also being on the south line
12 of a caled 66.02 acre tract as described in deed to Old Celina, Ltd,
13 filed 31 July 2005, and recorded in volume 5471 page 1109 of said
14 deed records;
15 Thence: South 00 degrees 07 minutes 36 seconds West, with the
16 monumented east line of said Ryno tract, a distance of 201.95 feet
17 to a set 1/2 inch steel square tubing, for the southeast corner of
18 this tract;
19 Thence: North 89 degrees 05 minutes 00 seconds West, a distance of
20 191.73 feet to a set 1/2 inch steel square tubing for the southwest
21 corner of this tract, said tubing being on the west line of said
22 Ryno tract, same being the east line of the Burlington Northern
23 ,Railroad,
24 Thence: North 12 degrees 48 minutes 09 seconds East, with the east
25 line of said railroad a distance of 206.40 feet to a set 1/2 inch
26 steel square tubing for the northwest corner of said Ryno tract,
27 same being the southwest corner of said Old Celina tract, and said

1 tubing being South 24 degrees 24 minutes 28 seconds West, a distance
2 of 5.89 feet from a found 1/2 Inch rebar with a plastic cap marked
3 Wisdom 3646;
4 Thence, South 89 degrees 04 minutes 00 seconds East, with the north
5 line of said Ryno tract, and with the south line of said Old Celina
6 tract, a distance of 146.45 feet to the POINT OF BEGINNING and
7 containing 0.784 of an acre of land
8 TRACT 22 (5.500 ACRES):
9 All that certain tract or parcel of land situated in Lot 8 of
10 Subdivision 14 of the Collin County School Lands, Abstract Number
11 167, County of Collin State of Texas, according to plat of the same
12 recorded in volume 03 page 118 of the deed records of Collin County,
13 Texas, sold tract being part of the monumented tract on the ground
14 of a called 8.772 acre tract as described in deed to Ryno
15 .Materials, Inc., filed 21 April 2006, and recorder! in county
16 clerks number 06-000536590 of the deed records of the County of
17 Collin, State of Texas, and being more fully described as follows:
18 Beginning for the northeast corner of the tract being described
19 herein at a set 1/2 inch steel square tubing, said tubing being an
20 the monumented east line of said Ryno tract, and said tubing being
21 South 00 degrees 07 minutes 36 seconds West, a distance of 651,67
22 feet from a found 3/8 inch rebar, said rebar being the northeast
23 corner of said Ryno tract, same being the northwest corner of a
24 called 7.646 acre tract as described in deed to Ayala Metro Park
25 Properties, filed 04 June 2003, and recorded in volume 5431 page
26 6738 of said deed records, said rebar also being on the south line
27 of a caled 66.02 acre tract at described in deed to Old Celina, Ltd,

1 filed 31 July 2003, and recorded in volume 5471 page 1109 of said
2 deed records;

3 Thence: South 00 degrees 07 minutes 36 seconds West, with the
4 monumented east line of said Ryno tract and passing at 648.22 feet a
5 found 1/2 inch rebar with a plastic cap marked Wisdom 3646 on the
6 north side of Collin County Road Number 53, and continuing on said
7 course a total distance of 674.50 feet to a point for the southeast
8 corner of this tract;

9 Thence: North 89 degrees 05 minutes 00 seconds West, with the south
10 line of said Ryno tract, and with said road a distance of 393.80
11 feet to a set railroad spike for the most southerly southwest corner
12 of said Ryno tract;

13 Thence. North 12 degrees 48 minutes 34 seconds West, with the
14 monumented west line of said Ryno tract, and passing at 24.11 feet a
15 found "X" in a concrete wall on the north side of said road and
16 continuing on said course, a total distance of 178.85 feet to a
17 found 1/2 inch rebar with a plastic cap marked Wisdom 3646 for the
18 monumented ell corner of said Ryno tract;

19 Thence: North 89 degrees 02 minutes 33 seconds West, with the
20 monumented south line of said Ryno tract, a distance of 50 06 feet
21 to a found 1/2 inch rebar with a plastic cap marked Wisdom 3646 for
22 the monumented most westerly southwest corner of said Ryno tract,
23 said rebar being the east line of the Burlington Northern Railroad.

24 Thence: North 12 degrees 48 minutes 09 seconds East, with the east
25 line of said railroad a distance of 510.33 feet to a set 1/2 inch
26 steel square tubing for the northwest corner of this tract;

27 Thence: South 89 degrees 05 minutes 00 seconds East, a distance of

1 292,60 feet to the POINT OF BEGINNING and containing 5.500 acres of
2 land
3 TRACT 23 (2.500 ACRES):
4 All that certain tract or parcel of land situated in Lot 8 of
5 Subdivision 14 of the Collin County School Lands, Abstract Number
6 167, County of Collin State of Texas, according to plat of the same
7 recorded In volume 03 page 118 of the deed records of Collin County,
8 Texas, .said tract being part of the monumented tract on the ground
9 of a called 8.772 acre tract as described in deed to Ryno Materials,
10 Inc., filed 21 April 2006, and recorded In county clerks number
11 06-000536590 of the deed records of the County of Collin; State of
12 Texas, and being more fully described as follows:
13 Beginning for the northeast corner of the it-act being described
14 herein at a set 1/2 inch steel square tubing, said tubing being on
15 the monumented east line of said Ryno tract, and said tubing being
16 South 00 degrees 07 minutes 36 seconds West, a distance of 201.95
17 feet from a found 3/8 inch rebar, said rebar being the northeast
18 corner of said Ryno tract, same being the northwest corner of a
19 called 7 646 acre tract as described in deed to Ayala Metro, Park
20 Properties, filed 04 June 2003, and recorded in volume 5431 page
21 6738 of said deed records, said re bar also being on the south line
22 of a caled 66 02 acre tract as described in deed to Old Celina Ltd,
23 filed 31 July 2005, and recorded in volume 547,1 page 1109 of said
24 deed recasts;
25 Thence:. South 00 degrees 07 minutes 36 seconds West, with the
26 monumented east line of said Ryno tract, a distance of 449.72 feet
27 to a set 1/2 inch steel square tubing for the southeast corner of

1 this tract;

2 Thence: North 89 degrees 05 minutes 00 seconds West, a distance of
3 292.60 feet to a set 1/2 inch steel square tubing for the southwest
4 corner of this tract, said tubing being on the west line of said
5 Ryno tract, same being the east line of the Burlington Northern
6 Railroad;

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

10 Thence: South 89 degrees 05 minutes 00 seconds East, a distance of
11 191.75 feet to the POINT OF BEGINNING and containing 2.500 acres of
12 land.

13 TRACT 24 (50.596 ACRES):

14 BEING a tract of land situated in the COLLIN COUNTY SCHOOL LAND
15 SURVEY, ABSTRACT NO. 167, Collin County, Texas, and also being part
16 of a 125.871 acre tract as recorded in Volume 1775, Page 454 of the
17 Deed Records of Collin County, Texas, and being more particularly
18 described by metes and bounds as follows:

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

24 THENCE South 89 degrees 56 minutes 19 seconds West following the
25 North line of said 70 acre tract a distance of 2266.24 feet to a 1/2
26 inch iron rod set for corner at the Northwest corner of said 70.00
27 acre tract, said iron rod also being in the East right of way line of

1 State Highway No. 289 a variable-width ROW;
2 THENCE following the-East ROW line of State Highway No. 289:
3 North 18 degrees 10 minutes 56 seconds East, 24.17 feet 1/2
4 inch iron rod set;
5 North 19 degrees 19 minutes 00 seconds East, 254.08 feet 1/2
6 inch iron rod set;
7 North 89 degrees 46 minutes 00 seconds East, 103.11 feet-1/2
8 inch iron rod set;
9 North 02 degrees 20 minutes 00 seconds West, 35.64 feet 1/2
10 inch iron rod set;
11 North 04 degrees 18 minutes 00 seconds West, 170.90 feet 1/2
12 inch iron rod set;
13 North 18 degrees 11 minutes 00 seconds East, 122.11 feet 1/2
14 inch iron rod set;
15 North 12 degrees 28 minutes 00 seconds East, 8.23feet 1/2
16 inch iron rod set for the southwest corner of Lot 2, Block A,
17 Cattlemans Crossing, an addition to the City of Celina, Collin
18 County, Texas, according to the plat thereof recorded in Cabinet R,
19 Slide 670, Map Records, Collin County, Texas;
20 THENCE through the interior of said called 125.871 acre tract, and
21 along the south and east lines of said Lot 2 as follows:
22 North 88 deg. 04 min. 32 sec. West, a distance of 372.79 feet
23 to a point for the southeast corner of said Lot 2;
24 North 18 deg. 11 min. 00 sec. East, a distance of 602.60 feet
25 to a point for the northeast corner of a right-of-way dedication by
26 said Cattlemans Crossing plat for County Road No. 98, same being in
27 the north line of said called 125.871 acre tract, same being in the

1 South line of a 8.755 acre tract as recorded in Volume 814, Page
2 808, Deed Records, Collin County, Texas;
3 THENCE North 88 degrees 04 minutes 32 seconds East following the
4 South line of said 8.755 acre tract a distance of 151.20 feet to a
5 1/2 inch iron rod found for corner at the Southeast corner of said
6 8.755 acre tract, said iron rod also being at the Southwest corner
7 of a 117.12 acre tract as recorded in Volume 2532, Page 562, Deed
8 Records, Collin County, Texas;
9 THENCE North 88 degrees 56 minutes 39 seconds East following the
10 South line of said 117.12 acre tract a distance of 1312.82 feet to a
11 5/8 inch iron rod found for corner at the Northwest corner of said
12 72.00 acre tract;
13 THENCE South 01 degree 01 minute 35 seconds East following the West
14 line of said 72.00 acre tract a distance of 1205.28 feet to the
15 POINT OF BEGINNING and containing 2,203,976 square feet or 50.596
16 acres of land, more or less.
17 TRACT 25 (2.54 ACRES):
18 BEING a 2.54 acre tract of land situated in the Collin County School
19 Land Survey, Abstract No. 167, in the City of Celina, COLLIN County,
20 Texas, and being portion of a tract of a called 125.871 acre tract
21 of land conveyed to Old Celina, Ltd. by deed recorded in Volume
22 1775, Page 454, of the Deed Records of Collin County, Texas, and
23 being all of Lot 1, Block A, Cattlemans Crossing, an addition to the
24 City of Celina, Collin County, Texas, according to the plat thereof
25 recorded in Cabinet R, Slide 670, Map Records, Collin County,
26 Texas, and being more particularly described as follows:
27 BEGINNING at a 5/8 inch iron rod found for the Southwest corner of a

1 called 8.755 acre tract of land recorded in Volume 814, Page 808, of
2 the Deed Records of COLLIN County, Texas, same being in the East
3 right-of-way line of State Highway No. 289 (a variable width
4 right-of-way), same being the northwest corner of said Lot 1;
5 THENCE North 88 degrees 04 minutes 32 seconds East, along the South
6 line of said called 8.755 acre tract, and along the north line of
7 said Lot 1, a distance of 340.00 feet to a 1/2 inch iron rod set for
8 the northeast corner of said Lot 1, same being the most northerly
9 northwest corner of Lot 2, of said Cattlemans Crossing;
10 THENCE South 18 degrees 11 minutes 00 seconds West, along the common
11 line of said Lot 1, and said Lot 2, a distance of 284.12 feet to a
12 point for the southeast corner of said Lot 1;
13 THENCE South 88 degrees 04 minutes 32 seconds West, continuing
14 along the common line of said Lot 1, and said Lot 2, a distance of
15 329.74 feet to a point for the southwest corner of said Lot 1 and the
16 most westerly northwest corner of said Lot 2, same being in the east
17 right-of-way line of aforesaid State Highway No. 289;
18 THENCE North 14 degrees 22 minutes 00 seconds East, along the East
19 right-of-way line of said State Highway No. 289, a distance of
20 144.72 feet to a 1/2 inch iron rod set for corner;
21 THENCE North 18 degrees 11 minutes 00 seconds East, along the East
22 right-of-way line of said State Highway No. 289, a distance of
23 200.09 feet to the POINT OF BEGINNING and CONTAINING 110,400 square
24 feet or 2.54 acres of computed land, more or less.
25 TRACT 26 (70.802 ACRES):
26 SITUATED in the State of Texas, County of Collin, being part of the
27 Collin County School Land Survey, Abstract No. 167, being the

1 resurvey of a called 70.00 acre tract of land recorded in Volume
2 2868, Page 203 of the Collin County Land Records with said premises
3 being more particularly described as follows:
4 BEGINNING at a 1/2-inch iron rod found marking the northeast corner
5 of said 70.00 acre tract, the southeast corner of a 55.718 acre
6 tract surveyed by David Surdukan dated October 4, 1999, said
7 beginning corner also being in the west line of a 74.00 acre tract
8 recorded in Volume 314, Page 534 of the Collin County Deed Records;
9 THENCE with the east line of said 70.00 acre tract and the west line
10 of said 74.00 acre tract as follows:
11 South 00 degrees 39 minutes 50 seconds East, 557.47 feet;
12 South 09 degrees 53 minutes 25 seconds West, 11.80 feet;
13 South 01 degrees 00 minutes 34 seconds East, 860.79 feet to a
14 railroad spike found in the asphalt of County Road No. 91 marking
15 the southeast corner of said 70.00 acre tract and being in the north
16 line of a 21.970 acre tract recorded under Volume 4388, Page 2079 of
17 the Collin County Land Records;
18 THENCE along County Road No. 91, the south line of said 70.00 acre
19 tract, the north line of said 21.970 acre tract and the north line
20 of 10.476 acre tract recorded in volume 788, Page 714 of the Collin
21 County Deed Records, South 88 degrees 29 minutes 47 seconds West,
22 1302.22 feet to a railroad spike found marking the most southerly
23 southeast corner of said 70.00 acre tract;
24 THENCE with a west line of said 70.00 acre tract and an east line of
25 a 40.886 acre tract recorded under County Clerk No. 93-0018472 of
26 the Collin County Land Records, North 01 degrees 05 minutes 25
27 seconds West, 428.80 feet to a 5/8-inch iron rod found marking the

1 most northerly northeast corner of said 40.886 acre tract;
2 THENCE with a south line of said 70.00 acre tract and the north line
3 of said 40.886 acre tract, South 88 degrees 24 minutes 24 seconds
4 West, 777.67 feet to a 1/2 inch iron rod found marking the southeast
5 corner of an abandoned 60-foot road right-of-way;
6 THENCE with the south line of said abandoned road right-of-way,
7 South 88 degrees 26 minutes 57 seconds West, 544.48 feet to a
8 3/8-inch iron rod found in the east right-of-way line of State
9 Highway 289 (variable R.O.W.) marking the southwest corner of said
10 road abandonment;
11 THENCE with the east right-of-way line of State Highway No. 289 and
12 the west line of said 70.00 acre tract as follows:
13 North 17 degrees 47 minutes 47 seconds East, 63.75 feet to a
14 1/2-inch iron found;
15 North 17 degrees 14 minutes 00 seconds East, 284.05 feet to a
16 1/2-inch iron rod set;
17 North 18 degrees 11 minutes 00 seconds East, 775.83 feet to a
18 1/2-inch iron rod found marking the northwest corner of said 70.00
19 acre tract and the southwest corner of the aforementioned 55.718
20 acre tract;
21 THENCE with the north line of said 70.00 acre tract and the south
22 line of said 55.718 acre tract, North 89 degrees 56 minutes 19
23 seconds East, 2266.24 feet to the point of beginning and containing
24 70.802 gross acres of land.
25 TRACT 27 (9.425 ACRES):
26 BEING a 9.425 acre tract of land situated in the Collin County
27 School Land Survey No. 14, Abstract No. 167, Collin County, Texas,

1 and a portion of a called 38 acre tract of land as conveyed to Don P.
2 Stone, by deed recorded in Volume 831, Page 82, of the Deed Records
3 of Collin County, Texas, and being more particularly described as
4 follows:

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

16 THENCE North 90 degrees 00 minutes 00 seconds West, 278.16 feet to
17 the POINT OF BEGINNING;

18 THENCE South 00 degrees 19 minutes 12 seconds East, through the
19 interior of said called 38 acre tract, a distance of 847.56 feet to
20 a point for corner, said point being in the south line of said
21 called 38 acre tract, same being in the center line of County Road
22 No. 53, said point also being in the north line of a called 40 acre
23 tract of land described by the deed recorded in Volume 682, Page
24 259, of the Deed Records of Collin County, Texas;

25 THENCE South 89 degrees 43 minutes 40 seconds West, along the common
26 line of said 38 acre tract, and said called 40 acre tract, and the
27 center line of County Road No. 53, a distance of 483.73 feet to a

1 point for corner;
2 THENCE North 00 degrees 19 minutes 12 seconds West, through the
3 interior of said called 38 acre tract, a distance of 849.86 feet to
4 a point for corner;
5 THENCE South 90 degrees 00 minutes 00 seconds East, through the
6 interior of said called 38 acre tract, a distance of 483.74 feet to
7 the POINT OF BEGINNING and containing 410,545 square feet or 9.425
8 acres of computed land.

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

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

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

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

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

ADOPTED

MAY 21 2013

FLOOR AMENDMENT NO. 1

Atty. Gen.
Secretary of the Senate

Boyd

Amend C.S.H.B. 3914 (senate committee printing) as follows:

(1) Add the following appropriately numbered SECTIONS to the bill and renumber the subsequent SECTIONS accordingly:

SECTION _____. The Parker County Utility District No. 1 is dissolved.

SECTION _____. The following laws are repealed:

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

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

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

CHAPTER 3918. COMANCHE MUNICIPAL MANAGEMENT DISTRICT NO. 1

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 3918.001. DEFINITIONS. In this chapter:

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

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

(3) "County" means Denton County.

(4) "Director" means a board member.

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

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

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

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

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

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

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

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

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

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

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

30 (c) This chapter and the creation of the district may not be
31 interpreted to relieve the city or county from providing the level

1 of services provided as of the effective date of the Act enacting
2 this chapter to the area in the district. The district is created
3 to supplement and not to supplant city and county services provided
4 in the district.

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

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

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

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

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

20 (2) eliminating unemployment and underemployment; and

21 (3) developing or expanding transportation and
22 commerce.

23 (e) The district will:

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

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

30 (3) promote the health, safety, welfare, and enjoyment
31 of the public by providing pedestrian ways and by landscaping and

1 developing certain areas, which are necessary for the restoration,
2 preservation, and enhancement of scenic beauty.

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

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

11 Sec. 3918.007. INITIAL DISTRICT TERRITORY. (a) The
12 district is initially composed of the territory described by
13 Section __ of the Act enacting this chapter.

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

18 (1) organization, existence, or validity;

19 (2) right to borrow money or issue any type of bonds or
20 other obligations described by Section 3918.203 for a purpose for
21 which the district is created or to pay the principal of and
22 interest on the bonds or other obligations;

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

25 (4) legality or operation; or

26 (5) right to contract.

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

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

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

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

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

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

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

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

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 3918.203.

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

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

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

23 (d) If the city creates a tax increment reinvestment zone
24 described by Subsection (c)(1), the city and the board of directors
25 of the zone, by contract, may allocate money deposited in the tax
26 increment fund between the city and the district to be used by the
27 city and the district for:

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

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

1 issued by the district under Section 3918.203; and

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

4 (e) A tax increment reinvestment zone created by the city in
5 the district is not subject to the limitations provided by Section
6 311.006, Tax Code.

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

10 Sec. 3918.010. CONSTRUCTION OF CHAPTER. This chapter shall
11 be liberally construed in conformity with the findings and purposes
12 stated in this chapter.

13 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

19 Sec. 3918.052. INITIAL DIRECTORS. (a) On or after the
20 effective date of the Act enacting this chapter, the owner or owners
21 of a majority of the assessed value of the real property in the
22 district according to the most recent certified tax appraisal rolls
23 for the county may submit a petition to the city requesting that the
24 city appoint as initial directors the five persons named in the
25 petition. The city shall appoint as initial directors the five
26 persons named in the petition.

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

28 (1) the date permanent directors are elected under
29 Section 3918.003; or

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

1 (c) If permanent directors have not been elected under
2 Section 3918.003 and the terms of the initial directors have
3 expired, successor initial directors shall be appointed or
4 reappointed as provided by Subsection (d) to serve terms that
5 expire on the earlier of:

6 (1) the date permanent directors are elected under
7 Section 3918.003; or

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

10 (d) If Subsection (c) applies, the owner or owners of a
11 majority of the assessed value of the real property in the district
12 according to the most recent certified tax appraisal rolls for the
13 county may submit a petition to the city requesting that the city
14 appoint as successor initial directors the five persons named in
15 the petition. The city shall appoint as successor initial
16 directors the five persons named in the petition.

17 SUBCHAPTER C. POWERS AND DUTIES

18 Sec. 3918.101. GENERAL POWERS AND DUTIES. The district has
19 the powers and duties necessary to accomplish the purposes for
20 which the district is created.

21 Sec. 3918.102. IMPROVEMENT PROJECTS. The district may
22 provide, or it may enter into contracts with a governmental or
23 private entity to provide, the improvement projects described by
24 Subchapter C-1 or activities in support of or incidental to those
25 projects.

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

30 Sec. 3918.104. ROAD DISTRICT POWERS. The district has the
31 powers provided by the general laws relating to road districts and

1 road utility districts created under Section 52(b), Article III,
2 Texas Constitution, including Chapter 441, Transportation Code.

3 Sec. 3918.105. PUBLIC IMPROVEMENT DISTRICT POWERS. The
4 district has the powers provided by Chapter 372, Local Government
5 Code, to a municipality or county.

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

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

12 (1) that is in the extraterritorial jurisdiction of
13 the city;

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

15 (3) that includes 100 or more residents.

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

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

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

24 SUBCHAPTER C-1. IMPROVEMENT PROJECTS AND SERVICES

25 Sec. 3918.151. IMPROVEMENT PROJECTS AND SERVICES. The
26 district may provide, design, construct, acquire, improve,
27 relocate, operate, maintain, or finance an improvement project or
28 service using any money available to the district, or contract with
29 a governmental or private entity to provide, design, construct,
30 acquire, improve, relocate, operate, maintain, or finance an
31 improvement project or service authorized under this chapter or

1 Chapter 375, Local Government Code.

2 Sec. 3918.152. 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 3918.004(a)(2) or the parties to that
9 development agreement agree to the project, in writing.

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

12 Sec. 3918.154. 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 3918.004(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.

21 Sec. 3918.155. 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:

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

27 (2) Chapter 375, Local Government Code.

28 SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS; ASSESSMENTS

29 Sec. 3918.201. DISBURSEMENTS AND TRANSFERS OF MONEY. The
30 board by resolution shall establish the number of directors'
31 signatures and the procedure required for a disbursement or

1 transfer of the district's money.

2 Sec. 3918.202. MONEY USED FOR IMPROVEMENTS OR SERVICES.
3 The district may undertake and provide an improvement project or
4 service authorized by this chapter using any money available to the
5 district.

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

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

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

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

18 Sec. 3918.204. ASSESSMENTS. (a) Except as provided by
19 Subsection (b), the district may impose an assessment on property
20 in the district to pay for an obligation described by Section
21 3918.203 in the manner provided for:

22 (1) a district under Subchapters A, E, and F, Chapter
23 375, Local Government Code; or

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

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

28 Sec. 3918.205. NOTICE OF ASSESSMENTS. (a) The board shall
29 annually file written notice with the secretary of the city that
30 specifies the assessments the district will impose in the
31 district's next fiscal year in sufficient clarity to describe the

1 assessments for the operation and maintenance of the district and
2 the assessments for the payment of debt service of obligations
3 issued or incurred by the district.

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

7 (c) The assessment roll must clearly state that the
8 assessments in the assessment roll are in addition to the ad valorem
9 taxes imposed by other taxing units that tax real property in the
10 district.

11 (d) The district shall generate and implement a program to
12 provide notification to a prospective purchaser of property in the
13 district of the assessments that have been approved and are imposed
14 by the district.

15 Sec. 3918.206. RESIDENTIAL PROPERTY NOT EXEMPT. Section
16 375.161, Local Government Code, does not apply to the district.

17 Sec. 3918.207. NO IMPACT FEES. The district may not impose
18 an impact fee.

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

21 SUBCHAPTER E. DISSOLUTION

22 Sec. 3918.251. DISSOLUTION BY CITY. (a) The city may
23 dissolve the district by ordinance after the city annexes the
24 district.

25 (b) Notwithstanding Subsection (a), the city may not
26 dissolve the district until:

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

29 (2) the city agrees to succeed to the rights and
30 obligations of the district.

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

1 (a) If the dissolved district has bonds or other obligations
2 outstanding secured by and payable from assessments or other
3 revenue, the city succeeds to the rights and obligations of the
4 district regarding enforcement and collection of the assessments or
5 other revenue.

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

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

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

13 Sec. 3918.253. ASSUMPTION OF ASSETS AND LIABILITIES. (a)
14 After the city dissolves the district, the city assumes the
15 obligations of the district, including any bonds or other debt
16 payable from assessments or other district revenue.

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

19 SECTION _____. The Comanche Municipal Management District
20 No. 1 initially includes all the territory contained in the
21 following area:

22 TRACT 1

23 248.67 ACRE

24 BEING a tract of land situated in the William Lumpkin Survey
25 Abstract No. 730, Denton County, Texas, and also being all of a
26 173.545 acre tract as recorded in Volume 5347, Page 4702 of the Deed
27 Records of Denton County, Texas, also being all of a 75.125 acre
28 tract as recorded in Volume 4895, Page 1900 D.R.D.C.T. and being
29 more particularly described by metes and bounds as follows:

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

1 tract;
2 THENCE South 1 degree 53 minutes 56 seconds West a distance of
3 2221.22 feet to a 1/2 inch iron rod set for comer in Bryan Road
4 (gravel surface);
5 THENCE North 88 degrees 04 minutes 11 seconds West following Bryan
6 Road a distance of 1267.37 feet to a 1/2 inch iron rod found for
7 corner in the east line of a 75.125-acre tract;
8 THENCE South 02 degrees 13 minutes 34 seconds West a distance of
9 900.51 feet to a 1/2 inch iron rod found for comer at the northeast
10 comer of a 52.63 acre tract as recorded in Volume 2261, Page 53,
11 D.R.D.C.T.;
12 THENCE North 89 degrees 19 minutes 31 seconds West following the
13 north line of said 52.63 acres tract a distance of 3578.05 feet to a
14 5/8 inch iron rod (bent) found for comer in the east line of a tract
15 conveyed to the United States of America as recorded in Volume 2585,
16 Page 305, D.R.D.C.T.;
17 THENCE North 02 degrees 15 minutes 46 seconds East following the USA
18 tract a distance of 243.40 feet to concrete monument stamped 1033-4
19 for corner;
20 THENCE North 02 degrees 18 minutes 26 seconds East following the USA
21 tract a distance of 349.95 feet to concrete monument stamped 1033-5
22 for comer;
23 THENCE North 36 degrees 42 minutes 11 seconds West following the USA
24 tract a distance of 396.06 feet to concrete monument stamped 1033-6
25 for comer on the east bank of a dry creek;
26 THENCE South 89 degrees 12 minutes 38 seconds East a distance of
27 201.16 feet to 1/2 inch iron rod found for corner;
28 THENCE North 00 degrees 47 minutes 22 seconds East a distance of
29 131.81 feet to a point for comer in a creek;
30 THENCE up said creek the following calls:
31 N 09'28'51" E 13.38'

1	N 07°11'52" E 163.03'
2	N 72°07'15" E 37.14'
3	S 63°04'41" E 103.03'
4	S 88°21'20" E 52.55'
5	N 04°13'19" E 21.33'
6	N 11°19'26" W 59.51'
7	N 18°42'11" E 87.30'
8	N 17°43'03" W 81.64'
9	N 74°51'43" E 136.16'
10	N 31°30'01" E 64.83'
11	S 88°00'53" E 66.68'
12	S 35°42'40" E 58.03'
13	S 82°36'34" E 31.64'
14	N 17°26'44" E 95.82'
15	S 42°05'36" E 150.73'
16	N 83°20'18" E 36.07'
17	N 05°26'09" E 107.43'
18	N 31°37'22" W 51.38'
19	N 20°57'03" E 66.43'
20	N 28°51'15" W 102.21'
21	N 71°19'55" E 53.49'
22	S 53°48'09" E 44.26'
23	N 85°29'09" E 65.70'
24	N 40°30'41" E 86.41'
25	N 78°32'11" E 40.09'
26	N 24°32'25" E 53.98'
27	N 77°19'49" E 92.67'
28	N 58°04'48" E 80.57'
29	S 32°29'24" E 38.45'
30	N 48°05'23" E 47.84'
31	N 25°13'19" E 47.92'

1	S 89°41'30" E 57.89'
2	S 78°26'24" E 91.22'
3	N 67°15'30" E 29.70'
4	S 23°35'53" E 132.38'
5	S 87°07'12" E 40.32'
6	N 00°43'32" W 44.48'
7	N 56°26'03" E 92.01'
8	S 51°37'41" E 87.66'
9	S 01°35'49" W 42.96'
10	S 59°48'32" E 8.73'
11	N 60°27'41" E 125.92'
12	N 44°01'02" E 75.88'
13	N 01°26'58" E 82.39'
14	N 73°27'50" E 73.60'
15	N 54°29'34" E 46.92'
16	N 81°58'33" E 46.29'
17	N 49°14'37" E 44.19'
18	N 53°45'54" W 113.00'
19	N 18°22'20" W 130.69'
20	N 29°43'26" E 28.51'
21	N 50°28'25" W 43.10'
22	N 17°32'30" W 68.50'
23	N 88°47'34" E 108.29'
24	S 55°53'19" E 47.42'
25	S 45°21'21" E 32.24'
26	N 52°55'59" E 49.96'
27	S 35°25'53" E 72.10'
28	N 24°00'28" E 43.50'
29	N 49°35'12" W 52.21'
30	N 07°23'52" E 54.05'
31	N 01°09'32" E 45.90'

1 N 84°16'29" E 94.67'
2 N 86°33'49" E 67.50'
3 S 74°49'52" E 56.94'
4 N 51°27'10" E 21.10'
5 N 21°28'46" W 35.20'
6 N 67°07'22" E 44.39'
7 S 30°10'20" E 49.02'
8 S 85°45'43" E 39.09'
9 N 18°14'15" E 39.69'
10 N 69°16'16" E 39.39'
11 S 49°20'27" E 59.65'
12 N 55°13'09" E 41.34'
13 N 40°35'34" W 70.10'
14 N 33°06'50" E 69.98'
15 N 66°20'41" E 42.96'
16 N 01°12'16" E 3.53'

17 THENCE North 86 degrees 41 minutes 34 seconds East a distance of
18 401.38 feet to a 1/2 inch iron rod set for corner;
19 THENCE South 88 degrees 18 minutes 26 seconds East a distance of
20 2105.22 feet to the POINT OF BEGINNING and containing 10,832,069
21 square feet or 248.67 acres of land, more or less.

22 RELEASE TRACT

23 100.582 ACRE TRACT

24 BEING a tract of land situated in the William Lumpkin Survey
25 Abstract No. 730, Denton County, Texas, and also being part of a
26 173.545 acre tract as recorded in Volume 5347, Page 4702 of the Deed
27 Records of Denton County, Texas, also being part of a 75.125 acre
28 tract as recorded in Volume 4895, Page 1900 D.R.D.C.T. and being
29 more particularly described by metes and bounds as follows:

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

1 tract;
2 THENCE South 1 degree 53 minutes 56 seconds West a distance of
3 2221.22 feet to a 1/2 inch iron rod set for corner in Bryan Road
4 (gravel surface);
5 THENCE North 88 degrees 04 minutes 11 seconds West following Bryan
6 Road a distance of 1267.37 feet to a 1/2 inch iron rod found for
7 corner in the east line of a 75.125-acre tract;
8 THENCE South 02 degrees 13 minutes 34 seconds West a distance of
9 528.88 feet to a 1/2 inch iron rod found for corner at the northeast
10 corner of a 52.63 acre tract as recorded in Volume 2261, Page 53,
11 D.R.D.C.T.;
12 THENCE North 89 degrees 19 minutes 31 seconds West following the
13 north line of said 52.63 acres tract a distance of 653.67 feet to a
14 point;
15 THENCE North 02 degrees 10 minutes 14 seconds East a distance of
16 769.82.40 feet to the beginning of a tangent curve to the right;
17 THENCE Northerly, along said tangent curve to the right which has a
18 chord that bears North 11 degrees 39 minutes 21 seconds East for
19 2017.05 feet, a central angle of 18 degrees 58 minutes 13 seconds
20 and a radius of 6120.00 feet, for an arc distance of 2026.29 feet to
21 the end of said curve;
22 THENCE South 88 degrees 18 minutes 26 seconds East a distance of
23 1578.43 feet to the POINT OF BEGINNING and containing 4,381,338
24 square feet or 100.582 acres of land.

25 TRACT 2

26 52.631 ACRE TRACT

27 All that certain tract or parcel of land situated in the WILLIAM
28 LUMPKIN SURVEY, ABSTRACT NUMBER 73, County of DENTON, State of
29 Texas, said tract being all of a called 52.630 acre tract as
30 described in Deed 2261, Page 53 of the Real Property Records of the
31 County of DENTON, State of Texas, and being more fully described as

1 follows:

2 Beginning for the Northeast corner of the tract described herein at
3 a found 1/2 inch rebar said rebar being the Northeast corner of said
4 Layman tract, same being the Southeast corner of a called 75.125
5 acre tract as described in deed to Denton County 250 LP, filed 29
6 June 2004, and recorded in County Clerk's Number 2004-85167 of said
7 Real Property Records, and said rebar being on the West line of a
8 called 166.48 acre tract as described in deed to Jos. A. I. Worsham,
9 Trustee, filed 24 December 2003, and recorded in County Clerk's
10 Number 2003-205831 of said deed records, said rebar also being in
11 Bryan Road;

12 Thence: South 02 degrees 07 minutes 23 seconds West, with the East
13 line of said Layman tract, and with the West line of said Worsham
14 tract, and with said road, a distance of 616.86 feet to a found 1/2
15 inch rebar for the Southeast corner of said Layman tract, same being
16 the Northeast corner of Lot No. 2, a called 139.76 acre tract as
17 described in partition, dated 18 September 1899, and recorded in
18 Volume L, Page 587 of the District Court Minutes of DENTON County,
19 Texas, and further described in Boundary Agreement, filed 22 May
20 1985, and recorded in Volume 1640, Page 779 of said Real Property
21 Records;

22 Thence: North 89 degrees 19 minutes 30 seconds West, with the South
23 line of said Layman tract, and with the North line of said Lot 2, and
24 with the line as described in said Boundary Agreement, a distance of
25 3950.80 feet to a found Corps of Engineers concrete monument with a
26 brass cap marked 1033-1, 1034-5, dated 1966 for the Southwest
27 corner of said Layman tract, said monument being the East line of
28 USA Tract L-1033 (Lake Lewisville);

29 Thence: North 40 degrees 32 minutes 30 seconds East, with the West
30 line of said Layman tract, and with the East line of said USA tract,
31 and with a barbed wire fence, a distance of 299.74 feet to a found

1 Corps of Engineers concrete monument remains for an angle point in
2 the West line of said Layman tract;
3 Thence: North 40 degrees 28 minutes 28 seconds East, with the West
4 line of said Layman tract, and with the East line of said USA tract,
5 and with a barbed wire fence, a distance of 299.71 feet to a found
6 Corps of Engineers concrete monument with a brass cap marked
7 1033-3, dated 1966 for an angle point in the West line of said
8 Layman tract, same being an angle point in the East line of said USA
9 tract;
10 Thence: North 02 degrees 16 minutes 40 seconds East, with the West
11 line of said Layman tract, and with the East line of said USA tract,
12 and with a barbed wire fence, a distance of 156.12 feet to a found I
13 inch rebar by a pipe fence corner post for the Northwest corner of
14 said Layman tract, same being the Southwest corner of said Denton
15 County 250 tract;
16 Thence: South 89 degrees 19 minutes 46 seconds East, with the North
17 line of said Layman tract, and with the South line of said Denton
18 County 250 tract, and with a barbed wire fence, and passing at
19 3550.64 feet a pipe fence corner post on the West side of said road,
20 and continuing on said course a total distance of 3578.04 feet to a
21 POINT OF BEGINNING and CONTAINING 52.613 acres of land.
22 RELEASE TRACT
23 9.257 ACRE TRACT
24 All that certain tract or parcel of land situated in the WILLIAM
25 LUMPKIN SURVEY, ABSTRACT NUMBER 73, County of DENTON, State of
26 Texas, said tract being part of a called 52.630 acre tract as
27 described in Deed 2261, Page 53 of the Real Property Records of the
28 County of DENTON, State of Texas, and being more fully described as
29 follows:
30 Beginning for the Northeast corner of the tract described herein at
31 a found 1/2 inch rebar said rebar being the Northeast corner of said

1 Layman tract, same being the Southeast corner of a called 75.125
2 acre tract as described in deed to Denton County 250 LP, filed 29
3 June 2004, and recorded in County Clerk's Number 2004-85167 of said
4 Real Property Records, and said rebar being on the West line of a
5 called 166.48 acre tract as described in deed to Jos. A. I. Worsham,
6 Trustee, filed 24 December 2003, and recorded in County Clerk's
7 Number 2003-205831 of said deed records, said rebar also being in
8 Bryan Road;

9 Thence: South 02 degrees 07 minutes 23 seconds West, with the East
10 line of said Layman tract, and with the West line of said Worsham
11 tract, and with said road, a distance of 616.86 feet to a found 1/2
12 inch rebar for the Southeast corner of said Layman tract, same being
13 the Northeast corner of Lot No.2, a called 139.76 acre tract as
14 described in partition, dated 18 September 1899, and recorded in
15 Volume L, Page 587 of the District Court Minutes of DENTON County,
16 Texas, and further described in Boundary Agreement, filed 22 May
17 1985, and recorded in Volume 1640, Page 779 of said Real Property
18 Records;

19 Thence: North 89 degrees 19 minutes 30 seconds West, with the South
20 line of said Layman tract, and with the North line of said Lot 2, and
21 with the line as described in said Boundary Agreement, a distance of
22 654.18 feet a point;

23 Thence: North 02 degrees 10 minutes 14 seconds East, a distance of
24 616.82 feet to a point;

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

29 SECTION _____. Subtitle F, Title 6, Special District Local
30 Laws Code, is amended by adding Chapter 8469 to read as follows:

1 CHAPTER 8469. VENABLE RANCH MUNICIPAL UTILITY DISTRICT NO. 1 OF
2 DENTON COUNTY

3 SUBCHAPTER A. GENERAL PROVISIONS

4 Sec. 8469.001. DEFINITIONS. In this chapter:

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

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

7 (3) "Commission" means the Texas Commission on
8 Environmental Quality.

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

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

12 Sec. 8469.002. NATURE OF DISTRICT. The district is a
13 municipal utility district created under Section 59, Article XVI,
14 Texas Constitution.

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

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

21 (1) the city has consented by ordinance or resolution
22 to the creation of the district and to the inclusion of land in the
23 district; and

24 (2) the city and an owner or owners of land in the
25 district have entered into a development agreement under Section
26 212.172, Local Government Code.

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

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

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

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

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

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

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

12 (1) organization, existence, or validity;

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

16 (3) right to impose a tax; or

17 (4) legality or operation.

18 SUBCHAPTER B. BOARD OF DIRECTORS

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

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

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

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

31 (1) the date permanent directors are elected under

1 Section 8469.003; or

2 (2) September 1, 2017.

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

8 (1) the date permanent directors are elected under
9 Section 8469.003; or

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

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

19 SUBCHAPTER C. POWERS AND DUTIES

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

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

28 Sec. 8469.103. AUTHORITY FOR ROAD PROJECTS. Under Section
29 52, Article III, Texas Constitution, the district may design,
30 acquire, construct, finance, issue bonds for, improve, operate,
31 maintain, and convey to this state, a county, or a municipality for

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

3 Sec. 8469.104. ROAD STANDARDS AND REQUIREMENTS. (a) A
4 road project must meet all applicable construction standards,
5 zoning and subdivision requirements, and regulations of each
6 municipality in whose corporate limits or extraterritorial
7 jurisdiction the road project is located.

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

13 (c) If the state will maintain and operate the road, the
14 Texas Transportation Commission must approve the plans and
15 specifications of the road project.

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

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

24 (1) has no outstanding bonded debt; and

25 (2) is not imposing ad valorem taxes.

26 (b) This chapter applies to any new district created by the
27 division of the district, and a new district has all the powers and
28 duties of the district.

29 (c) Any new district created by the division of the district
30 may not, at the time the new district is created, contain any land
31 outside the area described by Section __ 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.

28 (j) If the creation of the new district is confirmed, the
29 new district shall provide the election date and results to the
30 commission.

31 Sec. 8469.107. FIREFIGHTING SERVICES. Notwithstanding

Section 49.351(a), Water Code, the district may, as authorized by
Section 59(f), Article XVI, Texas Constitution, and Section 49.351,
Water Code:

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

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

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

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

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

SUBCHAPTER D. GENERAL FINANCIAL PROVISIONS

Sec. 8469.151. ELECTIONS REGARDING TAXES OR BONDS.

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

(1) revenue other than ad valorem taxes; or

(2) contract payments described by Section 8469.153.

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

(c) The district may not issue bonds payable from ad valorem
taxes to finance a road project unless the issuance is approved by a

1 vote of a two-thirds majority of the district voters voting at an
2 election held for that purpose.

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

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

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

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

18 SUBCHAPTER E. BONDS AND OTHER OBLIGATIONS

19 Sec. 8469.201. AUTHORITY TO ISSUE BONDS AND OTHER
20 OBLIGATIONS. The district may issue bonds or other obligations
21 payable wholly or partly from ad valorem taxes, impact fees,
22 revenue, contract payments, grants, or other district money, or any
23 combination of those sources, to pay for any authorized district
24 purpose.

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

31 Sec. 8469.203. BONDS FOR ROAD PROJECTS. At the time of

1 issuance, the total principal amount of bonds or other obligations
2 issued or incurred to finance road projects and payable from ad
3 valorem taxes may not exceed one-fourth of the assessed value of the
4 real property in the district.

5 SUBCHAPTER F. ANNEXATION BY CITY

6 Sec. 8469.251. EFFECT OF ANNEXATION BY CITY.

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

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

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

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

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

29 VENABLE PROPERTY DESCRIPTION:

30 TRACT 1

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

1 No. 1219, the S. Williams Survey, Abstract No. 1333, the M. McBride
2 Survey, Abstract No. 804, the N. McMillan Survey, Abstract No. 841,
3 the J. Cantwell Survey, Abstract No. 282, the T. Chambers Survey,
4 Abstract No. 223, the J. Moses Survey, Abstract No. 894, the J.
5 Wells Survey, Abstract No. 1426, the J. Wilburn Survey, Abstract
6 No. 1427, and the W. Boydston Survey, Abstract No. 117, Denton
7 County, Texas and being all of the following tracts of land conveyed
8 to Venable Royalty, LTD.; a called 10.69 acre tract by deed recorded
9 in Volume 5128, Page 563 of the Real Property Records of Denton
10 County, Texas (R.P.R.D.C.T.); a called 11.00 acre tract by deed
11 recorded in Volume 5144, Page 2973, R.P.R.D.C.T.; a called a called
12 29.089 acre tract by deed recorded in Volume 4077, Page 1372,
13 R.P.R.D.C.T.; a called 27.20 acre tract by deed recorded in Volume
14 5076, Page 822, R.P.R.D.C.T. (50% interest); a called 54.08 acre
15 tract by deed recorded in Volume 4867, Page 3255, R.P.R.D.C.T.; a
16 called 7.000 acre tract, called Parcel One, Tract I, a called 0.228
17 acre tract, called Parcel One, Tract II, and a called 14.586 acre
18 tract, called Parcel Two by deed recorded in Volume 4506, Page 1340
19 of the Deed Records of Denton County, Texas (D.R.D.C.T.); all of
20 Lots 16 and 17 of Scenic Acres by deed recorded in Volume 4399, Page
21 1845, R.P.R.D.C.T., said Scenic Acres being an addition to Denton
22 County, Texas according to the plat recorded in Cabinet B, Page 379
23 of the Map Records of Denton County, Texas (M.R.D.C.T.); all of the
24 following tracts of land conveyed to Venable Estate, LTD.; a called
25 4.02 acre tract by deed recorded in Instrument No. 2008-41088 of the
26 Official Records of Denton County, Texas (O.R.D.C.T.); a called
27 27.20 acre tract by deed recorded in Instrument No. 2004-101157,
28 O.R.D.C.T. (50% interest); all of the following recorded in
29 Instrument No. 2005-43578, O.R.D.C.T.; of Exhibit "A-1"; a called
30 48.9 acre tract, called First Tract; a called 70 acre tract, called
31 Second Tract; a called 40 acre tract, called Third Tract; a called

1 30 acre tract, called Fourth Tract; a called 70.80 acre tract,
2 called Fifth Tract; a called 70.62 acre tract, called Sixth Tract; a
3 called 53.83 acre tract, called Seventh Tract; a called 88 acre
4 tract, called Eighth Tract; a called 40 acre tract, called Ninth
5 Tract; a called 40 acre tract, called Tenth Tract; a called 54 acre
6 tract, called Eleventh Tract; a called 63 acre tract, called
7 Twelfth Tract; a called 55 acre tract, called Thirteenth Tract; a
8 called 50 acre tract, called Fourteenth Tract; a called 3 acre
9 tract, called Fifteenth Tract; a called 6 acre tract, called
10 Sixteenth Tract; a called 100 acre tract, called Seventeenth Tract;
11 a called 58 acre tract, called Eighteenth Tract; a called 29.37 acre
12 tract, called Nineteenth Tract; the remainder of a called 20 acre
13 tract, called Twentieth Tract; a called 80 acre tract, called
14 Twenty-First Tract; a called 3.5 acre tract, called Twenty-Second
15 Tract; a called 114.8 acre tract, called Twenty-Third Tract; a
16 called 412 acre tract, called Twenty-Fourth Tract; a called 40 acre
17 tract, called Twenty-Fifth Tract; a called 40 acre tract, called
18 Twenty-Sixth Tract; a called 65.93 acre tract, called
19 Twenty-Seventh Tract; of Exhibit "A-2"; First Tract; Second Tract;
20 and a called 118.3 acre tract, called Third Tract; all of Exhibit
21 "A-3", called 24 acres; all of Exhibit "A-6", called 70 acres; of
22 Exhibit "A-7"; a called 63 acre tract, called First Tract; and a
23 called 80 acre tract, called Second Tract; and all of Exhibit "A-8",
24 called 54.089 acres, and being more particularly described as
25 follows:

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

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

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

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

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

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

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

26 South 89°49'29" West, passing at a distance of 39.40 feet a
27 mag nail found, and continuing for a total distance of 368.29 feet
28 to the southwest corner of said Venable Exhibit "A-1" Twentieth
29 Tract, said point being in the west line of Wilson Cemetery Road;
30 THENCE North 01°18'58" West, along the west line of said Venable
31 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
28 line of a called 25.196 acre tract of land conveyed to Rodney I.
29 Streng and Judith A. Streng Family Trust, by deed recorded in
30 Instrument Number 2010-59229, O.R.D.C.T.;

31 THENCE North 01°18'58" West, a distance of 12.03 feet to a mag nail

1 found for the northwest corner of said Venable Exhibit "A-1
2 Twentieth Tract and the northeast corner of said Streng Family
3 Trust 25.196 acre tract, said corner being in the south line of said
4 Venable Exhibit "A-1" Eighth Tract;
5 THENCE North 89°45'07" West, with said Wilson Cemetery Road, and
6 along the south line of said Venable Exhibit "A-1" Eighth Tract and
7 the north line of said Streng Family Trust 25.196 acre tract, a
8 distance of 1254.71 feet to a 1/2 inch iron rod found for the
9 southwest corner of said Venable Exhibit "A-1" Eighth Tract and the
10 northwest corner of said Streng Family Trust 25.196 acre tract,
11 said corner being in the east line of a called 5.30 acre tract of
12 land, called Tract Three, conveyed to Cedars Development, Inc. by
13 deed recorded in Instrument Number 2011-95252, O.R.D.C.T.;
14 THENCE North 01°20'47" West, with said Wilson Cemetery Road, and
15 along the west line of said Venable Exhibit "A-1" Eighth Tract and
16 the east line of said 5.30 acre tract, a distance of 573.91 feet to a
17 1/2 inch iron rod found for the northeast corner of said 5.30 acre
18 tract and the southeast corner of said Venable Exhibit "A-1"
19 Fourteenth Tract, said corner being at the intersection of Wilson
20 Cemetery Road with Grubbs Road;
21 THENCE North 88°33'37" West, with said Grubbs Road, and along the
22 south lines of said Venable Exhibit "A-1" Fourteenth Tract and
23 Fifteenth Tract, a distance of 1429.54 feet to a mag nail found for
24 the southwest corner of said Venable Exhibit "A-1" Fifteenth Tract,
25 and the southeast corner of a called 0.743 acre tract of land,
26 called Tract One, conveyed to Old South Royalty Company by deed
27 recorded in Volume 2138, Page 809, R.P.R.D.C.T.;
28 THENCE North 00°16'29" East, along the west line of said Venable
29 Exhibit "A-1" Fifteenth Tract and the east line of said 0.743 acre
30 tract, passing at a distance of 1078.75 feet the northeast corner of
31 said 0.743 acre tract and the most southerly southeast corner of a

1 called 352.393 acre tract of land, called Tract Three, conveyed to
2 Old South Royalty Company by deed recorded in Volume 2138, Page 809,
3 R.P.R.D.C.T., and continuing along said west line and the east line
4 of said 352.393 acre tract, for a total distance of 2079.16 feet to
5 a 1/2 inch iron rod with plastic cap stamped "J E Smith 3700" found
6 for the northwest corner of said Venable Exhibit "A-1" Fifteenth
7 Tract and an ell corner of said 352.393 acre tract;
8 THENCE South 89°57'36" East, along the north line of said Venable
9 Exhibit "A-1" Fifteenth Tract and a south line of said 352.393 acre
10 tract, a distance of 69.55 feet to a 1/2 inch iron rod with plastic
11 cap stamped "J E Smith 3700" found for the northeast corner of said
12 Venable Exhibit "A-1" Fifteenth Tract, the northwest corner of said
13 Venable Exhibit "A-1" Fourteenth Tract, the southwest corner of
14 said Venable Exhibit "A-1" Twelfth Tract, and the most easterly
15 southeast corner of said 352.393 acre tract;
16 THENCE North 00°07'55" West, along the west line of said Venable
17 Exhibit "A-1" Twelfth Tract and the east line of said 352.393 acre
18 tract, a distance of 1866.24 feet to a 1/2 inch iron rod with
19 plastic cap stamped "J E Smith 3700" found for the northeast corner
20 of said 352.393 acre tract and the southeast corner of said Venable
21 Exhibit "A-1" Nineteenth Tract;
22 THENCE along the south line of said Venable Exhibit "A-1"
23 Nineteenth Tract and the north line of said 352.393 acre tract the
24 following courses and distances:
25 South 84°01'58" West, a distance of 569.60 feet to a point for
26 corner;
27 South 89°43'26" West, a distance of 841.22 feet to a 1/2 inch
28 iron rod with plastic cap stamped "J E Smith 3700" found for the
29 corner;
30 South 51°33'10" West, a distance of 179.90 feet to a 1/2 inch
31 iron rod with plastic cap stamped "J E Smith 3700" found for corner;

1 South 87°42'24" West, a distance of 225.93 feet to a 1/2 inch
2 iron rod with plastic cap stamped "J E Smith 3700" found for corner;
3 South 62°36'29" West, a distance of 502.48 feet to a 1/2 inch
4 iron rod with plastic cap stamped "J E Smith 3700" found the
5 southwest corner of said Venable Exhibit "A-1" Nineteenth Tract and
6 the southeast corner of said Venable Exhibit "A-1" Fifth Tract;
7 THENCE North 89°55'15" West, continuing along the north line of said
8 352.393 acre tract and the south lines of said Venable Exhibit "A-1"
9 Fifth Tract and Seventh Tract, passing at a distance of 4118.63 feet
10 a Corps. of Engineers concrete monument with brass disk found for
11 the northeast corner of Tract No. 2512E, conveyed to the United
12 States of America by deed recorded in County Clerk's File No.
13 95-R0068092, D.R.D.C.T., and continuing along the south line of
14 said Venable Exhibit "A-1" Seventh Tract and the north line of said
15 Tract No. 2512E, for a total distance of 4768.62 feet to a 5/8 inch
16 iron rod found for the northwest corner of said Tract No. 2512E,
17 said corner being in the east line of Tract No. 2512, conveyed to
18 the United States of America by deed recorded in County Clerk's File
19 No. 95-R0068092, D.R.D.C.T.;
20 THENCE North 14°20'32" East, along the east line of said Tract No.
21 2512, a distance of 116.96 feet to a 5/8 inch iron rod found for the
22 northeast corner of said Tract No. 2512;
23 THENCE South 89°21'47" West, along the north line of said Tract No.
24 2512, passing at a distance of 63.04 feet the northwest corner of
25 said Tract No. 2512 and a northeast corner of Tract No. 2510,
26 conveyed to the United States of America by deed recorded in County
27 Clerk's File No. 97-R0083048, D.R.D.C.T., and continuing along a
28 north line of said Tract No. 2510, for a total distance of 325.98
29 feet to a 5/8 inch iron rod found for an ell corner of said Tract No.
30 2510, said corner being in the west line of said Venable Exhibit
31 "A-1" Sixth Tract and the east line of a called 2.73 acre tract of

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

1 following courses and distances:

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

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

7 North 49°01'29" East, passing at a distance of 270.75 feet a
8 1/2 inch iron rod found, and continuing for a total distance of
9 273.58 feet to the most northerly corner of said Venable Parcel Two,
10 14.586 acre tract, and the most easterly southeast corner of said
11 119.83 acre tract, said corner being in the west line of the
12 aforesaid Scenic Acres;

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

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

22 THENCE, southeasterly along said cul-de-sac right-of-way line and
23 with said non-tangent curve to the left having a central angle of
24 165°08'50", a radius of 60.00 feet, a chord bearing of South
25 82°18'25" East, a chord distance of 118.99 feet, passing at an arc
26 length of 72.26 feet the most easterly northeast corner of said Lot
27 17 and the most westerly northwest corner of Lot 16 of said Scenic
28 Acres, and continuing for a total arc length of 172.94 feet to the
29 most easterly northwest corner of said Lot 16, being in the south
30 right-of-way line of Scenic Drive (a 60 foot wide right-of-way);

31 THENCE North 74°55'19" East, along the south right-of-way line of

1 said Scenic Drive, a distance of 18.10 feet to the northeast corner
2 of said Lot 16;
3 THENCE South 05°05'59" West, along the east line of said Lot 16, a
4 distance of 422.16 feet to the southeast corner of said Lot 16, said
5 corner being in the south line of said Scenic Acres and the north
6 line of said Venable Exhibit "A-1" Third Tract;
7 THENCE South 89°37'50" East, along the south line of said Scenic
8 Acres and the north lines of said Venable Exhibit "A-1" Third Tract
9 and Second Tract, a distance of 667.01 feet to a 1/2 inch iron rod
10 found for the southeast corner of said Scenic Acres and the
11 southwest corner of a called 39.04 acre tract of land conveyed to
12 Pete Kenny, by deed recorded in Instrument No. 2010-28786,
13 O.R.D.C.T.;
14 THENCE North 89°55'56" East, along the north lines of said Venable
15 Exhibit "A-1" Second Tract and Seventeenth Tract, and the south
16 line of said 39.04 acre tract, a distance of 958.70 feet to a wood
17 corner post found for the southeast corner of said 39.04 acre tract
18 and an ell corner of said Venable Exhibit "A-1" Seventeenth Tract;
19 THENCE North 00°47'57" West, along the east line of said 39.04 acre
20 tract and the west lines of said Venable Exhibit "A-1" Seventeenth
21 Tract and Venable Exhibit "A-7" First Tract, a distance of 1748.72
22 feet to a 1/2 inch iron rod found for the northeast corner of said
23 39.04 acre tract and the southeast corner of said Venable Parcel
24 One, Tract I, 7.000 acre tract;
25 THENCE South 89°17'34" West, along the south line of said Venable
26 Parcel One, Tract I, and the north line of said 39.04 acre tract, a
27 distance of 72.46 feet to a 1/2 inch iron rod found for the
28 southwest corner of said Venable Parcel One, Tract I, and the
29 southeast corner of a called 7.000 acre tract of land conveyed to
30 Ronald G. Johnson and Wife, Hester L. Johnson, by deed recorded in
31 Volume 1191, Page 694, D.R.D.C.T.;

1 THENCE North 52°27'48" West, along the southwesterly line of said
2 Venable Parcel One, Tract I and the northeasterly line of said
3 Johnson 7.000 acre tract, a distance of 989.37 feet to the northwest
4 corner of said Venable Parcel One, Tract I, the southwest corner of
5 said Venable Parcel One, Tract II, 0.228 acre tract, the northeast
6 corner of said Johnson 7.000 acre tract, and the southeast corner of
7 a called 0.110 acre tract of land conveyed to Ronald G. Johnson et
8 ux, Hester L. Johnson, by deed recorded in Volume 1197, Page 860,
9 D.R.D.C.T.;

10 THENCE North 04°02'10" West, along the west line of said Venable
11 Parcel One, Tract II and the east line of said 0.110 acre tract, a
12 distance of 104.40 feet to the northwest corner of said Venable
13 Parcel One, Tract II and the northeast corner of said 0.110 acre
14 tract, said point being in the approximate centerline of McKinney
15 Bridge Road;

16 THENCE with the approximate centerline of said McKinney Bridge
17 Road, and along the northwesterly line of said Venable Parcel One,
18 Tract II the following courses and distances:

19 North 39°51'20" East, a distance of 56.10 feet to a point for
20 corner;

21 North 20°28'10" East, a distance of 132.92 feet to the
22 northeast corner of said Venable Parcel One, Tract II, said corner
23 being in the west line of a called 103.4117 acre tract of land
24 conveyed to E E Ranches of Texas, Inc., by deed recorded in Volume
25 2256, Page 840, R.P.R.D.C.T.;

26 THENCE South 00°18'17" East, along the east line of said Venable
27 Parcel One, Tract II and the west line of said 103.4117 acre tract,
28 a distance of 266.23 feet to the southeast corner of said Venable
29 Parcel One, Tract II and the most westerly southwest corner of said
30 103.4117 acre tract, said point being in the north line of said
31 Venable Parcel One, Tract I;

1 THENCE North 85°40'16" East, along the north line of said Venable
2 Parcel One, Tract I and a south line of said 103.4117 acre tract, a
3 distance of 774.60 feet to a concrete monument found for the
4 northeast corner of said Venable Parcel One, Tract I and an ell
5 corner of said 103.4117 acre tract;
6 THENCE South 00°41'49" East, along the east line of said Venable
7 Parcel One, Tract I and a west line of said 103.4117 acre tract, a
8 distance of 427.62 feet to the northwest corner of said Venable
9 Exhibit "A-7" First Tract and the most southerly southwest corner
10 of said 103.4117 acre tract;
11 THENCE North 89°37'44" East, along the north line of said Venable
12 Exhibit "A-7" First Tract and the south line of said 103.4117 acre
13 tract, passing at a distance of 25.00 a concrete monument found, and
14 continuing for a total distance of 1995.90 feet to a concrete
15 monument found for the northeast corner of said Venable Exhibit
16 "A-7" First Tract and the southeast corner of said 103.4117 acre
17 tract, said corner being in the west line of said Venable Exhibit
18 "A-7" Second Tract;
19 THENCE North 00°17'05" East, along the west line of said Venable
20 Exhibit "A-7" Second Tract and the east line of said 103.4117 acre
21 tract, a distance of 788.98 feet to a wood corner post found for the
22 northwest corner of said Venable Exhibit "A-7" Second Tract and an
23 ell corner of said 103.4117 acre tract;
24 THENCE South 89°29'26" East, along the north line of said Venable
25 Exhibit "A-7" Second Tract and a south line of said 103.4117 acre
26 tract, passing at a distance of 99.73 feet a wood corner post found
27 for the most easterly southeast corner of said 103.4117 acre tract
28 and the southwest corner of a called 51.9010 acre tract of land
29 conveyed to Helen K. McGraw, by deed recorded in County Clerk's File
30 No. 94-R0085683, D.R.D.C.T., and continuing along said north line
31 and the south line of said 51.9010 acre tract, for a total distance

1 of 1357.89 feet to a 1/2 inch iron rod found for the northeast
2 corner of said Venable Exhibit "A-7" Second Tract, the northwest
3 corner of said Venable Exhibit "A-1" Ninth Tract, the southeast
4 corner of said 51.9010 acre tract, and the southwest corner of Lot
5 28 of Yellow Rose Estates Subdivision, an addition to Denton
6 County, Texas according to the plat recorded in Cabinet L, Page 177,
7 M.R.D.C.T.;

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

15 THENCE South 00°48'05" West, along the east line of said Venable
16 Exhibit "A-1" Ninth Tract and the west line of said St. John's
17 Place, a distance of 1315.38 feet to a 1/2 inch iron rod found for
18 the southeast corner of said Venable Exhibit "A-1" Ninth Tract, the
19 northeast corner of said Venable Exhibit "A-1" Tenth Tract, the
20 northwest corner of said Venable Exhibit "A-1" Twenty-Fifth Tract,
21 and the southwest corner of Lot 9 of said St. John's Place;

22 THENCE South 88°50'34" East, along the north line of said Venable
23 Exhibit "A-1" Twenty-Fifth Tract and the south line of said St.
24 John's Place, a distance of 978.68 feet to metal corner post found
25 for the southeast corner of Lot 8 of said St. John's Place, and the
26 southwest corner of a called 129.223 acre tract of land conveyed to
27 Texas Motor Speedway, Inc. d/b/a Texas International Raceways, by
28 deed recorded in County Clerk's File No. 96-R0079309, D.R.D.C.T.;

29 THENCE South 88°46'04" East, along the north lines of said Venable
30 Exhibit "A-1" Twenty-Fifth Tract and Twenty-Sixth Tract and the
31 south line of said 129.223 acre tract, a distance of 1653.96 feet to

1 a metal corner post found for the northeast corner of said Venable
2 Exhibit "A-1" Twenty-Sixth Tract and the southeast corner of said
3 129.223 acre tract, said corner being in the west line of a called
4 71.114 acre tract of land, File No. F0072.00, conveyed to The Rudman
5 Partnership, by deed recorded in Volume 2844, Page 42,
6 R.P.R.D.C.T.;

7 THENCE South 01°46'53" West, along the east line of said Venable
8 Exhibit "A-1" Twenty-Sixth Tract and the west line of said 71.114
9 acre tract, passing at a distance of 789.91 feet a 1/2 inch iron rod
10 found for the southwest corner of said 71.114 acre tract and the
11 northwest corner of a called 61.36 acre tract of land conveyed to
12 Michelle Lynette Roberts, by deed recorded in Instrument No.
13 2008-40245, O.R.D.C.T., and continuing along said east line and the
14 west line of said 61.36 acre tract, for a total distance of 1296.74
15 feet to a wood corner post found for the southeast corner of said
16 Venable Exhibit "A-1" Twenty-Sixth Tract and the most westerly
17 southwest corner of said 61.36 acre tract, said corner being in the
18 north line of said Venable Exhibit "A-2" Third Tract;

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

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

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

26 South 85°40'05" East, passing at a distance of 1460.68 feet a
27 wood corner post found for the most northerly northeast corner of
28 said Venable Exhibit "A-2" Third Tract, the northwest corner of
29 said Venable Exhibit "A-3", 24 acre tract, the most southerly
30 southeast corner of said 61.36 acre tract, and the most westerly
31 southwest corner of a called 18.78 acre tract of land conveyed to

1 Zandra Bean, by deed recorded in Volume 4229, Page 2901,
2 R.P.R.D.C.T., and continuing along the south line of said 18.78
3 acre tract for a total distance of 1552.99 feet to a wood corner
4 post found for and ell corner of said 18.78 acre tract;
5 THENCE South 02°38'27" West, along a west line of said 18.78 acre
6 tract, a distance of 210.21 feet to a wood corner post found for the
7 most southerly southwest corner of said 18.78 acre tract;
8 THENCE South 87°34'17" East, along the south line of said 18.78 acre
9 tract, a distance of 925.13 feet to a 5/8 inch iron rod found for the
10 southeast corner of said 18.78 acre tract, said corner being in the
11 west line of said Venable 10.69 acre tract, and being in the
12 approximate centerline of Massey Road;
13 THENCE North 04°51'52" East, with the approximate centerline of said
14 Massey Road, and along the west line of said Venable 10.69 acre
15 tract and east line of said 18.78 acre tract, a distance of 228.51
16 feet to the northwest corner of said Venable 10.69 acre tract, from
17 which a 1/2 inch iron rod found bears North 87°55'27" West a distance
18 of 6.38 feet;
19 THENCE South 87°55'27" East, along the north line of said Venable
20 10.69 acre tract, passing at a distance of 24.76 feet a 1/2 inch
21 iron rod found in the east line of said Massey Road, and continuing
22 for a total distance of 526.66 feet to the POINT OF BEGINNING and
23 containing 2521.094 acres or 109,818,863 square feet of land, more
24 or less.
25 SAVE AND EXCEPT THE FOLLOWING TRACTS A, B, and C:
26 TRACT A
27 Being a tract of land situated in the J. Moses Survey, Abstract No.
28 894 and the N. McMillan Survey, Abstract No. 841, Denton County,
29 Texas, and consisting of the following; those tracts of land
30 conveyed to Patricia Ann Harmon Brockett, a 105 foot by 210 foot
31 tract, called Tract 1, a called 27.20 acre tract, called Tract 2,

1 and a called 26.23 acre tract, called Tract 3, by deed recorded in
2 Instrument No. 2011-9037, O.R.D.C.T.; a called 27.20 acre tract of
3 land conveyed to Willie Pearlene Harmon Johnson by deed recorded in
4 Volume 5033, Page 3166, R.P.R.D.C.T.; a called 0.5 acre tract of
5 land conveyed to J. R. Johnson and wife, Pearlene Johnson by deed
6 recorded in Volume 400, Page 32, D.R.D.C.T.; a called 1.000 acre
7 tract of land conveyed to Pearlene Johnson, et ux by deed recorded
8 in Volume 794, Page 219, D.R.D.C.T.; a called 1.001 acre tract of
9 land conveyed in deed to J.S. Dubose and/or Lee J. Brookshire, Jr.,
10 Trustees, by deed recorded in Volume 2015, Page 147, R.P.R.D.C.T.;
11 a called 3.046 acre tract of land conveyed to Tracy Glenn Henderson
12 and Linda Gail Henderson by deed recorded in Volume 4897, Page 3357,
13 R.P.R.D.C.T.; a called 1.001 acre tract of land conveyed to Michael
14 J. Behrend by deed recorded in Volume 3016, Page 596, R.P.R.D.C.T.;
15 a called 5.061 acre tract of land conveyed to Michael Jon Behrend by
16 deed recorded in County Clerk's File No. 94-R0003414, D.R.D.C.T.; a
17 called 1.000 acre tract of land conveyed to Brad Hines and Margaret
18 Hines by deed recorded in Volume 4991, Page 695, R.P.R.D.C.T.; the
19 remainder of a called 29.553 acre tract of land conveyed to L.Z.
20 Harmon, Sr., by deed recorded in Volume 5033, Page 3143,
21 R.P.R.D.C.T.; a called 2.116 acre tract of land conveyed to Wade
22 Franklin Lewis and Harry Lou Lewis, husband and wife, by deed
23 recorded in County Clerk's File No. 94-R008814, D.R.D.C.T.; a
24 called 1.000 acre tract of land, called Tract 1 and a called 1.00
25 acre tract of land, called Tract 2, conveyed to Brad Hines and Wife,
26 Margaret Hines, by deed recorded in Volume 4401, Page 1042,
27 R.P.R.D.C.T.; a called 1.000 acre tract of land conveyed to Hugo E.
28 Richter, Jr. and Wife, Jolene J., by deed recorded in Volume 733,
29 Page 574, D.R.D.C.T.; a called 1.01 acre tract of land conveyed to
30 Carol Puckett by deed recorded in Instrument No. 2007-96075,
31 R.P.R.D.C.T.; a called 0.724 acre tract of land conveyed to Marcus

1 Wayne Pierce, et ux, by deed recorded in Instrument No.
2 2004-104661, O.R.D.C.T.; a tract of land conveyed to Kenneth W.
3 Wilson and Wife, Carolyn Wilson by deed recorded in Volume 4873,
4 Page 2682, R.P.R.D.C.T.; a called 3.00 acre tract of land conveyed
5 to George Wayne Pierce and Wife, Sue Pierce by deed recorded in
6 Volume 719, Page 602, D.R.D.C.T.; a called 1.269 acre tract of land
7 conveyed to Kenneth W. Wilson and Wife, Carolyn Wilson by deed
8 recorded in Document No. 2011-95837, O.R.D.C.T.; and a called 0.254
9 acre tract of land conveyed to Black Rock Water Supply Corporation
10 by deed recorded in Volume 1788, Page 989, R.P.R.D.C.T., and being
11 more particularly described as follows:

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

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

26 THENCE North 0°38'15" West, along the east line of said Venable
27 27.20 acre tract and the west line of said 26.23 acre tract, a
28 distance of 1112.40 feet to the northeast corner of said Venable
29 27.20 acre tract and northwest corner of said 26.23 acre tract, said
30 corner being in the south line of the above mentioned Venable
31 Exhibit "A-8", 54.089 acre tract, being the same as the above

1 mentioned Venable 54.08 acre tract recorded in Volume 4867, Page
2 3255, R.P.R.D.C.T.;
3 THENCE South 88°18'52" East, along the south line of said Venable
4 Exhibit "A-8", 54.089 acre tract and the north line of said 26.23
5 acre tract, a distance of 907.17 feet to the southeast corner of
6 said Venable Exhibit "A-8", 54.089 acre tract and the northeast
7 corner of said 26.23 acre tract, said corner being in the west line
8 of the above mentioned Venable Exhibit "A-2" Second Tract;
9 THENCE South 0°33'39" West, along the west line of said Venable
10 Exhibit "A-2" Second Tract and the east line of said 26.23 acre
11 tract, a distance of 1151.30 feet to a wood corner post found for
12 the southwest corner of said Venable Exhibit "A-2" Second Tract and
13 the northwest corner of said Harmon 29.553 acre tract;
14 THENCE South 88°23'05" East, along the south line of said Venable
15 Exhibit "A-2" Second Tract and the north line of said 29.553 acre
16 tract, a distance of 555.23 feet to a 1/2 inch iron rod found for the
17 most westerly northeast corner of said 29.553 acre tract and the
18 northwest corner of said Pierce 3.00 acre tract;
19 THENCE South 88°18'08" East, continuing along the south line of said
20 Venable Exhibit "A-2" Second Tract and the north line of said Pierce
21 3.00 acre tract, a distance of 626.29 feet to a 1/2 inch iron rod
22 found for the northeast corner of said Pierce 3.00 acre tract and
23 the northwest corner of said Wilson 1.269 acre tract;
24 THENCE South 88°04'56" East, continuing along the south line of said
25 Venable Exhibit "A-2" Second Tract and the north lines of said
26 Wilson 1.269 acre tract and said Black Rock Water Supply
27 Corporation 0.254 acre tract, a distance of 365.79 feet to a wood
28 corner post found for the northeast corner of said Black Rock Water
29 Supply Corporation 0.254 acre tract and the northwest corner of the
30 above mentioned Venable Exhibit "A-6" 70 acre tract;
31 THENCE South 01°20'17" West, along the west line of said Venable

1 Exhibit "A-6" 70 acre tract and the east lines of said Black Rock
2 Water Supply Corporation 0.254 acre tract, said Harmon 29.553 acre
3 tract, and said Pierce 0.724 acre tract, passing at a distance of
4 1388.97 feet a 1/2 inch iron rod found in the north line of Richter
5 Road for the southeast corner of said Pierce 0.724 acre tract, and
6 continuing along said west line for a total distance of 1413.97 feet
7 to the southwest corner of said Venable Exhibit "A-6" 70 acre tract,
8 said corner being in the north line of the above mentioned Venable
9 Exhibit "A-1" Twenty-Fourth Tract;
10 THENCE North 88°16'47" West, along the north line of said Venable
11 Exhibit "A-1" Twenty-Fourth Tract, a distance of 1403.72 feet to
12 the most southerly southeast corner of said Lewis 2.116 acre tract,
13 from which a 1/2 inch iron rod found in the north line of Richter
14 Road bears North 00°28'03" East a distance of 25.01 feet;
15 THENCE North 88°01'16" West, continuing along the north line of said
16 Venable Exhibit "A-1" Twenty-Fourth Tract and the south lines of
17 said Lewis 2.116 acre tract, said Johnson 0.5 acre tract, and said
18 Johnson 27.20 acre tract, a distance of 2024.03 feet to a wood
19 corner post found for the southwest corner of said Johnson 27.20
20 acre tract, the northwest corner of said Venable Exhibit "A-1"
21 Twenty-Fourth Tract, the northeast corner of the above mentioned
22 Venable Exhibit "A-1" Eighth Tract, and the southeast corner of
23 said Venable Exhibit "A-1" Twenty-First Tract;
24 THENCE North 00°39'41" West, along the east line of said Venable
25 Exhibit "A-1" Twenty-First Tract and the west lines of said Johnson
26 27.20 acre tract and said 27.20 acre Patricia Ann Harmon Brockett
27 tract, a distance of 1401.57 feet to the POINT OF BEGINNING and
28 containing 135.931 acres or 5,921,167 square feet of land, more or
29 less.
30 TRACT B
31 Being a tract of land situated in the George Smith Survey, Abstract

1 No. 1219, Denton County, Texas, and being described as a 210 foot by
2 210 foot tract of land conveyed to Faith Assembly Church by deed
3 recorded in Instrument No. 2004-26872, O.R.D.C.T., and being more
4 particularly described as follows:

5 BEGINNING at the northeast corner of said Church tract, from which a
6 wood corner post found bears South 89°52'15" East a distance of
7 130.00 feet;

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

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

17 THENCE North 00°07'45" East, with the approximate centerline of
18 Harmon Road and along the west line of said Church tract, a distance
19 of 210.00 feet to the northwest corner of said Church tract;

20 THENCE South 89°52'15" East, along the north line of said Church
21 tract, a distance of 210.00 feet to the POINT OF BEGINNING and
22 containing 1.012 acres or 44,100 square feet of land, more or less.

23 TRACT C

24 Being a tract of land situated in the J. Moses Survey, Abstract No.
25 894, Denton County, Texas, and being all of a called 2 acre tract of
26 land, conveyed to Trustees of Wilson Cemetery by deed recorded in
27 Volume 57, Page 402, D.R.D.C.T., and being more particularly
28 described as follows:

29 BEGINNING at a chain link fence corner post found for the northwest
30 corner of said Cemetery tract and the southwest corner of the above
31 mentioned Venable Exhibit "A-1" Twenty-Second Tract, said corner

1 being in the east line of the above mentioned Venable Exhibit "A-1"
2 Fourteenth Tract;
3 THENCE North 89°39'39" East, along the north line of said Cemetery
4 tract and the south line of said Venable Exhibit "A-1"
5 Twenty-Second Tract; passing at a distance of 288.86 feet a chain
6 link fence corner post found and continuing for a total distance of
7 305.55 feet to the northeast corner of said Cemetery tract, the
8 southwest corner of the above mentioned Venable Exhibit "A-1"
9 Twenty-First Tract, and the northwest corner of the above mentioned
10 Exhibit "A-1" Eighth Tract;
11 THENCE South 00°20'21" East, along the east line of said Cemetery
12 tract and the west line of said Venable Exhibit "A-1" Eighth Tract,
13 a distance of 285.28 feet to the southeast corner of said Cemetery
14 tract and the most easterly northeast corner of said Venable
15 Exhibit "A-1" Fourteenth Tract;
16 THENCE South 89°39'39" West, along the south line of said Cemetery
17 tract and a north line of said Venable Exhibit "A-1" Fourteenth
18 Tract; a distance of 305.55 feet to the southwest corner of said
19 Cemetery tract and an ell corner of said Venable Exhibit "A-1"
20 Fourteenth Tract, from which a chain link fence corner post found
21 bears North 30°04'24" East a distance of 9.80 feet;
22 THENCE North 00°20'21" West, along the west line of said Cemetery
23 tract and the east line of said Venable Exhibit "A-1" Fourteenth
24 Tract, a distance of 285.28 feet to the POINT OF BEGINNING and
25 containing 2.001 acres or 87,168 square feet of land, more or less.

26 _____
27 _____

28 VENABLE PROPERTY DESCRIPTION
29 TRACT 2

30 Being a tract of land situated in the T. Chambers Survey, Abstract
31 No. 223, Denton County, Texas, and being all the following tracts of

1 land conveyed to Venable Royalty, Ltd.; a called 4.37 acre tract of
2 land by deed recorded in Instrument No. 2003-193459 of the Official
3 Records of Denton County, Texas, and all of a called 4.35 acre tract
4 of land by deed recorded in Volume 4952, Page 1406 of the Real
5 Property Records of Denton County, Texas, and being more
6 particularly described as follows:

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

14 THENCE South 87°59'39" East, along the north line of said 4.35 acre
15 tract and the south line of said 2.726 acre tract, a distance of
16 307.30 feet to the northeast corner of said 4.35 acre tract and the
17 southeast corner of said 2.726 acre tract, said corner being in the
18 west right-of-way line of State Highway 377 (a 120 foot wide
19 right-of-way), from which a metal corner post found bears North
20 87°59'39" West a distance of 1.44 feet, said point also being at the
21 beginning of a non-tangent curve to the right;

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

24 Southwesterly, along said non-tangent curve to the right
25 having a central angle of 02°03'24", a radius of 5669.58 feet, a
26 chord bearing of South 03°44'56" West, a chord distance of 203.52
27 feet, passing at an arc length of 203.12 feet a wood highway marker
28 found for the southeast corner of said 4.35 acre tract and being at
29 the intersection of the west right-of-way line of State Highway 377
30 with the northwesterly right-of-way line of Farm to Market 3524 (a
31 80 foot wide right-of-way), and continuing for a total an arc length

1 of 203.53 feet to the end of said curve;

2 South 04°46'38" West, passing at a distance of 570.19 feet the
3 northeast corner of said 4.37 acre tract, from which a 60d nail
4 found bears South 85°13'22" East a distance of 1.33 feet, and
5 continuing for a total distance of 1120.24 feet to the southeast
6 corner of said 4.37 acre tract, from which a 1/2 inch iron rod found
7 bears North 88°16'01" West a distance of 1.06 feet;

8 THENCE North 88°16'01" West, along the south line of said 4.37 acre
9 tract, a distance of 387.22 feet to the southwest corner of said
10 4.37 acre tract, said corner being in the east line of said Texas
11 and Pacific Railway Company right-of-way, from which a 1/2 inch
12 iron rod found bears North 88°16'01" West a distance of 1.30 feet,
13 said point also being at the beginning of a non-tangent curve to the
14 left;

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

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

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

31 This document was prepared under 22 TAC §663.21, does not reflect

1 the results of an on the ground survey, and is not to be used to
2 convey or establish interests in real property except those rights
3 and interests implied or established by the creation or
4 reconfiguration of the boundary of the political subdivision for
5 which it was prepared.

6 SECTION _____. (a) If this Act does not receive a
7 two-thirds vote of all the members elected to each house,
8 Subchapter C, Chapter 8469, Special District Local Laws Code, as
9 added by Section ___ of this Act, is amended by adding Section
10 8469.109 to read as follows:

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

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

16 (2) Renumber cross-references in the added SECTIONS
17 accordingly.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 22, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3914 by Sanford (Relating to the creation of the Old Celina Municipal Management District No. 1; providing authority to impose an assessment or fee.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 17, 2013

TO: Honorable Juan Hinojosa, Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3914 by Sanford (relating to the creation of the Old Celina Municipal Management District No.1; providing authority to impose an assessment or fee.), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 16, 2013

TO: Honorable Juan Hinojosa, Chair, Senate Committee on Intergovernmental Relations

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3914 by Sanford (Relating to the creation of the Old Celina Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose an assessment or fee.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 2, 2013

TO: Honorable Dennis Bonnen, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3914 by Sanford (relating to the creation of the Old Celina Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose an assessment or fee.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 23, 2013

TO: Honorable Dennis Bonnen, Chair, House Committee on Special Purpose Districts

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB3914 by Sanford (Relating to the creation of the Old Celina Municipal Management District No. 1; providing authority to issue bonds; providing authority to impose an assessment or fee.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

Because the bill would not have statewide impact on units of local government of the same type or class, no comment from this office is required by the rules of the House/Senate as to its probable fiscal implication on units of local government.

Source Agencies:

LBB Staff: UP, KKR, TP